

San Juan River Village Metropolitan District Regular Monthly Meeting Minutes

June 12, 2014

The meeting was called to order at 6:34 pm by Carrie Wienckowski. The directors present were Bill Wittwer, Dennis Jeffrey and Linda Gundelach. Property owners, Gordon Graves, Brian Sinnott, Joy Sinnott, Rus Weathers, Bonnie Weathers, LeRoy & Mary Knopfle, Julene Campbell, Annette Jeffrey and Jan Wittwer were present. Property owners, Michelle Visel and Nadia Werby, attended via phone. Cynthia Purcell, District Manager, took minutes.

Dennis moved to approve the minutes for May 8, 2014 and May 20, 2014. Linda seconded and the motion carried.

Three property owners, Michelle Visel, Steve Wilkins, and Robert Soniat, submitted letters to be considered for the vacant seat on the board. Cynthia read each candidates letter aloud. The board will keep the position open until the July meeting, at which time an appointment will be made.

The 2014 Amended Budget Hearing was opened. Cynthia presented the proposed 2014 amended budget and explained the key components. The proposed amendment allows for early pay-off of the two existing loans: the bridge bond (\$363,400) and water loan (\$186,175) with existing and newly appropriated fund balances. After board discussion, the hearing was opened to public comment. Gordon Graves inquired about the change in beginning balances of each fund to include previously unappropriated funds. The public comment session was closed. Bill moved to adopt Resolution 2014-1: Amending the District's 2014 Budget and Appropriating Additional Funds for Expenditure. Linda seconded and the motion carried. The resolution was signed by Carrie and attested to by Linda. Carrie reported that the service plan included language stating that user fees were to be used to pay off debt. Clarification is needed from an attorney as to whether or not paying off the water loan early will negate the ability to collect user fees in the future. Cynthia reported that the attorney used to help prepare the budget amendment was not very responsive and hard to work with. She contacted the other attorney from Denver that was interviewed previously and that attorney felt the District would be better served by a local attorney. His firm would be willing to help the District with Special District issues, but nothing more.

Water Department Report:

The customer water usage report was reviewed for May – 249,850. Dennis reported that the water plant was making twice the amount of water that was being registered on the meters. Tim was staying late tonight to investigate the problem. Tim would like to install flow meters throughout the system to help isolate problems in the future. This will be considered in next year's budget.

Dennis reported that the booster pump casing arrived today (two weeks early). They will begin excavation of the site soon.

A quote was obtained from PALL to upgrade the computer that runs the water plant to Windows 7 for \$6,571.45. This is substantially lower than the quote obtained from Timberline for over \$20,000. The quote is being reviewed by Gene Tautges, ORC, and Steve Omar, Briliam Engineering, for accuracy. If the quote is deemed that it will accomplish the anticipated goal for under \$10,000, the board authorized Cynthia to proceed with acceptance. Linda moved to authorize Cynthia to purchase a Surface Pro computer for Tim. Dennis seconded and the motion carried. Brian reported that the newest version of this computer will be out on August 20, 2014 and if Tim could wait until then, he could get the latest, greatest model. The board will let Tim make that decision.

Sewer Department Report:

Cynthia presented an email from Patrick O'Brien, Briliam Engineering, requesting additional fees for out of scope services for the WWTP Conceptual Study that they provided for the District. The board discussed the fees and felt that because this project was performed under a bid, any additional charges should have been requested before the additional work was performed. Cynthia will notify Patrick.

Road Department Report:

Two culverts are in need of replacement on the mountain side. Tim received a quote of \$53,000 from a company out of Albuquerque to bore a new hole. He is still waiting on quotes from a company in Durango to bore and Doug Hampton to dig.

Carrie reported that the intersections off Hwy 160 into both sides of the neighborhood are potentially dangerous. Currently there is a dashed yellow line and you are able to pass on this stretch of the highway. This presents a problem when someone is trying to turn across traffic into the subdivision. Nadia Werby has written a letter to be included in next month's billing with information about a petition that is being circulated with regards to the issue. Carrie will post this letter to the NextDoor website as well. Cynthia contacted CDOT and was told that a new list of dangerous intersections, ranked from lowest to highest priority, was being developed for 2015. The last list was dated 2008. The County Commissioners will need to be notified about these intersections to request that they be added to the list that is provided to CDOT. Cynthia will follow up with CDOT to determine if something can be done to minimize risk at these intersections, such as painting no passing lines and/or decreasing the speed limit in this area.

Dennis reported that Keith and Tim have been working really hard and have gotten a lot of projects accomplished in the short time that Keith has been working (3 weeks). Some of the projects include: dust mitigation, entrances mowed, sewer ponds and upper pond mowed, weeds sprayed, gates installed, road repairs, and the clean out on Robert Soniat's property capped.

