

**MINUTES OF THE BOARD OF DIRECTORS REGULAR MEETING  
ARABIAN ACRES METROPOLITAN DISTRICT**

January 20, 2021 at 5:30 P.M.

Via Telephone and Video Conference Call

**In attendance were Directors:**

Allan Brown  
Stan Claassen  
Edith Coffman  
Elizabeth Douglass  
Lanny Hoel

**Also in attendance were:**

Kevin Walker, WSDM  
Rebecca Hardekopf, WSDM  
Michael Groselle, AquaWorks  
Lynn Willow, ORC  
Brian Johnson, Lost Dutchman Resort  
Members of the Public

**1. ADMINISTRATIVE MATTERS**

- a. Call to Order & Declaration of Quorum: President Coffman called the meeting to order at 5:30 p.m. and confirmed a quorum was present.
- b. Confirm any Potential Conflicts of Interest: The directors confirmed there were no potential conflicts of interest.
- c. Discussion and Approval of the Agenda: The Board approved the Agenda as presented.
- d. Review and approve minutes from December 16, 2020 Regular Board meeting: Director Claassen moved to approve the December 16, 2020 Minutes; seconded by Director Douglas. Motion passed unanimously.

**2. FINANCIAL MATTERS:**

- a. Review of billing and collection status: Mr. Walker reported on the billing and collection status.
- b. Review and accept the December 31, 2020 Unaudited Financial Status: Mr. Walker went over the unaudited financial status as of December 31, 2020 and confirmed the District is doing well financially. After review, Director Douglass moved to accept the unaudited financial status as of December 31, 2020; seconded by Director Hoel. Motion passed unanimously.
- c. Review and approve the Payment of Claims: Mr. Walker presented the Payment of Claims. After review and discussion, Director Claassen moved to approve the Payment of Claims as presented; seconded by Director Douglass. Motion passed unanimously.
- d. Consider approval of Glacier Construction Pay Application No. 6 (\$25,901.75): Mr. Walker noted the Pay Application No. 6 was included in the Payment of Claims. Mr. Groselle went over the Pay Application No. 6 in detail. Mr. Groselle recommended that the Board accept the work and submit the final completion certificate. After review and discussion, the Board decided to table the approval of the Pay Application until the next Board meeting.
- e. Consider approval of Glacier Construction Change Order No. 3 (-\$34,705.00): Director Claassen said he would need additional time to review the Change Order No. 3 since it was just received today, and he will not be voting to approve it tonight. Mr. Groselle went over the Change Order No. 3 in detail for the Board. Mr. Groselle confirmed he

reviewed the cost estimates and timesheets. After review and discussion, Director Douglass moved to approve the Glacier Construction Change Order No. 3 subject to Director Claassen's review and approval; seconded by Director Claassen. Motion passed unanimously.

- f. Construction Project budget update and future steps: Mr. Groselle recommended the Board approve and sign the certificate of completion. Mr. Walker discussed the remaining project budget and noted \$32,000 is remaining. Mr. Walker noted that the tank is due for its 5-year inspection and the condition will be assessed by a remote sensor at the end of the month.

### **3. OTHER BUSINESS**

- a. Trout Haven Exclusion Progress: Mr. Walker reported on the Trout Haven Exclusion progress and noted he sent out a letter to all property owners which generated a lot of phone calls and questions. As of today, they have received 11 different petitions with the \$200 deposit which covers 20 total lots.

Mr. Walker explained that Brian Johnson with the Last Dutchman Resort is requesting consideration of excluding his 40 acres of vacant land, not including existing users. Mr. Walker recommended having the District's legal counsel review the request as well as the water attorney. Mr. Johnson explained the history and noted his initial request for exclusion in 2014 was denied by the Board which included all property within the District's boundaries, and he filed an appeal with the Board of County Commissioners which ultimately ended in a settlement. He explained his current proposal for exclusion would only include 40 acres of undeveloped portions of property within the District's boundaries. Mr. Johnson explained he would like to exclude his vacant undeveloped property from the District to have the opportunity to utilize his own water rights and the possibility to extend water mains in the future if he chose to develop the property. Mr. Johnson confirmed he is not wanting to exclude his existing commercial property from the District, so the District would not lose that revenue. Mr. Johnson thanked the Board for their time and left the meeting.

- 4. OPERATOR'S REPORT:** Mr. Willow presented the Operator's Report. Mr. Willow noted he is still working on getting the tank level dialed in with SCADA. Mr. Willow explained how the tank level calculation is done and how the sensor reads pressure to determine the level. It is currently not reading correctly, and Mr. Willow thinks it may be due to a plumbing issue, but he is working with High Tide to hopefully get it dialed in.

- 5. PUBLIC COMMENT:** President Coffman opened the meeting for public comment. Mr. Winterer noted that he remembers when the Pete Kuyper exclusion was denied in 2014 because he could not meet the requirements and refused to prove whether he could. He explained that he had a 1" line going into his system and he was charged for the 1" line instead of the ¾" line that everyone else had and was charged for. President Coffman confirmed that was what happened and noted that he needed the 1" line due to his campgrounds, and multiple showers and bathrooms, but he did not like paying for it.

**6. UPDATE ON NATIVE SUN CHANGE ORDERS:** Mr. Walker reported that he received communication back from Native Sun today and requested an Executive Session to receive direction from the Board on negotiations. Mr. Walker also requested that Mr. Groselle and Ms. Hardekopf join the Executive Session. Director Claassen moved to enter into Executive Session pursuant to §24-6-402(4)(e), C.R.S., for the purpose of discussion on Native Sun’s proposal submitted today and to give direction in negotiations; seconded by Director Douglass. Motion passed unanimously at 7:00 p.m. Director Claassen moved to come out of the Executive Session for the purposes of adjourning the meeting; seconded by Director Douglass. Motion passed unanimously at 7:10 p.m.

**7. ADJOURNMENT:** Director Claassen moved to adjourn the meeting; seconded by Director Brown. Motion passed unanimously at 7:10 p.m.

Respectfully Submitted,  
Walker Schooler District Managers

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By: Recording Secretary

THESE MINUTES ARE APPROVED AS THE OFFICIAL JANUARY 20, 2021 MINUTES OF THE ARABIAN ACRES METROPOLITAN DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

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Allan Brown

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Stan Claassen

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Edith Coffman

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Elizabeth Douglass

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Lanny Hoel