
RECORD OF PROCEEDINGS

Minutes of the Meeting of the Board of Directors of Berry Creek Metropolitan District on March 26, 2024

The Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado was held March 26, 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
- Melissa Nelson, Virtually
- Trevor Broersma, Virtually

SPOA Directors in attendance:

- Jennie Longville May
- Karen Zavis
- Lorry Prentis, Virtually
- Ron Rubinoff

Also, in attendance were:

- Charlie Dawson, Resident
- George Gregory, Resident
- Sarah Smith Hymes
- Dan Carlson, Facilities Manager
- Ken Marchetti, Marchetti & Weaver
- Nina Timm, Community Manager

CALL TO ORDER

Director Holm called the Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District to order March 26, 2024, at 4:05 p.m., noting a quorum was present.

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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 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

George Gregory introduced Sarah Smith Hymes. He has worked with her for the past nine years on the UERWA Board of Directors where she attended all of the meetings and was well prepared for each meeting, and she is currently a Democratic candidate for the Board of County Commissioners (BoCC) District 2 primary in June. He fully supports her as the District 2 candidate. Sarah Smith Hymes noted she also served on the Avon Town Council, part of the time as Mayor. She reminded everyone that they are able to vote for BoCC district candidates regardless of where in Eagle County they live.

FEBRUARY 27, 2024, MEETING MINUTES

The Board reviewed the February 27, 2024, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the February 27, 2024, meeting minutes.

OPEN ITEM STATUS REPORT

Added website functionality and ADA accessibility to the list.

OUTSIDE ENTITIES' FUNDING REQUESTS

- Waiting for an update on the Vail Trail Completion through the Edwards area.
- The Edwards area Hard to Recycle event will be on Friday, June 14.

OTHER BUSINESS

There was a discussion about Dan Carlson's retirement at the end of October and how his responsibilities could be managed going forward. He will meet with Neil Tretter at the Sonnenalp Club about responsibilities they are willing and able to contract with BCMD to complete. There is synergy as Sonnenalp Club staff is already working throughout the community. Another local property manager may be interested in other portions of the existing contract with Dan Carlson. It was confirmed with Ken Marchetti that this work does not require a Request for Proposals to be issued since it is for a service and not a construction project.

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OPERATIONS REPORT

There are two streetlights out and they will be repaired as the weather permits. The trash can at the disc golf course was emptied for the first time since snowfall. It was very full.

FEBRUARY 2024 FINANCIAL STATEMENT

Marchetti & Weaver has received the draft audit financial statements and are in the process of their internal review. Karen Zavis, Melissa Nelson, and David Viele will serve on BCMD's Audit Committee. The plan would be for a recommendation to the BCMD Board at a meeting this spring. Budget-wise, things are in line with budget expectations for this time of year. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to accept the February 2024 financial statement as presented.

PAYMENT OF MARCH 2024 INVOICES

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

RESOLVED to approve the March 2024 invoices for payment.

UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE (UERWA)

- The March meeting was cancelled.
- 16-acre feet of water have been donated (previously donated by Eagle County to ERWSD for affordable housing developments) to the affordable workforce housing development proposed on land currently owned by the State Land Board in Eagle Vail.
- ERWSD is working with other entities to purchase the Shoshone Water Right. The contract requires the \$99 million to be paid by December 31, 2027.

COMMUNITY MANAGER'S REPORT

- The www.singletreetoday.com website will be updated to meet ADA accessibility requirements prior to the July 1, deadline.
- The joint Edwards area Hard to Recycle event will be held on Friday, June 14.
- Residents are being asked to help clean up the Sonnenalp Golf Course as well as the Community Pride Highway Cleanup Day on May 4.
- Continue to collect 2024 SPOA annual dues.

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Dan Carlson, George Gregory, Charlie Dawson, Ken Marchetti, and Nina Timm left the meeting at 4:41 p.m.

EXECUTIVE SESSION

By motion duly made and seconded, it was unanimously

RESOLVED the BCMD and SPOA Boards move into a joint executive session to discuss personnel matters related to the Community Manager's annual review C.R.S. 24-6-402(4)(f).

The Boards adjourned the joint executive session at 5:20 p.m.

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 26th day of March 2024.

Respectfully submitted,

Nina Timm