

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

August 19, 2015: 6:00 P.M.

Police Department, 911 Tamarac Parkway  
Woodland Park, Colorado

**ATTENDEES**

Directors present: Wade Holder, Treasurer  
Rebecca Seaman, Secretary  
Betty Williams, Director  
Robert (Elric) Winterer, President

Others present: Judy Bertrand, Metropolitan District Management  
Carmen Barker, Metropolitan District  
Lynn Willow, Water ORC

Members of the Public: See attached list

**ADMINISTRATIVE  
MATTERS**

Attendance and Agenda: The meeting was called to order by President Winterer at 6:00 pm and a quorum was noted. The Agenda was approved with the addition of the 2 Items which were underlined under the Manager's Report (Liens to be Filed and Request to Abandoned Water Tap). President Winterer made a Motion to excuse David Belfiore; with Treasurer Holder seconding. The Board unanimously approved.

Revision to Future Agendas: President Winterer stated that as he allowed public comment throughout the meeting that he would recommend removing the second Public Comment (Item #7) on future Agendas. Treasurer Holder made a Motion to remove the second Public Comment from future Agendas and Meetings. President Winterer seconded said Motion. The Board unanimously approved.

Disclosure of Conflicts of Interest: The Board had previously been informed of the Colorado Revised Statutes to disclose potential conflicts of interest to the Board of Directors and Secretary of State. President Winterer requested the Board members to disclose any conflicts of interest. There were no conflicts.

Minutes: Secretary Seaman made a Motion to Approve the Minutes of the July 15, 2015 Board Meeting, with Treasurer Holder seconding. The Minutes were unanimously approved.

Discussion of By-Laws: The District Manager stated she had reviewed the By-Laws that she had prepared for AAMD with those of the previous attorney, Joan Fritsche and found very little difference between the two.

President Winterer stated that at this time he would prefer not to have By-Laws as there were too many other issues to address. Director Williams stated that the District had not had By-Laws previously and that she did not understand the reason for adopting them at this time. Treasurer Holder agreed that this was not the time to review and

adopt By-Laws. Director Seaman made a Motion that the Board not review or adopt By-Laws at this time. Treasurer Holder seconded said Motion and the Board unanimously approved no review or adoption of By-Laws at this time.

Trout Haven vacant land-well vs. tap: The Board was provided with the letter prepared by the District attorney, Jason Downie to Stephanie Tanis at Re/Max. Ms. Tanis had requested information regarding vacant lots in Trout Haven. Any homeowner wishing to obtain a water tap or permission to drill a well is required to come before the Board. The owner or potential owner would have to do their own analysis on accessing the water line. There are approximately 10 lots in Trout Haven that this would apply to.

Secretary Seaman requested that the Manager contact bondholder Michael Foy to request permission to share emails regarding the previous issues with bond payments and accessing bond reserves.

## **PUBLIC COMMENT**

Edith Coffman informed the Board that she believed By-Laws should be adopted. The Board questioned why she had not adopted them when she was President of the AAMD Board. Ms. Coffman stated that the attorney had said he would recommend adopting By-Laws. Ms. Coffman said that the District paid \$150 for the attorney to draft a response to Marilyn Callan about the Board meeting with the D.A. Director Williams stated that the District paid \$1,400 for Joan Fritsche to prepare a letter for Edith and her resignation from the Board. Secretary Seaman stated that the District was formed in 2002 and had gone 13 years without By-Laws. Ms. Coffman again asked them to reconsider adopting By-Laws and President Elric said the Motion to not review and adopt By-Laws had already been passed. The President stated that the Board may bring up the topic of By-Laws next year.

Marilyn Callan stated she had some preliminary budget concerns relating to water purchases, maintenance and repairs and the bond reserves. She was informed that there would be a budget meeting scheduled. She also said she appreciated that large creditors have been paid off but questioned why the District is paying P-K monthly when the loan is not due until December.

