

San Juan River Village Metropolitan District Regular Monthly Meeting Minutes

June 12, 2013

The meeting was called to order at 6:28 pm by President, Jamie Scholl. The directors present were Carrie Wienckowski, Dennis Jeffreys and Bill Wittwer. Doug Hampton, Operations Manager, was also present. Bob Formwalt, Colorado Division of Water Resources – Water Commissioner, was also in attendance. Property owners present were Julene Campbell, Michelle Scholl, Robert Soniat, Dick Ray, Christine Sinnott, Luis Urroz, Brian & Joy Sinnott, Liz Fox, Greg Burroughs, Jack Miller, Dan McCullum, Jan Wittwer, and Jeff Hester. Cynthia Purcell, District Manager, took minutes.

Bob Formwalt, Water Commissioner for the Colorado Division of Water Resources explained options for homeowners wishing to either pump water out of the river or install a well and the permitting required. He stated that the San Juan River is not fully adjudicated and it is free to pump out of the river as long as there are no calls for water at the time. Carrie asked if a homeowner that didn't live within the proximity of the river could pump the water into a tank and then haul it to their property to water outside. Bob said that was a legal. He went on to explain some of the permitting regulations. Any digging that hits water needs a well permit. There is a limit of 15 gallons/minute and the well cannot be used to irrigate more than 1-1 ½ acres of land. It is for outside watering only – no domestic use. The permit is \$100 and is generated out of the Denver office. The Metro District has a legal right to deny any homeowner that applies for a permit as it has the potential to drain the aquifer that is used to produce domestic water for the neighborhood. The Metro District currently has two wells, the firsts being approximately 30 feet deep. Bob suggested the board consider adding an additional well to the other side of the river to access a different aquifer. Bill Wittwer explained the Metro District's well application policy to all present.

Jamie invited the property owners that were present to address the board with their concerns. Joy Sinnott requested that the board consider the aesthetics of the area. She would like to see the clubhouse area cleaned up and all the heavy equipment stored in the boneyard. She also asked if the board would be considering lowering the fees now that the bridge is complete. She thought the fee increases were to pay for the bridge project. Carrie explained that the rate increases were applied to the water and sewer usage to make each of those accounts self sufficient and pay for the operation of providing those services.

Carrie moved to approve the May 9, 2013 minutes. Dennis seconded and the motion carried.

In an attempt to shorten monthly meetings and be more efficient, Jamie distributed a motion for board consideration at the next meeting. The motion reads: "Any motion by a Board Member for an expenditure of any item in excess of \$3,000, or any major policy change, new project or equipment purchase that has not already been voted on or specified in the current budget, must have details provided to said motion, to the Board of directors, prior to the board meeting and included in the Board packet with the agenda. The Board will have the option of review and approval of said motion during the meeting, or a one month delay to the next regularly scheduled Board meeting. Emergency actions requiring restoring water, sewer or roads

do not apply to this motion.” The motion will be reviewed at the next scheduled Board meeting.

Water Department Report:

The customer water usage report was reviewed for May – 216,600.

The review of tap fees was tabled until the next meeting.

The Water Plant Capacity Study was tabled until the next meeting. Yard lines will be considered as part of this study.

Michelle Scholl, homeowner, requested the board consider designating her yard line on the vacant lot at 82 Alpine Drive as strictly outside use only and be billed only for water usage and no sewer fees. Carrie moved to approve only charging water usage and no sewer fees on Michelle Scholl's yard line as long as the water is only being used for outside watering. If this puts undo burden on Lisa Quiller as part of the billing process, the cost will be passed on to Michelle. There was no second to the motion. Discussion followed in which Dennis disagreed with charging Michelle for extra work related to the billing process to correct this. Dennis moved to approve only charging water usage and no sewer fees on Michelle Scholl's yard line as long as the water is only being used for outside watering. If a construction permit is pulled the billing will revert back to normal. Bill seconded and the motion carried.

Sewer Department Report:

Cynthia reported that the state renewed the sewer permit to allow the lagoons for another 5 years (2013-2018).

Dennis reported that gates will be installed along the sewer access road before the 4th of July. Doug will check to see if there are any “No Parking” signs that can be installed on Bridge Drive at the end of the cul-de-sac.

Road Department Report:

Dennis purchased a riding lawn mower off of Craig's List for \$900. Dennis moved to request reimbursement for the lawn mower. Carrie seconded and the motion carried.

Bill reported on the HUTF meeting that was held with the BOCC. Archuleta County objects to the current agreement and the use of “mandatory arbitration”. The current agreement has been cancelled by the County with a 30 day notice. They have asked for one representative from each Metro District to be on a committee to draft a new agreement that will be used to allocate HUTF funds equitably for all districts. Bill volunteered to be the representative for the SJRVMD.

