

ASPEN SPRINGS METROPOLITAN DISTRICT

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A regularly scheduled meeting of the Board of Directors, Aspen Springs Metropolitan District was convened on June 10, 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 Dick Warring, Kelly Evans, Al Gardner, and Sara Anderson were in attendance; Todd Shelton was in attendance via telephone. District employees Carey Brown and Roy Stevens were at the meeting as were eighteen property owners.

CALL TO ORDER

4:26 - The meeting was called to order at 6:01 P.M. by elected Board co-Chairperson, Al Gardner.

MINUTES:

5:30 - Kelly made a motion to approve the minutes as written; Dick seconded; all in favor.

PUBLIC WORKS

5:45 - Carey Brown: They finished the grading of the secondary roads and application of the rest of the mag chloride has been done. Now working on secondary roads in unit 3; should be finished in 10-12 days, then cleaning drains. They're needing a trailer (14,000 lb) to haul the skidster and mini excavator and some other equipment to get in tight places. Carey got quotes and provided to the board. One quote was \$3,590. Preferably one in Colorado so there won't be any sales tax. Discussion was made about how much the budget would allow us spend. **14:40** - Dick made a motion to allow Carey to spend up to \$4,500 for a trailer; seconded by Kelly; all in favor.

PUBLIC SPEAKER

15:20 - Michael Whiting, County Commissioner, was introduced and invited to speak on the fire issues. He talked about the grants available to the county for equipment to help in fire mitigation for reducing wildfire risks. This could include the usage of chippers, trailers, etc. Michael greatly encouraged the district to apply for the grants as there are plenty of funds available for this issue. Although the budget will not allow too much to spend, it was mentioned that some of the purchases that we need (like the small trailer) could be then used in application for expenditures towards the fire-wise grant application for the county to then match the funds. Ronnie Zaday suggested to get letters of support from certain agencies. **45:15** - Kelly made a motion to establish a committee to look further into this being Todd Shelton and Sara Anderson; Dick seconded; all in favor.

TREASURER'S REPORT

46:20 - District treasurer Kelly Evans reported the following information: the District had \$293,781 in cash assets, and \$1,644,685 in total assets and property (including the value of the new water fill station) as of the end of the month of May. Total income for the month

of May was \$54,997 with year to date income of \$178,684. The total income YTD is 51% of budget for 2014. Total property tax income YTD is \$116,578 which is approximately 63.89% of budget for 2014 of \$182,470. Total income YTD for the water depot is \$7,776 which is 32.4% of total budgeted of \$24,000. Total expenses for May is \$26,147 and YTD of \$153,412 which is 44% of budget. Primary expenses for May were \$6,603 to Strohecker Asphalt, \$39,466 to Wells Fargo Bank for the grader payment, \$2,371 to Green Analytical Lab for water testing and \$34,494 to Desert Mountain Corp (mag chloride), all checks cut and ready, however didn't go out until June. **49:30** - Motion to approve the minutes as read was made by Dick; seconded by Al; all in favor. **50:10** - Doug Roberts had requested information on amount spent on the lawsuit against Mr. Keno. Kelly put a spreadsheet together: Total expenses \$14,757.32. We received funding for the suit for a total of \$17,557.86 (from former Aspen Springs Community Price, Colorado Farm Bureau and private donations). In addition, there is pending income of \$1,000 for the bond that was posted. Total income expected for the lawsuit is \$23,186.43 of which the \$17,557.86 has already been received. **55:38** - Kelly talked about taxation of well heads, however after further reading, it was in regards to gas and oil wells. This doesn't have anything to do with Aspen Springs at this point. **57:12** - There was discussion for buying back comp time from a staff member and it was decided that this would be discussed in executive session.

OLD BUSINESS

1:01:55 - Todd: Parks and Recreation and the Water Station - possibly set up a committee to address inquiries such as the porta-potty (?). Undecided at this point.

1:03:33 - Dick: All filings have been done with Dola and others within the required time frames.

1:04:49 - Kelly: Signatures at the banks - This has not yet been completed. There needs to be a resolution which can be provided by the banks and all board members need to get to the banks and get their signatures in.

1:06:19 - Todd: SDA meeting information - Kelly stated that the meeting was informative. Dick had one of their guides and reviewed it and what the procedures are to request paperwork. Requirements to post on SDA's or ASMD's webpage. This new procedure is Colorado bill 24-72-205 CRS as of 7/1/2014.

