# WOODY CREEK METROPOLITAN DISTRICT MEETING OF THE BOARD OF DIRECTORS

## **February 8, 2018**

## RECORD OF PROCEEDINGS

A REGULARLY SCHEDULED MEETING OF THE Board of Directors of the Woody Creek Metropolitan District, Pitkin County, Colorado, was held on Monday February 5, 2018 beginning at 6:30 PM at the Woody Creek Laundromat, Woody Creek Subdivision Common Tract #3, SW of the former WC3, Woody Creek, Colorado.

The meeting notice and agenda were posted at least 72 hours in advance at three (3) designated locations within the District boundaries, published in the Aspen Times Weekly and posted in the Pitkin County Clerk's Office.

Members of the Board of directors in attendance included the following individuals:

Margaret T. O'Brien

Guy Fulfer

John Edwards

Also in attendance were the following individuals:

Gus Filiss Brad Matthews

Andrew McGregor Jacki Matthews

Mary Ann Thompson Dan Kinney

Whit Boucher Scarlett Matthews

Robert Stevenson Gary Krill

Jan Schoberlein Nikki Jaqua

- 1. Call to Order/Roll Call
  - a. Three members of the Board were in attendance thereby constituting a quorum of the Board. As such, the meeting was entitled to proceed.
- 2. Consideration of the Agenda
  - a. The revised agenda was accepted without any changes.
- 3. Consideration and Adoption of the Minutes from November 6, 2017 meeting.
  - a. No action was taken on the minutes. They will be reconsidered for acceptance at the May BOD meeting.
- 4. Presentation by Jan Schoberlein representing the "Gathering Group".
  - a. Jan described her group of citizens looking for a new community center site to replace the now gone WC3. She indicated that her group only needed a limited

size space with tables, chairs, couches and a small kitchen. While interested in the Woody Creek laundromat, they are also talking to RFTA about a possible site to construct a small building where they used to water trains. They would like to construct a railroad station style building similar to the one in Basalt. Peg asked how people could get involved if they are interested. They can contact Jan at the <a href="mailto:janetkayes@gmail.com">janetkayes@gmail.com</a> or by phone at 970-379-6887.

#### 5. Public Comment

a. Mary Ann Thompson asked if there was any action being taken on parking. Infrastructure update? What about financial relief being considered for a request from the BOCC? Peg, Guy and Gus responded with info: The covenants have set the policy for assigning parking and the volunteer position to put that into effect is open. Infrastructure is on the agenda. There are three (3) ideas being floated for a possible request from the BOCC for short-fall created by deed-restriction attached to Gallagher: Ask them to pay for an election, give the district the \$ difference from the previous year's mil levy, or eliminate the deed restriction that limits capital improvements so home valuation can increase – otherwise the increase of a utility fee may have to be considered to amend the shortfall if current factors continue to negatively impact ability to collect necessary funding for systems via tax. Peg offered to follow-up with PitCo BOCC.

## 6. President's Report

- a. Peg provided an update of recent accomplishments of the Metro District, and gratitude for the hard work of Guy, Gus and Andrew in it's many recent accomplishments, including the following: adopting a budget, initiating infrastructure improvements, complying with all statutory requirements, obtaining a new garbage hauling contract after cost-comparison with other available providers, obtaining a new contract for snow plowing services, implementing commercial metering, updating CDPHE discharge permit, preparing for a BOD election, managing ongoing collections for monthly billing and mediating neighborhood disputes on various issues.
- b. It was noted by Brad Matthews that repairs needed to be made to the dumpster in the southern part of the park. The latching mechanisms are not operational. Guy responded with a promise to submit a work order request to the trash hauler.

## 7. Treasurer's Report

Guy provided an update on finance matters. Cash flow will be bolstered with incoming tax payments from the county, fees are levelling out, money has been saved this winter on snowplowing due to the drought and trash hauling is expensive. There was brief discussion about the need for diversion of recyclables. Nicki offered to work on cardboard and other diversion. The board asked her to proceed with research into options on the WC Metro's behalf. Gus explained the impact of the Gallagher Amendment combined with the limitations set on the Metro District by the APCHA-enforced deed restriction on the tax collections for the district.

- 8. Consideration of a Resolution of the Board of Directors Authorizing a Mail Ballot Election to be Held on May 8, 2018 and Appointing a Designated Election Official
  - a. John made a motion to approve the Resolution. Guy seconded and the motion passed unanimously.
- 9. #207 Woody Creek Plaza Consideration of a Fence Issue Between property Owners that has come to the attention of Pitkin County which has pointed out aspects of the PUD. Guy gave a presentation, starting with a reading from the PUD regulations pertaining to fencing location. The possibility of grandfathering current fencing was raised, clarity on timing of the establishment of the fence versus the home was sought, etc. Gary commented that the Pitkin County staff and commissioners would respect the opinion of the Metro BOD. Jacki was officially appointed by the BOD by a motion (Guy), seconded by Peg and unanimously approved, to represent the Metro District in communications with the County towards a resolution of this issue.

## 10. Administrator's Report:

- a. Andrew McGregor provided an update on the search for lower cost property and liability insurance. He noted that he had worked with two firms that were unable to provide competitive coverage. Jacki suggested that we try Neil Garing Insurance in Glenwood. Andrew will contact on Tuesday.
- b. Andrew noted that he had developed a good working relationship with Leah Fielding and website updates will be forthcoming consistently.
- c. John Edwards departed the meeting at this time due to employment obligations.

### 11. Administrator's Contract

a. Peg noted that the administrator's contract will be extended for another year. Seeing no objections, and being grateful and more-than-satisfied with the work done the 1<sup>st</sup> year, Peg signed the contract to continue.

## 12. Infrastructure Report:

a. Gus provided the Board with an update on the infrastructure improvements. A crew was put to work clarifying and correcting the ph and cable in late fall, as soon as they were available and as long as the weather held out – until the frost set in. Headway was made. Unfortunately, the lead guy, Trent Johnson, passed away this winter and is no longer available to direct these improvements. Project will continue to receive attention and be resolved as able.

## 13. Old Business:

- a. Parking/Storage. Guy explains that this issue is regulated through the covenants. Mary Ann wants some enforcement done. Gary notes that the shed that Dougald occupied was scheduled to be torn down. Once again, Gus notes that progress/improvements would be entertained if someone wants to spearhead this storage/parking project and take it under their wing, noting the covenants outline the assignment of spaces, and would be a valuable (necessary actually, unless adapted via resolution) guide for that person.
- 14. Adjourn: Due to a lack of a quorum, the meeting was adjourned at 7:45.

Meeting Notes prepared by Andrew McGregor.