Parks & Recreation Department Report:

Jeff Hester voiced his support of pursuing boundaries, easements and surveys for the District. Jamie reported that the title search performed by Colorado Land Title revealed that the right of

ways and easements of Tract II (river area) are owned by Lawyers Title of Pueblo. Lawyers Title of Pueblo was the transfer agent at the time and is no longer in operation today. Heritage Title Company purchased Lawyers Title of Pueblo and has been contacted by Jamie. The intent was to give all the right of ways and easements of Tract II to the Metro District, but it was never completed. If all three original owners, or their heirs, of the subdivision can be located, the title could be signed over to the Metro District. Unfortunately, one of the three is dead and locating heirs may be difficult. Otherwise a quiet claim title could be pursued with pertinent documents showing the intent was to transfer the property to the Metro District all along. Dirk will be asked to pursue the quiet claim title.

Julene Campbell volunteered to head up the Fish Committee. The committee will be stocking the river and ponds on June 22nd. Dennis reported that a grate was installed in the lower pond to keep fish from escaping and an aerator was installed in the upper pond. The committee will be catching 4-5 larger fish from the lower pond and moving them to the upper pond.

Dennis reported on 2013 projects. The entrances have been mowed as well as around the clubhouse. They are also pulling the overgrown willows around the ponds. Tim has been busy with water reporting paperwork in the office. Bob Kimbro requested that a gate be installed on the water tank property to keep people out. The board was in favor of this idea.

Treasurer's Report:

Cynthia reported on the P&L's, Balance Sheet, General Fund, Sewer Fund, and Water Fund. Carrie moved to accept the financial report. Bill seconded and the motion carried.

Administrative Report:

The District is in compliance.

The delinquencies report was reviewed. Fourteen delinquencies totaling \$13,064.36 were noted.

Old Business:

Doug reported on the bridge project. It is anticipated that \$80,000 will be left once all bills are paid. The LOMR is expected to cost around \$35,000.

Doug reported that Mr. Hanslip has contacted him with regards to building his road. Mr. Hanslip would like the Metro to oversee the project management. As this was not part of the agreement, Dirk will be contacted to reply to Mr. Hanslip as to the stipulations of the agreement and Jamie will sign the letter.

New Business:

Doug and Tim attended a training workshop on developing an O&M manual for the District. They received a lot of valuable tools and templates to help with the process.

Bill reported that he will put together a fact sheet as to the requirements of installing a well.

Cynthia reported that the phone at Lisa's office was not ringing. A technician was called and an old rotary phone has been installed temporarily. The board discussed upgrading to the internet phone system that Jamie currently has for his business. Dennis moved to purchase the 8x8 internet phones and service to replace the existing phone service with Centurytel. Carrie seconded and the motion carried.

The board discussed the water tank on BLM land issue. Through discussion at the POA meeting last night, it was discovered that the water tank was originally on Bob Kimbro's property and apparently the Forest Service requested it be moved to its current location. Documentation of this will be researched. Brilliam Engineering gave Doug an estimate of \$200,000 to move the water tank. Cynthia will update Becca Smith with the Forest Service of the District's position.

Dennis has volunteered to monitor timekeeping of District employees with the intent of being more transparent to the community. Jamie moved to appoint Dennis as the board liaison to the Operations Manager. Carrie seconded and the motion carried.

Other Business:

Jan reported on the POA. She stated that their financials are OK, but the fencing project is expensive. They are going to stop the fence at the water tank until that issue is resolved. They are looking for a new attorney. The annual picnic will be held on July 21st around 5:00PM. They will have a porta-potty on site for the event. They will also have a dumpster brought in the last week of July for the neighborhood. They will be hiring a security guard for the week of the 4th of July. Jan also reported that the POA is looking to hire someone to manage the website.

Doug reported that Tim hurt his arm while installing the aerator in the pond. He filed a workman's comp claim and has been to the doctor twice.

Doug reported that he will be designating a parking area using large rocks by the water plant. He also installed a frost free at the bridge to water the willows.

Dan McCullum inquired about the fees certified to the County Treasurer with regards to the Doctor property. Cynthia explained the chain of events that led to the certification.

Michelle Scholl reported that there have been outfitters bringing customers to the subdivision to fish. The board discussed the possibility of issuing fishing permits to residents and guests. Michelle asked Cynthia to inquire with CPW if they had any signs that could be erected that state a valid Colorado fishing license is required.

There being no other business, Bill moved to adjourn at 8:49 pm. Carrie seconded and the motion carried.

Respectfully submitted,

Cynthia Purcell
District Manager