1:09:25 - Todd: Marking trails and/or greenbelt boundaries - Suggestion to put together a committee to locate/mark the property lines. Also, researching the BLM in regards to the previous comment about obtaining the BLM lands that are available. **1:11:56** - Kelly made a motion to put Melissa Shelton and Pam Wallis as the committee to check with the BLM and what is actually possible and what avenues to take and report to Todd Shelton; seconded by Dick; all in favor.

1:15:00 - Todd: The BBQ grill at the gazebo - Discussion between board members and many property owners was made. Charcoal grills were pretty much ruled out due to fire hazard. Pastor Mark had donated a propane grill and Sara requested Carey to secure it. Kelly suggested that further investigation on this topic should be followed up by the Parks & Rec committee (Melissa and Pam).

1:26:36 - Mention that Pastor Mark has weekly community picnics at the Gazebo.

1:29:25 - There was discussion on mowing the greenbelt, however the ASMD's mower is broken. Rental of one is approximately \$75/day. Possibly check on a new mower (?). Dick

made a suggestion that Carey rents a mower and periodically mow it until a decision is made about a purchase.

1:32:01 - Ann Seals questioned the boundaries of the park area and stated she would like to donate some children play equipment if the district wanted it. Kelly suggested that this topic be tabled until a later date to see what the liability issues could be.

1:34:38 - Al: Water Station color coat - He is waiting for more details on s.f., etc. from Glenn, however Carey will get it for him.

1:36:45 - Al: Water Station sign - Dick and Kelly suggested waiting until after the road construction is completed because it would be in their way and they've already taken down the little sign he put up. Tabled for three months.

1:38:00 - Al: Rearranging seating - This was done for this meeting. Some of the chairs were damaged when they were taken to the gazebo. Carey suggested on purchasing some more chairs.

1:38:55 - Pam: Purchasing an extended warranty on the grader - Carey hasn't found anything out yet, but will check.

NEW BUSINESS

1:39:34 - Chuck with Pagosa Fence had requested mag chloride application all of the way to his gate since he has a commercial business. He believes that since he pays commercial taxes on the property, he should have this done. (Whether or not he actually DOES pay commercial taxes is not confirmed at this point in time.) Board members and property owners as well, believe that just because he causes more traffic due to his business, he shouldn't have any more "favors" than any other property owner in the district. This will be brought up at the next meeting after research on the property taxes can be made.

1:45:05 - Fencing issue on the greenbelt at Elizabeth's location - Elizabeth is unsure of the location of the boundaries, although Roy accompanied her at her property to show her. She believes that because LPEA said she was fine, that she should be OK with the district. If her fence posts are not on her property, she is willing on moving them, however she wants more than 90 days (suggestion). Motion made by Dick to wait to give final decisions until contact with legal counsel can be made; seconded by Kelly; all in favor.

2:16:42 - SDA Water Survey - Dick stated that we don't have time because it has to be done before the end of June; possibly next year. There needs to be engineering (which could cost more than the bag filter itself). Also, there are so many others applying for the grant that it may not be feasible. It was brought up again by several that the water quality from the station seems to be getting better.

PROPERTY OWNER'S CONCERNS

2:10:57 - Todd made mention that he has several inquiries from property owners about putting some directional traffic signs up around Aspen Springs. Carey requested that he receive, in writing, requests and location so he can clear it with the County. Ronnie Zaday mentioned that requirements include legal engineering, surveys, etc., with the County, (uniform traffic code) and the Sheriff has to accept it. Unfortunately individuals steal, destroy, drive into, and shoot signs so upkeep is difficult. Kelly suggested to make contact with Bruce Montana for updates; Todd will make contact.

2:18:50 - Ben made inquiry on the exact duties of the ASMD. Dick explained what a Special District is and what their duties are. Everyone debating on the lack of County staff to

assist with the people of Aspen Springs. Sara suggested to set this issue aside until September and encouraged notices to be issued to enforce rules. There was lengthy discussion on jurisdiction of road violations, who should be picking up trash, and putting these kind of issues into newsletters. Ronnie Zaday suggested some sort of a committee to put together some sort of a guideline of who to talk to, where to go if, etc.

2:43:50 - Dick made a motion to go into executive session; seconded by Al; all in favor, as persuant to 24-6-402(4)(f) CRS.

:02 - Dick talked about the budget and when the deadlines for filing are, as well as when the audit has to be done.

1:35 - Al made a motion to adjourn at 9:00 pm; seconded by Kelly; all in favor.