

ASPEN SPRINGS METROPOLITAN DISTRICT
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A regularly scheduled meeting of the Board of Directors, Aspen Springs Metropolitan District was convened on December 12, 2017 at 6:00p.m. at the Aspen Springs Metropolitan District building located on Metro Drive in Unit 5 Aspen Springs Subdivision. Elected board members Dick Warring, Pam Wallis, and Jame Venturini were in attendance, as were appointed members Kenneth Barber and Shane Tuller, and employee Carey Brown. Six property owners attended.

Call to Order

The meeting was called to order by elected Chairperson, Dick Warring.

Minutes

Jame made a motion to approve the November minutes as read, seconded by Kenneth; all in favor.

Public Works

- The road crew has been grading roads and performing maintenance on equipment, since it still had not snowed. Carey was still waiting on an update on the new backhoe order.
- Dick mentioned that someone would have to sign the paperwork when the new backhoe was delivered.
- Ken made a resolution that Dick be allowed to sign the final paperwork on the new backhoe purchase as representative for the District as long as all terms remained the same as the copy the board approved previously, Shane seconded; all in favor.
- Pam said that the road blockage on Stollsteimer Lane had been remedied; the property owners had removed the blockage.

Treasurer's Report

- Jame: The district had \$408,371 in cash assets, and \$1,578,165 in total assets and property as of the end of November. Total income for November was \$23,272, with year to date income of \$383,951, which is 104% of this year's budgeted income. Total property tax income YTD is \$192,401, which is 110% of this year's budgeted income. Total income YTD for the water depot is \$22,372, which is 97% of this year's budgeted income. Total expenses for November are \$14,413, and YTD of \$314,128, which is 85% of the yearly budget.. The primary expense for November was for CHP, and to Trinity Land Consultants, in the amounts of \$2,621 and \$2,078 respectively.
- Pam made a motion to approve the Treasurer's report as read, seconded by Shane; all

in favor.

Old Business

- Dick said that ASMD received a check from Oak Ridge Subdivision for 2016, and that the 2017 bill had just been sent out.
- The question of the legal requirement of keeping audio recordings of meetings was addressed; Dick had talked to the county, and the county clerk stated that once the written minutes of a meeting were approved by a board, that they became the legal record of that meeting, and that any recordings could be erased. The exception was if they were executive session recordings, in which case they would have to be retained for 90 days. Ken made a motion for a resolution that audio recordings of Metro District meetings could be made, and after they were transcribed into the monthly minutes and approved by the board, that all recordings, other than executive sessions, may be erased. Pam seconded; all in favor.
- Pam mentioned the water rights issue on the Buttercup Station. The issue would be proceeding to court.

New Business

- Ken asked about equipment that had been left by the Church at the park, and asked about who to contact about having it removed, as it was being blown around by the wind. He was advised to contact Pastor Mark at the church.

Property Owner's Concerns

- Nicholas Kazarinoff of Oak Ridge Drive spoke about the letter that he had received from the District regarding his chain blocking the turn-around at the end of the road. Dick briefly summarized the discussion of the matter from the last meeting. Mr. Kazarinoff had mailed a response letter to the district, which had been delivered to the Metro's accountant, and Jame had received the letter earlier in the afternoon. The board took some time to review the letter.
- Kathleen and Anthony Steventon, also of Oak Ridge Drive, spoke about their concern of the road blockage, and that they had a school-age grandchild that they needed to be able to get to school every day. They were concerned about the road being unable to be plowed due to the blockage, and also concerned about access for emergency vehicles as there was no feasible way to turn large vehicles around without the cul-de-sac.
- Carey talked a bit about the original creation and platting of the road, and prior property owners acquiescence of the road as it was created.
- Ronnie Zaday spoke about the state statutes and county certifications regarding county roadways, and the fact that all county roads were certified to the state as they lay, in 2005. She mentioned prescriptive easement, and the fact that since the roads had been used as a public right of way for well over 30 years, that they were considered county roads by adverse possession.
- Marsha Kern mentioned that she had to deal with the same issue when she bought her property, and was more than willing to accommodate the road crew in order to keep the roads maintained. She noted that there were many roads in Aspen Springs that were built outside of the platted right-of-way due to inaccuracies in the original aerial

surveys.

- Mr. Kazarinoff stated that part of his reason for chaining off the turn-around was due to people dumping vehicles on his property. He wished that the district would build a new turn-around within the platted right-of-way.
- There was discussion between the board, Mr. Kazarinoff, and the Steventons.
- Dick asked Mr. Kazarinoff if he would be willing to remove the chain until the next board meeting if the board made a recommendation giving everyone time to investigate the law. Mr. Kazarinoff said that he would.
- Pam made a motion to have Mr. Kazarinoff remove his chain until the next meeting, in order to allow all parties to research the laws regarding the issue, Shane seconded; all in favor.
- Kelly Evans mentioned the previous water station tester, and that apparently he had been poorly treated upon his interest in resuming work; this may have been caused by another water station tester. Pam said that she would contact Ed and make reparations.
- Ronnie reminded the board that they would have to be thinking about upcoming elections, and that they would have to appoint a designated election officer.

Dick Warring adjourned the meeting at 7:06 pm.