Parks & Recreation Department Report:

Carrie opened the public forum to receive input on future projects of the district. Julene Campbell requested financial assistance to purchase sterile carp to release into the upper pond. Dennis moved to contribute \$200 from the Conservation Trust Fund to purchase carp. Bill seconded and the motion carried. Julene also suggested dredging Aspen Lake to make it deeper. Joy Sinnott suggested filling the lake in and using the site for another purpose. Filling in the lake may require an engineered design to deal with the water flow. Other potential projects suggested were what to do with the existing meeting house and shed next to it. Records and files are stored in both facilities and the potential of fire hazard was discussed. Cynthia reported that the design work has been completed for the river. The design includes multiple rock structures that will channel the river and prevent further erosion of the banks. The anticipated cost at this point is \$109,000. The design work was performed by NRCS at no cost to the District. Because ownership of the river property is now in question, no work can be performed in the river until this is resolved. Cynthia will post the design work to the website once she obtains an official copy.

Linda reported that she, Neil and Liz Fox hired an attorney to investigate the validity of pedestrian easements adjacent to their properties. Linda and Neil wanted to explore the ramifications of converting the utility easement on their property to a pedestrian easement. The attorney they hired advised against the conversion because of future potential ramifications due to District board changeover and philosophy. The attorney was of the position that there were no pedestrian easements within the subdivision and all easements were slated as utility in all the language they found dating back to the 1970's. Linda advised the board that she and Neil will not be exchanging the utility easement for a pedestrian easement. They are happy to share the information they received from the attorney and want to help the District find other suitable areas to access the river.

Carrie reported that there has been some discussion throughout the neighborhood about whether or not using the Brinkman lot as a boat launching area will negate the environmental mitigation done for the bridge. Cynthia reported that CDOT had already signed off on the environmental component of the bridge. CDOT is looking into whether or not the District has a storm water permit on the property. If not, there is no problem. The board briefly discussed needing rules & regulations for boating access within the neighborhood. They will develop guidelines for the 2015 boating season next January. Gordon Graves asked if the Metro District could restrict use of Metro owned property by people outside the District. Cynthia will inquire about this with an attorney.

Administrative Report:

The District is in compliance.

Eleven delinquencies totaling \$9,438.56 were noted.

The board discussed changing the signers on the bank account. Bill moved to add Linda Gundelach as a signer to all the bank accounts and remove Carrie Wienckowski; Cynthia will remain a signer on all the accounts. Dennis seconded and the motion carried.

The board discussed the SDA Board Member Workshop they all attended, including Brian Sinnott, and shared information they learned. Carrie requested that Public Records, 24-72-201, et seq., C.R.S. be formally adopted at the next meeting to include fees charged for research and copies. The board also discussed using a personal computer or cell phone to perform public business (email). It was suggested at this workshop that public and private business be kept separate to avoid possible seizure of personal property. Brian suggested accessing email through a website versus using a program like Outlook so nothing is stored on a personal device. Brian also suggested adopting a policy manual. The SDA has a sample manual that could be adapted. The board would also like to review the service plan to see if it may need to be updated/amended. The fire plan is outdated. There may be an IGA in place with the local fire department. Cynthia will check. Carrie also suggested inquiring about adding a transient tax to short-term rentals. Also, with regards to parks & rec, clearer boundaries need to be delineated between authorities of Metro vs. POA.

Treasurer's Report:

Cynthia reported on the P&L's, Balance Sheet, General Fund, Sewer Fund, and Water Fund. Linda moved to accept the financials. Dennis seconded and the motion carried.

The following bill was presented for payment: Cynthia Purcell – 32 excess hours (\$800.00) worked to amend the budget. Bill moved to approve payment of the bill. Linda seconded and the motion carried.

There was no report from the Finance Committee. Brian did report that they would like to be involved in the 2015 budget process. The board will need to decide what philosophical method of budgeting they would like to proceed with in the coming year.

Old Business:

Cynthia reported that Becca Smith, USFS, has determined that special clauses must be included in the permit to address risk. She has asked Cynthia to submit a risk assessment document that covers all possibilities of exposure for the Federal Government.

Cynthia gave an update on the Harebell Bridge project. The LOMR application was received by FEMA and they will respond within 90 days. The deck resealing is awaiting a revised change order from SEH.

Cynthia and CDOT manager Robert Shanks are pushing SEH to provide the documentation necessary to proceed. SEH has taken on all of CDOT's projects and our project has fallen to the bottom of the list.

Dennis reported that the Hanslip project is not complete. Mr. Hanslip has a few concerns about the work that was performed. Dennis will be working with Mr. Hanslip to resolve the issues.

The common area ownership topic was discussed. The board discussed hiring a real estate attorney to resolve the title work. Rus Weathers presented a copy of Colorado Revised Statutes – Title 38-33.3-312 Conveyance or encumbrance of common elements, for the board and their attorney to review.

New Business:

Bill reported that he has received two well permit applications. Julene Campbell would like to drill a well and Gary Fine would like to permit an existing well on his property. Bill will issue each a letter from the District.

Other Business:

The POA has did not hold a meeting last month. They will be meeting next Monday, June 16th at the Community Center. Bill reported that Jan will be stepping down as president effective in July, after the annual picnic.

There being no other business, Bill moved to adjourn the meeting at 9:00pm. Linda seconded and the motion carried.

Respectfully submitted,

Cynthia Purcell
District Manager