
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors Berry Creek Metropolitan District May 25, 2010

A Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District, Eagle County, Colorado was held on May 25, 2010 at 9:00 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:

- Heather McInerny
- Mike Budd
- George Gregory
- Herb Luhman
- Tony O'Rourke

Also in attendance were:

- Diane Levin, SPOA
- 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 Budd, on May 25, 2010, at 9:00 a.m. noting a quorum was present.

Minutes The Board reviewed the minutes from the April 27, 2010 Regular meeting. By motion duly made and seconded it was unanimously

RESOLVED to approve the minutes of the April 27, 2010 Regular Meeting as revised.

**Changes to the
Agenda**

There were no changes to the agenda.

Public Input There was no public present.

**Community
Reports**

It was noted large stones were placed on the side of June Creek Road to be used for a stepping path for a trail system. The plan was not communicated to the Board and the rocks were removed by the District operations manager. The Board discussed the confusion and the need to communicate plans to the Board to avoid similar situations in the future. The message will be conveyed to members of the

RECORD OF PROCEEDINGS

Berry Creek Metropolitan District May 25, 2010 Meeting Minutes

community who are assisting with community projects that all plans need to be presented to the Board.

The Board discussed speed management. Director O'Rourke suggested having staff look at education and enforcement to reduce speeding throughout Singletree.

Officer Terms

The Board discussed setting a protocol for officer's terms and election of officers. By motion duly made and seconded it was unanimously

RESOLVED to elect the offices of President, Secretary/Treasurer, and Vice President every two years, with the ability for a Director to serve more than one term.

Officer Election

By motion duly made and seconded it was unanimously

RESOLVED to appoint Director Budd as President and Director Luhman as Secretary/Treasurer. Directors McInerny, Gregory and O'Rourke will serve as Vice President/Assistant Secretary/Treasurer.

Committee

Appointments The Board reviewed the Committees Board members have served on in the past. It was noted the Board needs to appoint alternates to the UERWA Board. The Committees were discussed and are as follow:

- UERWA – Director Gregory (Representative) – Directors Luhman and Budd (Alternates)
- Edwards Community Authority – Directors McInerny and Budd
- Beautification Committee – Directors Gregory and McInerny
- Transportation Collaboration – Directors Budd and Luhman
- Trails & Traffic – Director O'Rourke
- Capital Projects – (Not determined)

By motion duly made and seconded it was unanimously

RESOLVED to appoint Director Gregory as the representative to the Upper Eagle River Water Authority, Director Luhman as the first alternate and Director Budd as the second alternate.

Director O'Rourke suggested preparing a strategic plan for capital projects. Ms. Levin stated Mike Reisinger with SPOA is preparing a report on the status of the

RECORD OF PROCEEDINGS

Berry Creek Metropolitan District May 25, 2010 Meeting Minutes

items requested on the previous survey and is working on preparing an updated survey.

Director Gregory suggested scheduling a work session to discuss capital projects. It was agreed to form a Capital Project committee with SPOA members. SPOA will be contributing funds for accelerating the Beautification process.

SPOA Report

Ms. Levin reported the SPOA Board committed funds to accelerate the Beautification process. Traffic and speeding were discussed at the SPOA meeting and the Board is willing to work with the District Board on speeding issues.

Compensation For Directors

Colorado statutes permit directors to be compensated (within statutory limits) and a budget line item was created in the 2010 budget for Director Compensation. After discussion and by motion duly made and seconded it was

RESOLVED to compensate Directors \$100 per meeting attended up to \$1,600 annually. Director Gregory abstained from voting.

I-70 Interchange Project

A weekly email update is being sent from American Civil Contractors to property owners advising them of the status of the construction. Even with the weather challenges the project has basically remained on schedule.

WECMRD Roof

Director Gregory informed the Board that a meeting is being scheduled in a further attempt to reach a resolution regarding the roof reflection issues. The Board discussed the need to reach a timely resolution of this matter.

Traffic

The Board requested that Eagle County be contacted to monitor speeds on Charolais Circle to determine if the digital speed sign is deterring speeding.

Beautification Committee

The contract for the 2010 landscape installation project was sent to Whittaker Landscape Services, Inc. the prior week. Whittaker Landscaping is waiting on weather to begin the project

Financial Report

The April 30, 2010 Financial Statements were included in the Board packet. By motion duly made and seconded it was unanimously

RECORD OF PROCEEDINGS

Berry Creek Metropolitan District May 25, 2010 Meeting Minutes

RESOLVED to accept the April 30, 2010 financial statements as presented.

The Board discussed accelerating construction of items on the capital projects list.

**Accounts
Payable**

By motion duly made and seconded it was unanimously

RESOLVED to approve the May 2010 accounts payable list as presented.

UERWA

Director Gregory reported execution of the Settlement Agreement with the Town of Minturn and the member entities of UERWA was completed in May.

**Edwards
Community
Authority**

Work regarding placement of a conservation easement on Miller Ranch Tract J (the open space tract between the Eagle River and the railroad tracks on the east end of Miller Ranch, between Arrowhead and Singletree) is progressing. Edwards, Berry Creek and Arrowhead Metropolitan Districts will share the cost for legal expenses. Plans include making the area ADA acceptable. There is also the possibility of offering naming rights for the area. Board Members expressed concerns with placing a conservation easement on the property and preventing future public use, if necessary.

Director McInerney presented plans for I-70 Intersection landscaping.

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 May, 2010.

Respectfully submitted,



Cheri Curtis
Secretary for the Meeting