

**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 January 14, 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 Glenn Robinson, Kelly Evans, and Dick Warring were in attendance. District employees Carey Brown and Roy Stevens were at the meeting as were sixteen property owners.

**CALL TO ORDER**

The meeting was called to order at 6:00 P.M. by appointed Board Chairperson, Glenn Robinson. Pat Ullrich was out of town on medical issues. It was announced that Doug Roberts has resigned as secretary. Dick Warring made a motion to accept the resignation; seconded by Kelly; all in favor. The meeting was recorded by Pam Wallis for accuracy and documentation for future reference.

**PUBLIC WORKS**

Carey Brown stated that they have two people helping with the fill station testing/monitoring daily and they need to be compensated. Amount to be discussed in executive session. Carey talked about the extreme increases in the license plate fees. Evidently they just figured out they could charge more for special districts and have come up with some formulas which will be used on many district vehicles such as the water tanker which came to \$1,230.00, even though it has less than 400 miles/year on district roads only. Carey will have to start filling out the pre-renewal notices so that they can figure the fees and in turn he'll have to then negotiate the fees with them. Eighteen vehicles will prove to be time consuming. Glenn suggested that a committee to be formed to deal with this; Dick will deal with the SDA; Glenn will make contact with the General Manager at PAWS.

**MINUTES:**

Motion to approve the minutes of December was made by Kelly Evans and seconded by Dick Warring; all in favor.

**TREASURER'S REPORT**

District treasurer Kelly Evans reported the following information: The District had \$269,489 in cash assets, and \$1,467,642 in total assets and property (excluding the value of the new water fill station) as of the end of the month of December. Total income for the month of December was \$21,701 (\$700 from the water station) with year to date income of \$408,488. The total income YTD is 89% of budget for 2013. Total property tax income YTD is \$180,923 which is approximately 100.16% of budget for 2013 of \$180,638. Total expenses for December is \$21,206 and YTD of \$465,622 which is 93% of budget. Primary expenses for December were \$5,243 to Western Refining, \$2,599 to Rocky Mountain Health, and \$9,196 to Concrete Connection. Carey suggested that we need an

agreement for them to do the concrete stain come Spring before releasing the check to them. Carey will get a copy of the original proposal which included the stained concrete for the cost of the \$9,100 and Glenn will speak with Greg Mayo at PAWS who made the initial contacts with Concrete Connection. Dick, Glenn and Carey will meet with Greg. The question of the valve(s) that weren't working to be replaced, however once the station opened, the valve somewhat "fixed" itself. For further repairs, it would be better to postpone any until Spring. Carey mentioned that three barrels of chlorine cost \$350 and we've pumped 220,000 gallons so far and used a half of a barrel. There will be a Grand Opening which will be advertised in the paper. A motion to accept the treasurer's report was made by Dick Warring; seconded by Glenn Robinson; all in favor.

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

Michael Herdina, part time resident, showed concern about the property for sale by ASMD in Unit #6; Kathleen showed concern about how the notice of sale of the property was initiated and believes that it was not marketed properly. Roni Zaday stated that although the ASMD makes a point of notifications of things (like the land sale for example), the ASMD needs to go to all efforts to make sure there shows no favoritism. Steve Keno agrees with Kathleen's statement and made concern that the board created a "contract" and not following through with the contract could instigate another lawsuit. Cindy showed concern of finding a way to notify all of the property owners of such a sale. A property owner stated that all surrounding property owners should be directly notified. Loretta Thomas stated that the property sale being a sealed bid and believes that the sale should go forward. Pam Wallis said that although it may have not been properly initiated, it IS a sealed bid and she agrees with Ms Thomas. Sharon Parker mentioned that the interest and beginning of the "sale", that Doug Roberts was not a member of the board. Annie Seals showed interest of the upcoming election in May and how one goes about getting on the board. Kelly shared DOLA's notification of the procedure of the election, however due to laws changing, the procedure also keeps changing. The website information was shared. Doug Roberts reviewed the sequence of events from initial interest of the property, to inquiry to the ASMD, the board membership, the appraisal, to the advertisement, the bid to the rejection of the bid. He came up with the amount of his bid by the assessor's value which he saw as \$4,850, however there seems to be a more updated one of \$6,000. Loretta Thomas brought up the website and also saw the \$4,850. Patrick gave opinions on property values, as well as expressing desire to be on the board. Another property owner mentioned that parcels needed to be 5 acres for development, however she may be mistaken; Kelly believed it to be 1 acre. Kathleen Sullivan stated law on land sales. Cindy stated that she likes the idea of the sign at the water station cautioning the slippery foundation. Dick Warring reviewed past approved minutes on the topic of the land next to Doug Roberts' property in regards to a purchase. Annie Seals inquired on how ASMD acquired this same lot. Patrick stated that there was a very informative letter to the Editor in the most recent paper. Old business: parking in right-a-ways and livestock violations. Dick stressed about not parking in the right-a-ways or those areas won't get plowed. Another property owner inquired on how deep the snow needs to be before ASMD has to plow and showed concerns that in the past there was 12" of snow; Carey disagreed or stated that there could have been some sort of an uncontrollable delay. He stressed that it will never go over 8 hrs and he can prove that. Dick suggested that someone be appointed as secretary. Kelly

volunteered in this situation to take over the secretarial duties until the election since Pam is already doing the minutes. Dick made a motion; Glenn seconded; all in favor.

