

## ASPEN SPRINGS METROPOLITAN DISTRICT

PO Box 488

Pagosa Springs, CO 81147

970-731-5656

A regularly scheduled meeting of the Board of Directors, Aspen Springs Metropolitan District was convened on August 12, 2014 at 6:00 p.m. at the Aspen Springs Metropolitan District building located on Metro Drive in Unit 5 Aspen Springs Subdivision. Board members Todd Shelton, Dick Warring, Kelly Evans, Al Gardner, and Sara Anderson were in attendance. District employees Carey Brown and Roy Stevens were at the meeting as were fourteen property owners.

### CALL TO ORDER

The meeting was called to order at 6:00 P.M. by elected Board Chairperson, Todd Shelton.

### MINUTES

A motion to approve the June minutes as written was made by Sara; seconded by Dick. A motion to approve the July minutes as written was made by Dick; seconded by Kelly; all in favor on both.

### TREASURER'S REPORT

District treasurer Kelly Evans reported the following information: the District had \$241,881 in cash assets, and \$1,596,080 in total assets and property (including the value of the new water fill station) as of the end of the month of July. Total income for the month of July was \$41,881 with year to date income of \$255,422. The total income YTD is 72% of budget for 2014. Total property tax income YTD is \$157,579 which is approximately 86.36% of budget for 2014 of \$182,470. Total income YTD for the water depot is \$12,856 which is 53.57% of total budgeted of \$24,000. Total expenses for July is \$26,278 and YTD of \$243,111 which is 69% of budget. Primary expenses for July were \$11,670 to Wagner Equipment (backhoe repairs), \$1,050 to Trinity Land Consultants, and \$2,858 to Rocky Mountain Health. Water station sales a little bit down, probably due to the recent rain, however all is good. Motion to approve the treasurer's report as read was made by Dick; seconded by Al; all in favor.

### PUBLIC WORKS

- Carey Brown: The rain has caused some problems - drainages have been plugged with organic material. It's washing the gravel off of the road and they can't keep up with it before the next rain comes. The pine needles, etc. fill the drainages and consideration needs to be made in cutting some trees, although some property owners may disapprove.
- Backhoe repairs could prove to be massive. The \$11,000 spent is just the beginning. Desperate consideration of a new piece of equipment needs to be made. One of the two graders is paid off, the other is about to be paid off. The graders are all ok, however the backhoe is the main issue. A new backhoe will be in the \$100,000 range. We could probably get around \$20,000 on a trade in on a new one, however consideration of keeping the existing one for back ups is made since so much money has just been put into it. This issue

needs to be addressed on the new upcoming budget for 2015. One property owner present, experienced in heavy equipment, does not recommend leasing; purchasing would be much better. Another note: Backhoe operator does not need a CDL license to drive around the district.

- The skidster needs tires. Quote from Lucero's is \$912. Kelly suggested calling Basin Co-op. Kelly suggested to give Carey the authorization to get the best deal available and Todd added to that motion to give preference for a local purchase (in county) verses out of the county unless pricing was favorable; Al seconded; all in favor.
- There is an over abundance of traffic on Evergreen and Blue Jay as individuals that are attempting to avoid the construction traffic, is further destroying the roads. Attention needs to be given to the roads with steep hills in the near future. The speed bump issue came up, however it is really impractical on dirt roads. Many avenues have been tried in the past, however for much more to do, it would require expensive engineering and surveys. Carey believes that speed bumps could be a liability, as well. The water haulers aren't helping either. Evergreen and Steep Roads are the worse. Preparing for this matter would include having funds available for spring, after the snow melts, to do some surveys and make decisions on how to alter the roads.
- Need quote on the insulation for the internal part of the water station building. The ventilation issue could be part of the problem, as well.
- Kelly inquired if the two-way radios are still being used (yes) and made comments on the radio license status.

#### **UNFINISHED/OLD BUSINESS**

- Todd wants documents that were filed to the county that specifies what our duties exactly are (as the entire board, not each individual member). Dick explained that it's in the charter and has been filed for over twenty years. Evidently there was a miscommunication with an individual at the county that had to do with a new employee that didn't do something properly, but that was a one-time situation. Debate of the exact verbiage, as well as location of such documents was made. Assurance that future filings will be done properly was made by the county.
- Dick brought up the issue on Elizabeth Mieritz's property lines. Digital records should be available, hopefully by next meeting.

#### **PROPERTY OWNER'S CONCERNS**

none spoken

#### **NEW BUSINESS**

- Todd needs to resign due to another position he has taken for his personal career. Discussion of possible appearance to future meetings via telephone was made. A motion to accept his resignation was made by Dick; seconded by Al; all in favor.
- Schmitt mining request: Sara was led to believe this was an underground storage, however it is, in reality, an underground mine and it could possibly affect our watershed and roads. Nevertheless, she tends to decline to agree and accept or support as presented at this point without a proposal of negative impact reports, as well as possibly other reports. Debate was made by board members and employees whether or not it actually IS an ADMD

issue or not; Sara and Al believed it to be an issue; Carey, Dick, Kelly and Todd do not believe it is at this time. The debate continued as issues were brought up as the fill from this "mine" has been sold and transferred, which brings up certain issues. Although a possible visual invasion, the property is still his and he's not infringing on the roads. Back to impact report for this exact issue brings up one of the reasons Sara believes it COULD be an ASMD issue. ASMD needs a letter to the planning commission which will meet the following week. After the planning comm., it will then go to the county commissioners. There could be a condition of posting a bond and adding a safety and health clause. Property owner, Ray, suggested requesting a inspection from the planning commission on ASMD behalf. Sara has drafted a letter to present to the Schmitt's regarding this mining request, stating that they need to provide a specific "plan" with impact reports before we approve the request, one way or another. Carey mentioned that there is a substantial spring near by that could be affected by their "mining" procedures and could possibly be looked into in more depth. He isn't seeing any impact on the roads or right-of-way, however. It doesn't appear that any dirt is being removed right now, but we don't know the future intent of progress. Todd suggested drafting a letter of questions regarding this project.

- A motion for authorization for Sara to write a letter of concerns to them and requesting responses was made by Kelly; seconded by Al; all in favor. A discussion was then brought up about the "completion" of their project, specifically stated as "condemned" which appears to be the correct terminology for "completed", "done", etc. Additional research of the zoning, terminology, what authorization limits the ASMD has, etc. needs to be researched.
- Pam Staples' fence issue was addressed and it was explained to her that reimbursement for materials for fence to block the lights and view from the water station area had been approved prior, up to \$800.00 upon receiving receipts. She made some purchases for such and will follow up with providing the receipts. A statement of release of liability needs to be drawn up by Sara and signed by Ms. Staples.
- Kelly requested to transfer the CD to Colo-Trust due to the fact that Rio Grande will not provide the current rate and it's a better deal at Colo-Trust with the variable rate and more of a money market of which the funds could be still used without penalty. 1:08:28 - A motion to move the CD transfer was made by Dick; seconded by Al; all in favor.
- Kelly - needs signatures on the bank cards before the board members leave.
- Due to Todd's resignation, ASMD must post the opening in the paper and also on the website. Sara is to prepare the ad and call it in to the newspaper and forward it over to Kelly to put on the website. It'll have to be run in the paper for four weeks in a row to be completed no later than October 7, 2014. Applications and resume's will have to be received in the mail or internet by October 7, 2014.
- Todd adjourned the meeting at 7:11, however all board members staying to sign the bank papers.

A property member did inquire on the time frame that the porta-potty will be at the gazebo. It will be there through the Halloween week and to be removed the first or second week of November (or snowy weather, which ever comes first).