

**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 October 14, 2014 at 6:04 p.m. at the Aspen Springs Metropolitan District building located on Metro Drive in Unit 5 Aspen Springs Subdivision. Board members Al Gardner, Dick Warring, Kelly Evans, and Sara Anderson were in attendance. District employees Roy Stevens and Carey Brown were in attendance as were nine property owners.

**CALL TO ORDER**

The meeting was called to order by elected Board Chairperson, Al Gardner.

**MINUTES**

A motion to approve the September minutes as corrected was made by Dick; seconded by Kelly; all in favor.

**PUBLIC WORKS**

- Carey: They've been cleaning culverts and grading roads, as well as drainage work. A bill from the phone company was received for the line that was cut and they've requested phone locates prior to future work; we'll comply, however it'll slow production down.

- Carey: Someone hit the mailboxes on Buttercup of whom had no insurance. Carey thought that ASMD will have to pursue this individual for reimbursement of charges, however Sara and Kelly believe that it should be the responsibility of the postal service. Sara agreed to make contact with the post office on this matter.

- Carey: He attempted to make contact with the contractor that was to complete the insulation of the fill station, however he is so busy with custom homes, he won't even return Carey's his call. Discussion on different methods of insulating, keeping in mind it's around a water system so it must comply with health and State standards. It'll have to be done in approximately six weeks.

- Ronnie Zaday gave suggestion on how to speed up the locates on the digging/grading. Continuing on the "locate" issues... Most of the digging/grading that ASMD is doing, is shallow. For the damages to the fiber optic lines, the check has been cut (however pulled and held) for the bill that was received (\$724.84); that work/repair has not yet been done. Many of the lines cut are ones that there was an issue previously and request was made by ASMD to repair them properly, however they were repaired and threw back on the ground which creates another potential problem in the future. Carey doesn't believe that ASMD should be liable. He has a plan that they're going to try. He's going to mark all of the lines that need to be repair, call them in and see what happens, then we'll go from there. Also, when they installed fiber optics on Navajo Place, they went right in the road, did shotty work, and did not cover them properly. We'll need to re-gravel this section which

calculates out to approximately 176 tons to re-gravel, plus trucking, grading and rolling, of which they agreed to do. Property owner Kathleen Sullivan suggested sending them a bill for the damages. Carey believes that they may not do the repairs unless we pay for the other damages. A discussion was made on the easements (or lack thereof) and where they could have put their lines, as well as liability in the future due to the location of the lines. Sara believes that we should stand our ground and not allow this practice in the future. When the lines were put in, they didn't make any attempt to contact ASMD for authorization and later stated that there were no standards. Roy inquired if ASMD can "set" some standards for the future. Carey is going to set up another meeting with the Century Link Field Rep (David Dehtan) and Al agreed to accompany him. Kelly suggested that they go with the cost for the gravel and additional costs needed for the repairs for leverage. Walter Whitaker, a cable technician, told Carey that Century Tel has been letting ASMD slide for many years and one of the "bosses" is now directing them to sending out bills for damages. We'll have to comply to their locating process and hopefully build up a good working relationship so we can work out these issues in the future. Al and Sara agreed to not pay them at this point, however Kelly suggested to take the check for the repairs with them to their meeting. Also, they had moved our drainage without our authorization.

- Kelly made a motion to authorize Al to negotiate with Century Tel to handle this and make some sort of an agreement to handle these types of instances and specifically the issue on Navajo; seconded by Dick; all in favor.
- Kelly brought up a letter directed to Carey of which she would have responded, however they didn't leave a phone number. It was regards to a washout on a road.

### **TREASURER'S REPORT**

District treasurer Kelly Evans reported the following information: the District had \$230,872 in cash assets, and \$1,587,221 in total assets and property (including the value of the new water fill station) as of the end of the month of September. Total income for the month of September was \$10,110 (not including any HUTF funds) with year to date income of \$293,419. (Kelly called the County, however they said that it had not yet arrived.) The total income YTD is 83% of budget for 2014. Total property tax income YTD is \$172,101 which is approximately 94.327% of budget for 2014 of \$182,470. Total income YTD for the water depot is \$17,639 which is 73.5% of total budgeted of \$24,000. Total expenses for September is \$17,252 and YTD of \$290,139 which is 82% of budget. Primary expenses for September were \$1,077 to Colorado Animal Law, \$950 to Trinity Land Consultants, and \$2,858 to Rocky Mountain Health. Dick made a motion to approve the treasurer's report as read; seconded by Sara; all in favor. Dick reviewed, for the public, the decrease in our HUTF funds that comes from the County.