### **GENERAL BUSINESS**

- Glenn said they will be putting an ad for the replacement of Doug Roberts in the paper until the election. Cutoff date will be February 7, 2014 Dick made an official motion to place an ad; seconded by Glenn; all in favor.

- Glenn made a motion to approve submittals; Kelly seconded; all in favor.

Mike Branch's audit: Dick: If there's over \$500,000 in expenditures and/or income, then we're required to do a total financial audit; last year we were about \$8,000 short. Dick requested the authority to request from Mike to get these figures from him. Glenn made a motion to authorize Dick to proceed; Kelly seconded; all in favor.

- Transparency notice filing: Dick says that's been done.

- SDA Membership renewal: Just fees that are due (by March 1st). Motion to pay now for the discount made by Dick, seconded by Kelly; all in favor

- Board member election: Dick has been trying to contact June Madrid unsuccessfully. Costs for elections for special district are to be split with the county clerk. There are deadlines for the nominations, filings, publishings, etc. and there are so many changes that no one person really knows the exact requirements. If there's other special district involved, costs could be split with them as well. Roni Zaday suggested consulting with an attorney to make sure we're in compliance with everything. Also gave information on procedures as she has made contact with June Madrid.

- Several individuals talked about having an election officer to stay on top of the deadlines which are all starting in February.

- Dick made a motion that ASMD holds an election for Board Members; five seats (three 4-year seats, two 2-year seats) on May 6, 2014; seconded by Glenn; all in favor.

- Kathleen and Roni discussed the procedure of how one is placed in which position.

- Glenn discussed the Grand Opening for the Water Station.

- Pam reminded that the motion to make Glenn the election officer was not completed; Kelly re-made the motion adding that he could make decisions regarding the attorney for same; seconded by Dick; all in favor.

- Grand Opening: Station is running good. Glenn speaks about the possibility of putting in a filter due to the coloring and any sediment, etc. (state is requiring the chlorination only); costs could be approximately \$2,500 for the filter. Pam stated that the well will probably clean up on its own over time. Glenn thinks this could be re-addressed in a couple months.

- Dick suggested a flyer to be put up at the water station that explains reasoning for the discoloration, etc. to explain and request patience as ASMD works on these issues. Kelly suggested installing a locking bulletin board.

- Kelly made a motion for Carey to get signs made and put a bulletin board up; seconded by Glenn; all in favor.

- Decision to place the ad for the Grand Opening was made.

- Dick made a motion that during the Grand Opening, all board members can be present with no business discussion and attend; seconded by Glenn; all in favor.

- Dick talked about the newsletter (budgeted at \$1,200). (The last one was in approximately year 2000.) Roni suggested that property owners' respond with email addresses, etc., to save in costs in future newsletters.

•Dick: We will be entering into an executive session under C.R.S.24-6-402(4) to discuss issues regarding the water station, personnel, current lawsuit, and possibility of entering into a private contract with a director, required under stature.

\*\*\*\*\*

Reconvened meeting at 8:18.

•Dick: The state is requiring ASMD to test the water at the station daily at this point, but will probably lessen over time. There are two people doing the testing/monitoring, taught by Guisepe who is overseeing operations. Dick made a motion to pay these individuals \$10.00 per visit and an additional \$10.00 per hour if needed and they will be processed as temporary individual contractors. Glenn mentioned that this is temporary at this time and if we have to continue to test on a daily basis, we can purchase a meter for approximately \$1,800. Original motion seconded by Glenn; all in favor.

•Roni Zaday inquired on how many gallons per \$.25; should be 40 gallons/\$.25. Kelly is monitoring. Roy says the total gallons used will change because initially there was a lot of flushing, etc. Also, the usage has gone up.

•Glenn brought up the issue on the lot in unit 6. He made a motion not to go forward with any sale or contract at this time. Also to reimburse Doug Roberts the \$300 cost of the appraisal pending receipt; seconded by Dick; two in favor; one opposed.

•Motion made to adjourn meeting by Dick; seconded by Glenn; all in favor.