
RECORD OF PROCEEDINGS

Minutes of the Meeting of the Board of Directors of Berry Creek Metropolitan District on June 25, 2024

The Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado was held June 25, 2024, at 4:00 p.m., in accordance with the applicable statutes of the State of Colorado. The Board met in joint session with the members of the Board of Directors of the Singletree Property Owners Association (SPOA). These minutes are the minutes of the BCMD portion of the meeting and separate minutes record the SPOA portion of the meeting.

ATTENDANCE

The following BCMD Directors were present and acting:

- Courtney Holm
- David Viele, Virtually
- Katie Rothenberg
- Melissa Nelson
- Trevor Broersma

SPOA Directors in attendance:

- Dan Godec
- Karen Zavis
- Lorry Prentis, Virtually
- Ron Rubinoff, Virtually

Also, in attendance were:

- Dan Carlson, Facilities Manager
- Ken Marchetti, Marchetti & Weaver
- Nina Timm, Community Manager
- Charlie Dawson, Resident
- Clint & Sarah Jansen, Resident
- Helen Burton, Resident, Virtually
- Marc Prisant, Resident

CALL TO ORDER

Director Holm called the Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District to order on June 25, 2024, at 4:00 p.m., noting a quorum was present.

DISCLOSURE MATTERS

Pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board reviewed the agenda for the meeting, following which each Board member disclosed their conflicts of interest, stating the fact and summary nature of any matters as required under Colorado law, to permit official action to be taken at the meeting. The Board determined that the participation of

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the members present was necessary to obtain a quorum or otherwise enable the Board to act.

AGENDA

There were no changes to the agenda.

PUBLIC INPUT

Marc Prisant, resident, noted that there is an irrigation cap missing on the southwest corner of the field at Chip Ramsey Park. He requested that the recreation path be posted as a no e-bike path, since he considers them “motorized vehicles.”

Helen Burton, resident, wanted the boards to know she was not supportive of a sales tax for BCMD. The property tax treats everyone equally based on the value of their home and she believes that a sales tax is regressive that could impact full-time residents disproportionately. She encouraged BCMD to increase their mill levy if additional funds are necessary.

APRIL 23, 2024, MEETING MINUTES

The Board reviewed the April 23, 2024, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the April 23, 2024, meeting minutes.

MAY 28, 2024, MEETING MINUTES

The Board reviewed the May 28, 2024, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the May 28, 2024, meeting minutes.

OPERATIONS REPORT

The mobile MPH sign has been placed in the community. The Board authorized the streetlight repairs at Longhorn Road and Chute Circle.

OPEN ITEM STATUS REPORT

There was discussion about how many residents use the compost bin at the Community Center and if it warranted the impacts created by the bin or if an enclosure should be built to screen the compost bin. There was a request for more information about the number of Singletree residents that use the compost service.

OUTSIDE ENTITIES' FUNDING REQUESTS

The report will be eliminated from future meeting packets.

RESOLUTION ADOPTING A DIGITAL ACCESSIBILITY POLICY AND DESIGNATING A COMPLIANCE OFFICER

The resolution states that BCMD will adopt a digital accessibility policy and designate a Compliance Officer. This resolution and the digital accessibility policy are required by

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law. As proposed, Ken Marchetti will be BCMD's Compliance Officer. Work has already begun to create digital accessibility on the website. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to adopt the Digital Accessibility Policy and Designate a Compliance Officer.

MAY 2024 FINANCIAL STATEMENT

Revenue and expenses are steady with the budget. There are more favorable than unfavorable variances. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to accept the May 2024 financial statement as presented.

PAYMENT OF JUNE 2024 INVOICES

Following review of the payments, by motion duly made and seconded, it was unanimously

RESOLVED to approve the June 2024 invoices for payment.

2023 AUDIT PRESENTATION

The Audit Committee, David Viele, Karen Zavis, and Melissa Nelson, unanimously recommends the Board accept the 2023 Audit Report as presented. The auditor found no issues in their review of the financials and financial practices. BCMD changed audit firms for 2023, and it was noted that format changes were appreciated. Thanks was given to Karen Zavis for her time and effort in reviewing the draft audit report. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to accept the 2023 Audit Report as presented.

DISCUSSION OF A POTENTIAL SALES TAX

This is a continuation of the discussion around the option of a sales tax for BCMD. Marchetti & Weaver used Arrowhead's sales tax as a close comparison community to Singletree, except Singletree has no short-term rentals. Any sales tax rate would be set by the Board as well as the voters, as a successful election would be required to establish a sales tax for BCMD. Sales tax funds are limited to roads, road safety, and wildfire protection. It is estimated that a 1% sales tax would generate approximately \$100,000 in Singletree. Sales tax collected could be an additional revenue source that could allow the BCMD mill levy to be reduced or it could be a supplemental revenue source for BCMD, should additional funds be needed for roads, road safety, or fire protection.

Helen Burton reiterated that she believes a sales tax could be a greater tax on local residents.

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Clint Janssen, resident, confirmed that a sales tax would require voter approval and that a sales tax would be assessed on construction materials where they are used in Singletree.

The Board thanked Ken Marchetti for the information and agreed that a future Board may consider a sales tax for BCMD, however the Board was not committed to taking any action on a potential sales tax at this time.

UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE (UERWA)

- They continue to encourage customers to reduce the amount of turf grass in their yards as a water conservation measure.
- While there is normal snowpack for this time of year, normal snowpack cannot provide enough water to keep up with the warmer than normal temperatures.

COMMUNITY MANAGER'S REPORT

- Monthly servicing of the Charolais Circle Pond continues. Dye was added to reduce the amount of sunlight that reaches the pond bottom.
- The June Creek Emergency Only Access work continues and is a bit behind schedule.
- Since 2016, 80 homeowners in Singletree have gotten REALFire assessments with only two owners completing the required mitigation and requesting final certification. Eagle County staff noted that approximately 53% of homeowners have completed some wildfire mitigation work on their property.
- The Edwards Area Hard to Recycle event was a success. BCMD's cost share was \$2,300.
- There was discussion about Edwards, CO being the 15th most costly wildfire area in the United States. There was a request for Hugh Fairfield-Smith to come and discuss the wildfire mitigation that has been done and what else is contemplated in the area.

OTHER BUSINESS

The goal is to have the Shared Services Agreement in the July 2024 meeting packet for both boards to review.

ADJOURNMENT

There being no further business to come before the Board, by motion duly made and seconded, it was unanimously

RESOLVED to adjourn the Regular Meeting of the Berry Creek Metropolitan District Board of Directors this 25th day of June 2024.

Respectfully submitted,

Nina Timm