
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors Berry Creek Metropolitan District March 24, 2009

A Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District, Eagle County, Colorado was held on March 24, 2009 at 8:30 a.m., at the Singletree Community Center, 1010 Berry Creek Road, Edwards, Eagle County, Colorado, in accordance with the applicable statutes of the State of Colorado.

Attendance The following Directors were present and acting:

- Don Cohen
- Doris Dewton
- George Gregory
- Heather McInerney
- Mike Budd

Also in attendance were:

- Chris Dunn, Dunn + Kiley Landscape Architects
- Doug Gray, SPOA
- Eileen Jacobs, Community Manager
- Dan Carlson, SFB, Inc.
- Ken Marchetti, Robertson & Marchetti, P.C.
- Cheri Curtis, Secretary to the Meeting

Call To Order

The Regular Meeting of the Board of Directors of Berry Creek Metropolitan District was called to order by Director Cohen, on March 24, 2009, at 8:30 a.m. noting a quorum was present.

Beautification

Plans

Chris Dunn, who is an independent contractor with EDAW, Inc. has held meetings with the Beautification Committee and the Sonnenalp Golf Course and attended the Board meeting to present the draft plans for landscaping improvements throughout the public areas of Singletree. Mr. Dunn will be meeting with representatives from the Sonnenalp Golf Course to review the plans later today. Mr. Dunn stated the areas the plans address include a sense of arrival at the community, image, way finding, screening of utility boxes, and improving landscaping standards throughout the community.

Mr. Dunn reviewed the plans with the Board and discussed specific items including intersections and using naturalized materials for improvements. The plans include using specified materials that work well in the Singletree environment. The plans are broken into ten phases that can be implemented over an equivalent number of years for budgeting purposes.

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The proposed plans for the west entrance round-a-bouts were discussed. Mr. Dunn expressed concern that due to the topography there won't be sufficient room for landscape improvements and he requested that a landscape platform be considered where possible. The District will pass this request along to Eagle County.

Mr. Marchetti questioned the cost per phase for the improvements for the long range plan. Mr. Dunn suggested using \$125,000 per phase except for the west entrance round-a-bout project, which will be more expensive.

The Board expressed their gratification for the presentation. Mr. Dunn left the meeting at 9:45 a.m.

Minutes By motion duly made and seconded it was unanimously

RESOLVED to approve the minutes of the February 24, 2009 Regular Meeting as amended.

**Changes to
Agenda**

Doug Gray will present information on the exercise classes and the recreation path update.

**Public
Input**

There was no public input.

**Staff
Reports**

Mr. Dan Carlson presented a \$2,150 proposal from STI to install a drip system for the planters at the Community Center. The Board approved having STI install the drip system per Mr. Carlson's recommendation.

Neil Tretter with the Sonnenalp Golf Club has suggested the District install a pressure reducing valve (PRV) for the Chip Ramsey Park irrigation system. Mr. Carlson reported the PRV will be installed near the golf course Hole 8 and will assist with controlling pipe breakage until the District is ready to replace the sprinkler system. Director Budd suggested looking at replacing the irrigation lines while improving the landscaping. The Board discussed working with Neil Tretter to determine when the District should budget for replacing the irrigation system. Director Gregory reported there is a cost savings to repair the system as opposed to replacing the system.

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Exercise

Equipment

Ms. Jacobs presented three different proposals from Commercial Fitness to update the equipment in the exercise room and informed the Board it is necessary to install signage and maintain the equipment. Director Budd questioned why a power plate was not included in the proposals and Board asked that a power plate be included in future proposals.

There will be two flat screen televisions with audio units which will allow participants to listen with earphones. The Board estimated the cost at approximately \$2,000 if purchased at Costco.

The Board directed Ms. Jacobs to get proposals from local exercise equipment suppliers and use a local company if there is not a significant cost difference.

Trail Head Parking

The Board discussed the current policy of no parking on public roads within Singletree. Although they recognize this creates a minor inconvenience for hikers wishing to use the trails, the Board does not believe creation of trailhead parking is necessary at this time.