### **BUDGET ISSUES**

- Dick went over the budget issues that need to be filed with the State. One factor for the decrease in HUTF funds is although fuel prices are up, vehicles are getting better mileage and since ASMD get's a percentage, the total is down. This issue will affect all districts and other entities around the country. We're about \$40-45,000 less than where we should be. Dick wants to set up a meeting with the county to review some of these issues.

- He's changing the income from the water station from \$24,000 to \$20,000. The initial figure was "guessed" at due to how much PAWS was getting. Our water station provides 38.5 gallons (on average) per 25c as apposed to PAWS which gives 33 gallons. Approximately half of the station income goes to the monitoring and testing at the station and at the end of the year, we'll know if the State will allow less testing. Also, the electric is higher, as well (with the water station, as well as the electric usage increase).
  - Dick suggested that a special meeting to be scheduled for a work session where all of the expenses can be discussed. Some study on where costs can be cut needs to be addressed. He went over several increases across the board that we've had to deal with.
  - Dick and Kelly talked about paying off the grader early to avoid six months of interest (approximately \$4,000+).
  - ASMD will have to begin putting tagging all of the equipment vehicles which is an increase of just under \$4,000. This had not been originally budgeted.
  - Health insurance has gone up 22% over the last two years and they will go up another 20% over the next year (which is over \$7,000, totaling approximately \$41,000 for the year). Kelly will try to get some other.
  - Dick made a motion to oppose amendment. Clarification of a breakdown of the County's Treasurer's fees started. Dick suggested to allow Kelly get figures for alternate insurance policies.
- Largest income Mill Levy: \$183,710. Second largest HUTF: \$115,000. We've lost over \$45,000 in income. Many other more minor issues where we've lost income, as well. Most of the expenses are about the same. Road maintenance is where we need it the most. Overall, we're looking at a \$50,000 deficit so a work session to really crunch on the numbers is really needed.
- Discussion was made on the possibilities of reducing the weed spraying to reduce expenses. Unfortunately, the individuals that have put up "No Spray" signs, have not done anything to take care of their weeds. Not one person, for the record.
  - Motion was made to submit the budget by Dick; seconded by Al; all in favor.
  - Work session special meeting set for Thursday, October 23, 2014 @ 6:30 pm. to discuss the budget and also possibly insurance information. An executive session would have to be entered since employee information could be discussed. Motion seconded by Al; all in favor.

## **OLD BUSINESS**

- Kelly has received receipts on Pam Staples' fence which exceeded \$800, however reimbursement up to \$800 only was approved prior. A release was prepared and Kelly made a motion (and later made again by Dick) to approve the release as corrected and have it recorded and assign Kelly to deliver and have them sign the release; seconded by Al; all in favor.
- Meiritz's fence: Table this until next month as there's nothing at this time.
- Al brought up the four candidates for the board position. The four applicants are Loretta Thomas, Glenn Robinson, Pam Wallis, and Richard Sutherland. The decision of choosing one of the four candidates would be from the four current board members. The question of whether or not Glenn is able to run and/or if he was technically term limited out was brought up. Research was made by several and most opinions were that he would be able, however it was suggested that an attorney specifically representing ASMD should be

consulted so that their "legal and paid for" opinion could be used to fall back on. After much discussion, Dick made a motion to get a legal opinion (Cole and Cockrum, recommended by the SDA) to see if Glenn Robinson is eligible to run as a board member due to his past terms; seconded by Al; all in favor.

**NEW BUSINESS**

none

**PROPERTY OWNER'S CONCERNS**

none

Al made a motion to adjourn the meeting at 7:49; seconded by Kelly; all in favor.