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## RECORD OF PROCEEDINGS

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### **Minutes of the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District on October 24, 2019**

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado held on October 24, 2019, at 3:00 p.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. 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:

- Dan Godec
- Karen Kern
- Melissa Nelson
- Mike Reisinger
- Katie Rothenberg

SPOA Directors in attendance:

- Ariana Burkley
- Courtney Holm
- George Gregory, by phone
- Jennie Longville May
- Karen Zavis

Also in attendance were:

- Nina Timm, Community Manager
- Ken Marchetti, Marchetti & Weaver
- Dan Carlson, Facilities
- Beth & Scott Lucas, Owners

#### **CALL TO ORDER**

Director Godec called the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District to order on October 24, 2019, at 3:00 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 be taken at the meeting. The Board determined that the participation of

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the member's present was necessary to obtain a quorum or otherwise enable the Board to act.

**AGENDA**

Agenda items reorganized to accommodate schedules.

**PUBLIC INPUT**

Beth & Scott Lucas presented their concerns over their neighbor's encroachment into land (Berry Creek Ranch Filing 3 Tract G) owned by BCMD. They requested that no further encroachments be allowed into Tract G, the existing portion of the neighbor's driveway in the Tract be removed, the existing pillar at the foot of the driveway be removed, the existing irrigation system be removed and that no more grasses are cut on the Tract. The BCMD will review any encroachments into Tract G and respond to the Lucas's in writing.

Beth & Scott Lucas left the meeting.

**SEPTEMBER 26, 2019 MEETING MINUTES**

The Board reviewed the September 26, 2019, meeting minutes. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the September 26, 2019, meeting minutes.

**OPEN ITEMS LIST**

There has been a request to provide an ice rink in Singletree. The rinks last year were well received but had a short season and were very labor intensive. It may be possible to create an ice-skating rink on Charolais Circle Pond. The board requested insurance and liability information as well as any safety measures that may needed in the area. Request to add "sharks' teeth" or other painted traffic calming measure, similar to the pedestrian crosswalk on Highway 6 between E-Town and the Thrifty Store, at the intersection of Winslow and Berry Creek Roads next spring. If it is successful, consider adding elsewhere in Singletree.

**RESOLUTION IN SUPPORT OF SONNENALP CLUB**

The Board and the community recognize and appreciate the contributions the Sonnenalp Club brings to the community and property values. The Sonnenalp Club places almost no burden on the operations of the District and yet pays an Operating Mill Levy, as well as a Debt Service Mill Levy to the District. Consequently, the District would like to establish a revocable policy, subject to Annual Appropriation to return to the Sonnenalp Club its Operating Property Taxes paid to the District. Following discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to return to the Sonnenalp Club its 2019 Operating Property Taxes paid to the District in 2020.

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**OPERATIONS**

- Going to clean up the trees at the west entrance and the triangle parks along Berry Creek Road.
- Spruce tree behind Community Center limbed up 6.5'.
- Closed bathrooms at Chip Ramsey Park.
- Added 800 lbs. of sand in sand box in playground.
- Stained benches and poles throughout Singletree.

**UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE**

Mesquite Drive pump replacement construction project began today., about 6 weeks later than anticipated. Water rates will increase in 2020 due to costs to comply with new regulations.

**SEPTEMBER FINANCIAL REPORT**

Based on the most recent assessed valuations, total Singletree valuation increased from \$68 million to \$77 million. 2019 remains on budget, with revenue exceeding expectations and expenses continuing below projections. Following discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to accept the September 2019 financial statements as presented.

**PAYMENT OF OCTOBER INVOICES**

The Board reviewed the October 2019, list of invoices for approval. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the October 2019, invoices for payment.

**NEW AND REPLACEMENT PLAYGROUND EQUIPMENT**

The Board reviewed a proposal from Summit Recreation to replace two pieces of old park equipment and add two new pieces of equipment in the playground at Chip Ramsey Park. The planter without plants will also be removed as part of the project. The total cost of the project is \$40,775. The replacement pieces can be installed yet this month, with the two new pieces of equipment being installed in Spring 2020. Following discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to authorize \$40,775 for new and replacement playground equipment at Chip Ramsey Park. The costs will be split between 2019 and 2020, based on the work completed each year.

**2020 BUDGET WORK SESSION RESUMED**

The Board resumed the 2020 budget work session from October 24. There was no public comment. The proposed 2020 budget reflects the changes requested at the budget work session on October 24, and the proposed mill levies are necessary to balance the budget for general operating and capital expenditures as well as debt

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service on the voter approved bonds. Following discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to adopt the 2020 Budget, set Mill Levies, and appropriate the revenues and reserves or fund balances provided in the budget as presented.

**AUDIT ENGAGEMENT LETTER**

The Board reviewed the 2019 Audit Engagement Letter from Chadwick, Steinkirchner, Davis & Co. The scope of services and price remains unchanged from the previous year and the Board felt they were very responsive to any questions or concerns. Following discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to engage Chadwick, Steinkirchner, Davis & Co for the District's 2019 Audit.

**COMMUNITY MANAGER REPORT**

Edwards' new roundabout is nearly complete. The final lift of asphalt is expected in the next two weeks. Landscaping will be installed spring 2020. Design is complete on Phase I of the Miller Ranch Road pedestrian lighting project. It is estimated that all three phases of the project will cost approximately \$1,000,000. Currently there is no dedicated funding for the project. Edwards Metro intends to reach out to a number of community partners to help fund the project.

**EXECUTIVE SESSION**

Pursuant to, (CRS 24-6-402(4) (f)) – personnel matters, to discuss the District's contract with SFB, Inc. By motion duly made and seconded, it was unanimously

**RESOLVED** to move into executive session at 4:25 p.m. to discuss personnel matters related to the District's contract with SFB, Inc.

The board adjourned from executive session at 4:40 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 24<sup>th</sup> day of October 2019.

Respectfully submitted,

Nina Timm