

**WOODY CREEK METROPOLITAN DISTRICT  
MEETING MINUTES  
BOARD OF DIRECTORS MEETING  
January 3, 2022  
6:00PM Zoom**

The Board of Directors of the Woody Creek Metropolitan District conducted a regular meeting of the Board of Directors on January 3, 2022. The following meeting minutes reflect the primary discussion points and any formal actions taken by the Board of Directors.

The meeting notice and agenda were posted at least 24 hours in advance at the designated location within the District boundaries and on the website.

Members of the Board of Directors in attendance included Nikki Allen, Cecilia Sanchez, Patricia Hamilton, & Don McAllister thereby a quorum was in attendance. Also present were Krystin Oda Bergstresser, Colin Mielke, Guy Fulfer, Mark Thompson, Fred Scully, Dulcy Kenner, RB, & Peg O'brien. John Edwards, Curtis Wackerle, Grant Gladson, Diane Kessler, Bethany Spitz, Cindy Christensen, Matthew Gillen, & Diane Foster attended a portion of the meeting.

Meeting Agenda & Action Items:

1. Call to Order/Roll Call. (2 min) 6:03 pm
2. Consideration of the agenda. (2-5 min)
3. Welcome and introduction of Colin Mielke of Seter & Vander Wall, P.C. (5-10 min)
4. Discussion/Q&A with Cindy Christensen, APCHA director. (6:15pm) (15-30 min)
5. Property managers report. (5 min)

**Nikki moved to adopt the Resolution Approving the 2022 Budget, Donny seconded, and the Board unanimously approved this item.**

6. Old Business
  - A. Social media/newsletter blasts
  - B. Community events
  - C. Plan for following up with residents on past due balances

**Donny moved to forgive the late fees of \$45 for Ted Flynn, Nikki seconded, and the Board unanimously approved this item.**

**Nikki moved to forgive the late fees of \$45 for Diane Kessler, Donny seconded, and the Board unanimously approved this item.**

- D. Parking space size discussion

7. New Business (20 min)
  - A. Cecilia Sanchez resignation
  - B. Call for interested parties
8. Public Comment – Citizens may take up to three minutes to address the Board. (5-15 min)

**Donny moved to forgive a storage fee and late fee for Mark Thompson, Nikki seconded, and the Board unanimously approved this item.**
9. Agenda Items for the March 2022 meeting. (5 min)
10. Adjourn 7:52 pm

Meeting Notes:

1. Nikki, Cecilia, Patty & Donny were in attendance, and a quorum was present. Grant P was absent.
2. No changes made to agenda
3. Colin Mielke introduced himself and gave a brief history and summary of the company, Seter & Vander Wall, P.C. The board expressed their gratitude and are excited for the support their firm will provide as a small metro district.
4. APCHA staff Cindy Christensen, Bethany Spitz, Matthew Gillen, & Diane Foster were present for the meeting Q&A. Bethany began by explaining the pilot program that is in discussion by APCHA. Bethany explained, "If a property goes on the market, APCHA would buy at full price of what it is listed for. And we, APCHA, would replace it with a home by Clayton Homes or other prefab modular company. Again, it would be for full sales price, there would be no reduction in that price." She said nothing has been finalized and the plan has been in discussion by APCHA and it's board members. She also mentioned that WC residents are more than welcome to attend board meetings and agendas and meeting info is posted on their website before the meetings.

Nikki asked how the purchase price is decided for the new buyers after the new homes are finished. Bethany replied that they would take into consideration the cost of the build as well as purchase price and would not exceed the category limit.

Peg asked what the titles of the APCHA representatives present are.  
Bethany Spitz - Compliance Policy & Systems Manager

Cindy Christensen - Sound Issues, Deputy Director  
Diane Foster - Assistant City Manager  
Matthew Gillen - Executive Director

Peg shared that the last couple APCHA meetings she attended there were depreciation tables that broke values into 3 categories that were pretty significant. Peg asked if that was still on the table. Bethany said, "The staff recommendation is currently to purchase at the maximum sales price, unless there is wilful neglect of the property."

Matt stated they currently cut the depreciation tables from discussion to keep the pilot project simple and straightforward.

Diane Foster mentioned there are no regulation changes at all to proceed with this program. In August APCHA added an inspection upon sale as a requirement, which APCHA pays for.

Peg asked for clarification on which deed restriction agreement they were referring to. Diane specified it is the current deed restriction in place.

Donny asked who would perform the home inspections. Diane F. said APCHA has contracts with 3 home inspection companies.

Peg stated an APCHA board member previously asked if a person purchased a home "as is," knowing it is a tear down property, it doesn't make sense to ding them on the sales price based on the condition when they bought it. She expressed doubt around the "wilful neglect" piece.

Peg also pointed out that at the last 2 APCHA meetings the message was for APCHA to reduce the category. The residents of WC 100% pay for infrastructure systems & they are free market costs. WCMD is at 72 mills + \$756/year fees, where the state average, according to DOLA, is 60 mills. If the category is reduced, it will increase the burden on the WCMD residents.