Recycling Bins

Ms. Jacobs requested approval to install recycling containers at the District Parks. The Board agreed to install two containers; one at the Community Center and the other at Chip Ramsey Park. The Board also agreed to install a container inside the Community Center. Mr. Carlson agreed to take the material to the recycling center.

WECMRD MOU

The Board discussed the recent usage on the soccer field by an organized soccer entity. Ms. Jacobs explained that by executing the Memorandum Of Understanding with WECMRD, all field scheduling would be handled by WECMRD. The Board discussed limiting usage when the field was wet to avoid damage and making sure the District's parking rules were strictly enforced. By motion duly made and seconded it was unanimously

RESOLVED to approve the Memorandum Of Understanding with WECMRD with the District's conditions explained in an attached letter.

Mr. Carlson left the meeting at 9:55 a.m.

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Winslow Road

Construction Director Budd reported the Winslow Road construction is currently ahead of schedule but that the asphalt portion cannot be completed until the batch plant opens in early May. The landscaping and rock staining will need to be completed at a later date, as the weather allows. The road can be opened for vehicular traffic before the landscape improvements are completed. The Board cautioned that the road should not be open when the rock stain is being applied.

The construction budget includes new asphalt to a determined point on Winslow Road. The cost to extend the new asphalt to Rawhide Road is between \$3,000 and \$5,000. The Board authorized up to \$5,000 to extend the new asphalt to Rawhide Road.

Director Budd left the meeting at 10:05 a.m.

Vail 50 Request

The Board received a request to waive the fees for the Community Center usage by the Vail 50 Club. The Board agreed to allow all non profits use of the Center for the resident/non-profit rate.

Exercise Classes

Doug Gray met with Scott Thomas at the Sonnenalp Golf Club and they agreed to continue conducting classes at the center, with reimbursement for expenses. The informal agreement was the District would pay for 50% of the classes after the first class each day. The Board directed Ms. Jacobs to work with the Sonnenalp to develop an agreement and determine the reimbursement by the District in the future.

SPOA

Doug Gray reported that SPOA is working to reduce expenditures in their budget.

Representatives are working with Johannes Faessler to finalize the lease agreement for trail access across the golf course to the Forest Service land. The agreement has been revised to reflect Mr. Faessler's requests. Once the agreement is executed, the Forest Service will work with resident volunteers to construct the trail improvements.

There are funds in the SPOA budget for weed control. Ms. Jacobs is working with Mr. Carlson to identify properties needing spraying. A letter will be sent to homeowners with the option of doing nothing and receiving a fine, personally removing the weeds, or allowing the Association to spray the weeds and bill the homeowner for the costs. It was noted the District would purchase weed control chemicals from Eagle County Weed and Pest, which is more effective than over the counter products.

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EDAW

Contract

The contract with EDAW, Inc was revised and executed. By motion duly made and seconded it was unanimously

RESOLVED to ratify approval of EDAW contract.

The District will advertise for bids in April 2009 for construction of the first phase of the landscaping plan on Winslow Road.

Financial

Report

The February 28, 2009 Financial Statements were included in the Board packet. By motion duly made and seconded it was unanimously

RESOLVED to accept the February 28, 2009 financial statements as presented.

Director Cohen requested Robertson & Marchetti's office prepare charts of income and expenditures for the District that can be presented to property owners and posted on the website.

Accounts

Payable

The Board reviewed the March 2009 accounts payable lists. By motion duly made and seconded it was unanimously

RESOLVED to approve the March 2009 accounts payable list as presented.

UERWA

Report

Director Dewton reported there is a settlement document with Flattops and they agreed to repurchase the water and repay UERWA for the improvements they made. UERWA has entered into an agreement to lease water from Wolford Reservoir as needed.

This year's snowpack is currently above the 30 year average for normal snowpack.

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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 24th day of March, 2009.

Respectfully submitted,



Cheri Curtis
Secretary for the Meeting