

## San Juan River Village Metropolitan District Regular Monthly Meeting Minutes

February 12, 2015

The meeting was called to order at 6:34 pm by Carrie Wienckowski, President. The directors present were Steve Wilkins and Linda Gundelach. Bill Wittwer attended via phone. Property owners, Dennis Schlichter and Joe Jordan were present. Cynthia Purcell, District Manager, took minutes.

At 6:35 pm, Linda moved to enter Executive Session for the purpose of receiving advice from legal counsel on specific legal questions related to the Weather's litigation, as authorized by §24-6-402(4)(b), C.R.S. Steve seconded and the motion carried.

The Executive Session was adjourned at 7:00 pm and the regular session was reopened by Carrie Wienckowski.

Joe Jordan presented a POA update. He reported that the SJRV Guidebook is nearing completion and they are hoping to be able to distribute it in March. He would like the Guidebook to include an aerial map of the subdivision with the three, Metro owned, river access points marked. Painted rocks were suggested: blue to denote parking; red to denote no trespassing; and green to denote pathways. The Metro board was favorable to these markings. Joe also requested that the Metro district create a pathway from the Skunk House to the concrete steps that lead to the river. A few debris piles will need to be moved and wood chips laid. Carrie will be working on boating ethics for the Guidebook and designing a boat launching area near the bridge.

Steve reported that the POA was favorable in accepting the legal responsibilities for clearing up the title issues with the river access pedestrian easements.

Steve moved to approve the minutes for January 8, 2015. Bill seconded and the motion carried.

### **Water Department Report:**

The customer water usage report was reviewed for January – 495,150. Linda inquired about the brown water she experienced at her home for several days. Cynthia will talk to Tim about this.

Cynthia reported that she received an estimate and map from the LPEA contract engineer to run the 3 phase power to the booster pumps. The estimate was for \$57,230.31 minus the \$300.00 deposit already received, equaling \$56,930.31. The route will consist of overhead wiring from North of Hwy 160, up to Swiss Village Drive, and then up to Harman Ave. There is a tree that will need to be removed on Steven Rafalo's property that interferes with the wiring. Cynthia will inquire as to who will be responsible for contacting the property owner, removing the tree and acquiring easements (LPEA or Metro). The route also involves adding two poles along the north side of Harman Ave. below Steve's house. The power line will then be trenched under the road to the other side and continue up approximately 150 feet to where the transformer and meter will be installed. The wire will then continue up along the road to the booster pumps. The Metro District will be responsible for all trenching and bedding for the wire, the meter rack and subsequent wiring from the transformer to the booster pumps. Carrie requested that all the property owners along the route be notified before construction begins, as a courtesy.

### **Sewer Department Report:**

A bid was received from FEI Engineering for the computer upgrade and sewer telemetry additions. The bid was almost \$50,000. This is almost double the bid that was received from Timberline Electric. Gene

Tautges is reviewing the bid proposals and will formulate the best plan to achieve the upgrade and addition of an alarm system for the lift stations in the most cost effective manner possible.

**Road Department Report:**

The roads are in need of attention. \$20,000 was set aside for road repair and gravel this year.

**Parks & Recreation Department Report:**

Megan Reinhardt gave a presentation from the Parks & Rec Committee. She compiled the information collected from the questionnaires and presented a report showing the main topics/ideas, whether the comments were positive or negative, and the specifics/details. After reviewing the document, the board agreed to fund several items from the community input: marking Metro owned river access points; developing and marking boating access by the bridge; and developing a parking area by Nancy Galbreath's property. The board thanked Megan for organizing all the information in an easy-to-read format that can be referenced throughout the year as funds are available.

**Administrative Report:**

Cynthia presented an attorney engagement letter from Jeff Driscoll to represent the District on matters other than the Weather's litigation. His fee is \$200/hr and \$100/hr for legal assistants. Linda moved to accept the terms and direct Cynthia to sign the engagement letter. Steve seconded and the motion carried.

The District is in compliance.

Fourteen delinquencies totaling \$13,861.57 were noted.

**Treasurer's Report:**

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

There were no bills presented for payment.

**Old Business:**

Cynthia gave an update on the Harebell Bridge project. FEMA is still evaluating the information from SEH regarding the floodplain LOMR. A response is expected within 90 days.

Cynthia reported that Mr. Hanslip recently underwent surgery. He received something from the County regarding the driveway, but didn't understand it. He needs to inquire about this before returning the indemnification and release of liability to the District. Cynthia will then execute the quit claim deed for the driveway.

**New Business:**

Bill reported that he has received no new well permit applications.

**Other Business:**

Dennis Schlichter, property owner, requested that the roads be repaired. He suggested that vehicles stay off the shoulder when being used to plow. This will keep the gravel from being bladed off and ending up

in the ditch. He also suggested snowplowing before the snow reaches 6 inches deep. The ground becomes too saturated by that point and the gravel is more in danger of being removed by equipment. When potholes are repaired, the road and subsequent fill should both be moist to ensure proper adhesion. The board thanked Dennis for his suggestions.

There being no other business, Steve moved to adjourn the meeting at 8:39pm. Bill seconded and the motion carried.

Respectfully submitted,

Cynthia Purcell  
District Manager

ATTORNEY STATEMENT  
REGARDING PRIVILEGED ATTORNEY CLIENT COMMUNICATION AND  
EXECUTIVE SESSION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I, attest that in my capacity as the attorney representing San Juan River Village Metropolitan District ("the District"), I attended the executive session meeting that the District convened on February 12, 2015 at 6:30 p.m. for the sole purpose of discussing matters related to pending litigation in San Juan County District Court Case number 14-cv-30031, in which the District is named Defendant. It is my opinion that all of the executive session discussion was directly and solely related to said litigation and constituted privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S., and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(II)(B), C.R.S.

Date: 2-12-15

  
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Jeff Driscoll, Legal Counsel  
San Juan River Village Metropolitan District