Diane F. said, "there has never been discussion of reducing the category dollar figure, none whatsoever. The unanimous staff recommendation in the reports, which can be found on the website, is to pay the maximum resale value no matter how old a mobile home is." She explained what they need to keep open is the possibility of wilful neglect as seen in some cases of mold damage, etc. Matthew stated that wilful neglect would be really really bad circumstances and they are not looking at trying to take money away from sellers.

Peg stated that many houses have taken a hit since 2014. In some cases 10's of thousands of dollars, so it does not seem to be the practice of APCHA to buy at market price.

Diane F. mentioned that in some cases, based on the condition of the properties, there were no buyers willing to purchase at full price and had ended up negotiating with the sellers.

Cecilia expressed it was a surprise to read about the pilot project & plan for the park in the paper, and that it would have been nice to know from APCHA before the story was released that they were on site evaluating the condition of some of the homes.

Matthew mentioned nothing has been decided and it is all in discussion.

Nikki asked if there could be an open line of communication with the WCMD so the residents can be updated & aware of APCHA's plans, programs, and important meetings.

Diane F. agreed and apologized if the unannounced site visit & program took anyone by surprise. "We didn't want to come to you and say, 'we don't really know what we're doing, and don't have board agreement from APCHA, because we don't know what we want to do yet.' because we didn't think that would be helpful. I understand and would definitely do it differently in the future and come and talk with you." She also said, "we will work to open better lines of communication."

Diane Kessler asked why it seems as though Woody Creek always seems to be singled out by APCHA.

Diane F. commented, "the intention was, this is a pilot project, and we only had so much money to spend. We started the discussion with the board in April of all APCHA properties." The board saw Woody Creek as a good place to start if the plan is putting in \$500k to a program. They have seen the replacement of older homes in the park as being a success and something that would be beneficial for the community.

Diane Kessler also shared that she is disheartened since it seems like APCHA continually restricts WC residents more than other APCHA properties.

Peg remarked the way the pilot project was being portrayed tonight is not how it was presented at the APCHA meetings in Nov & Dec. Initially the project was not going to be available for current WC residents. Peg shared they kept mentioning "no risk," but it seems as though it is only "no risk" for APCHA and a great risk to the current residents, especially those in the properties reviewed as replaceable.

Diane F. clarified that in all the reports, the staff recommends the program be available to current owners. She urged residents to write the APCHA board, attend meetings, etc and said, "we could walk away from this, we could pick another neighborhood, and say, they didn't want to be a part of the pilot program. We very much believe that this only benefits the community and only increases the amount of taxes for the metro district. That being said, I do not want to force anything down anyone's throat." She mentioned she will share the comments heard here with the board as well.

Nikki commented that what was presented tonight sounds good for the community. She knows from experience the process of buying an old home & building a new one & understands the benefit of the program. She requested better communication to build back trust between APCHA & the WCMD residents.

Donny thanked the APCHA representatives for attending and also requested that there be better communication & transparency from APCHA regarding the plans for Woody Creek.

5. Grant shared that he and Danny are working on snow removal and making sure all roadways and parking are accessible. Grant also asked the board to consider the possibility of making a few of the 72 hour guest parking spaces into residential spaces for those who live close to the lot and doing a lottery for those spaces.
6. A. TABLED - Krystin reported the first e-blast was sent late December and so far good feedback on that.  
B. TABLED  
C. TABLED  
    Ted Flynn's late fees forgiven as requested  
    Diane Kessler's late fees forgiven as requested  
D. The board discussed a letter submitted by Donny regarding parking size space and the charges for each space. The board will continue to discuss the policy of parking fees per vehicle vs per space size. Grant explained there are issues with the space size and what people would attempt to fit into the space. He has been working to keep enough space for residents to access their RV's & trailers with the ability to turn around. The point was made that parking is full at this time and will soon, most likely, have to be decided by lottery. With the high demand and limited space, the decision was to charge per vehicle to avoid the grey areas of what is considered for the space. Grant plans on working to properly size the spaces in the spring.

7. A. Cecilia's resignation was announced. The board thanked her for her service to the community.  
B. Mark Thompson expressed his interest in joining the board. Donny pointed out that Mark is still under a 6 month probationary period and that they would discuss it once the period was over. Any interested parties should contact a board member of Krystin.
8. Public comment:  
Guy Fulfer thanked Cecilia for serving on the board, and thanked all who showed up for the APCHA participation. He supported Peg's comment regarding APCHA's presentation tonight as being very different from what he witnessed during the APCHA's meetings. Guy commented on parking and that he agrees with the per vehicle/item policy, especially since the spaces are filled and the demand is there. He also commented on the importance of the fine policy and asked the board to carefully consider forgiveness requests.  
Cecilia pointed out that people aren't breaking down their boxes in the trash or recycling.  
Fred thanked the board for their service.  
Peg thanked everyone for being present and the board for their service.  
Mark Thompson requested forgiveness for one month storage fee & late fee.
9. 72 hour parking, tabled items from old business
10. Meeting adjourned. 7:52pm

Minutes prepared by Krystin Oda Bergstresser - Administrator