
RECORD OF PROCEEDINGS

Minutes of the Meeting of the Board of Directors of the Berry Creek Metropolitan District on May 27, 2025

The Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado, was held May 27, 2025, 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:

- Cara Turner
- Charles Dawson
- Courtney Holm
- David Viele
- Trevor Broersma

Also, in attendance were:

- Nina Timm, Community Manager
- Ken Marchetti, Marchetti & Weaver
- Todd Neifert, Operations Manager, Virtually
- Dan Godec, SPOA Board Member
- Jennie Longville May, SPOA Board Member, Virtually
- Happy Power, SPOA Board Member
- Karen Zavis, SPOA Board Member
- Ron Rubinoff, SPOA Board Member, Virtually
- George Gregory, Resident
- Clint Janssen, Resident
- Melissa Nelson, Resident, Virtually

CALL TO ORDER

Director Holm called the Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District to order May 27, 2025, 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

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which each Board member disclosed their conflicts of interest, stating the facts and summary nature of any matters as required under Colorado law, to permit the 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

The Singletree logo discussion was removed from the agenda and will be discussed at a future meeting.

PUBLIC INPUT

There was no public input.

WELCOME TO NEW BOARD MEMBERS CARA TURNER, CHARLES DAWSON, AND DAVID VIELE

New and re-elected board members were welcomed, and introductions were made.

APRIL 22, 2025, MEETING MINUTES

The Board reviewed the April 22, 2025, meeting minutes. By motion duly made and seconded, it was unanimously (Dawson and Turner abstained)

RESOLVED to approve the April 22, 2025, meeting minutes.

ELECTION OF OFFICERS

Courtney Holm noted that she would like to pass leadership of the BCMD Board on to another member. Thanks was given for her years of leadership on the board. Following discussion, by motion duly made and seconded, it was unanimously

RESOLVED to elect Trevor Broersma as president, Charles Dawson as vice-president, and Cara Turner as secretary/treasurer of the BCMD Board.

OPERATIONS REPORT

- The water fountain at Chip Ramsey Park froze this winter and the cost to repair it is more than it is worth and will be replaced. Because there is only one water shutoff in the building, the bathrooms cannot be opened until the water fountain is replaced. Working on getting a bid to install multiple water shutoffs in the building to avoid this issue in the future as well as replace the drinking fountain.
- Once the bathrooms are open, they will be open daily between 7 AM and 9 PM. Getting the three doors rekeyed to a single key.

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- Two aerators at Charolais Circle Pond are up and running for the season.
- Added new bird spikes at the front entryway of the Community Center due to nesting robins.

OPEN ITEM STATUS REPORT

- The website will be updated for remediation. Historical documents, including minutes and financials, for both BCMD and SPOA will be removed from the face of the website. Historical documents can be remediated and made available upon request.
- There is a follow up meeting with Edwards Metro, Eagle County, and CDOT representatives this week to identify the responsible entities and create a path for repair and maintenance of the Edwards roundabout areas, Spur Road, and rest stop. Discussions on I-70 safety in the area are underway as well.

APRIL 2025 FINANCIAL STATEMENT

Ken Marchetti provided an overview of the format for new board members. The budget follows government accounting principles and is formatted as a managerial report. The 2024 audit report is underway and with work continuing on the Summary of Significant Accounting Policies (Note I) of the financial statements. It will be presented for review at the June meeting. It was noted that initial information from the Eagle County Assessor's Office shows an 18% increase in Singletree's assessed valuation and that includes the legislature's reduction in the residential assessment rate. Following review, by motion duly made and seconded, it was unanimously

RESOLVED to accept the April 2025 financial statement as presented.

PAYMENT OF MAY 2025 INVOICES

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

RESOLVED to approve the May 2025 invoices for payment.

CONSIDERATION OF THE PURCHASE OF A NEW CERTIFICATE OF DEPOSIT

BCMD has a policy of holding approximately one half of its deposits in cash and the other half in longer-term deposits. BCMD is limited to a maximum deposit term of five years. There is a Certificate of Deposit (CD) that matures at the end of July 2025. The thinking is that interest rates may continue to decline over the next two months, and it may be prudent to purchase a new CD with cash today and replace the cash when the existing CD matures in July. There was a comment about looking at CDs from local banks since they deploy their deposits locally. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to authorize Marchetti & Weaver to purchase a new five-year CD from cash prior to the maturity of the July 2025 CD, preference for the new CD will be given to local

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banks, with Marchetti & Weaver exercising their best financial judgement on where to purchase the CD.

It was noted that both BCMD and SPOA use local banks for most of their business.

UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE (UERWA)

- UERWA was created to provide water and sewer services for mid- and down-valley metro districts. Those metro districts are members of the UERWA. George Gregory is BCMD's representative on the UERWA.
- The Eagle River Water & Sanitation District (ERWSD) has adopted a Water Shortage Response Plan for this year.
- 38 customers in Singletree continually have monthly water usage in Tier V, and it has been determined that is unsustainable water use.
- Annual rate increases are anticipated to be at least 9%. Over time this will dramatically change everyone's monthly water bill.
- ERWSD is proactively replacing aging infrastructure to avoid costly emergency repairs.
- The cost estimate to update the Edwards Wastewater Treatment Plant is \$90 million. There will be an effort to obtain voter approval of a property tax mill levy to pay for this expense.
- There was a request to provide more information about ERWSD's turf replacement program to residents.

Due to time constraints, the BCMD and SPOA Boards voted to move to executive session.

EXECUTIVE SESSION

At 5:15 p.m. by motion duly made and seconded, it was unanimously

RESOLVED the BCMD and SPOA Boards move into a joint executive session for the purpose of discussing personnel matters C.R.S. 24-6-402 (4) (f).

Following the conclusion of the Executive Session, the Boards returned to public session at 5:50 p.m.

ACTION FOLLOWING EXECUTIVE SESSION DISCUSSION

There was no action taken following the executive session discussion.

ADJOURNMENT

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

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RESOLVED to adjourn the Regular Meeting of the Berry Creek Metropolitan District Board of Directors this 27th day of May 2025.

Respectfully submitted,

Nina Timm