## **OPERATORS REPORT**

The ORC said that the road to Well #8 had been re-graded in order to allow for access to repair Well #8. Both the road and well have been repaired. The ORC was requested to inform the District Manager and President prior to scheduling and approving work. The ORC stated that he has to keep the system running and that this was an emergency. President Winterer stated that there was a \$500 limit on ORC spending and instructed the ORC to get approval from the District Manager prior to performing work in the future.

Mr. Willow informed the Board that they had determined that the well had not been hit by lightning as they initially thought. When Black Mountain Pump began repairs they noted that they needed to fish the pump out of the well as a nut had broken off. Ms. Zuniga asked how they could keep this from happening in the future and Mr. Willow

stated that galvanized vs. steel fitting had been used and there was no way to keep it from happening given the current equipment installed.

The ORC stated that he was continuing with ongoing readings of temperature and conductivity for the GUIDI wells and had not received any calls from the State. However, 2 more MPA tests will need to be performed next year.

There was discussion about Well #9 which is the highest producing well at 660 feet. Groundwater leaches in at 9 feet and the first 20 feet is concrete encased. Mr. Willow said there was a lot of clay.

Mr. Willow stated he would need to have the exterminators out again in September for the prairie dogs. He is also getting bids on concrete around Building B for board approval before winter and will bring to the next board meeting.

Colorado Source Water \$5,000 Grant: The District Manager read notes from a discussion with Carmen Barker that stated the only project that AAMD would qualify for is rodent control, but it would not cover concrete around the building or infrastructure. Ms. Barker stated that the grant would not be worth the time or expense. She stated that she would be meeting with others for grants and that AAMD was now on the eligibility list so there would be more opportunities for applying for grants. Mr. Willow agreed that this grant would not be appropriate for the District at this time.

## **MANAGER'S REPORT**

The District Manager provided the Manager's Report which is made part of these Minutes. She presented the Board with a list of liens that Carmen Barker will file with Teller County in October or early November. Secretary Seaman made a Motion to file the liens with Director Williams seconding. The Board unanimously approved filing liens against these properties.

The Manager stated the State of Colorado had established the link for making electronic and credit card payments online. The Manager stated she will send instructions and the link to Cliff Sowa for uploading to the website. Secretary Seaman offered to send an email blast regarding the link.

The Resolution Addendum was presented to the Board and Secretary Seaman made a motion to approve the Addendum; with Treasurer Holder seconding. The Board unanimously approved and the President signed the Resolution Addendum. The District Manager will file with Teller County.

The Manager informed the Board that Biggs Koffard still had some documents to obtain from SDMS, but was having trouble getting a response from them. The Board directed the Manager to speak with Jason Downie regarding sending a letter to SDMS. They also stated that they would like her to contact DOLA if no response was given in a respectable amount of time.

Secretary Seaman asked a Realtor in attendance if they were showing properties in AAMD. He responded that many felt the water fees were too high. Director Williams

stated that there was misinformation about the District and that some people believed AAMD had no water. She asked about changing the perception of the District. The District Manager stated she was preparing the President's State of the District letter for the President's review and that this should provide an updated account of the District.

The Request to Abandon Water Tap was reviewed and the Board discussed that anyone wanting to tap in or drill would need to come before the Board for approval. The Manager noted that the attorney had reviewed and approved the form. Treasurer Holder made a Motion to approve the form; with Director Williams seconding. The Board unanimously approved the form.

The Manager requested approval from the Board to send the Request to the two homeowners that had requested abandonment. President Winterer made a Motion to allow Ms. Barker to send the Request to the homeowners; with Treasurer Holder seconding. The Board unanimously approved.

The Board was presented with a copy of the "Paid in Full" signed by Mr. Rupp for the loan. The Board directed the Manager to ask Jason Downie to obtain a Release and file with Teller County.

## **FINANCIAL MATTERS**

Claims/Accounts Payable for August 2015: Edith Coffman asked about the MDM Out-of-scope charges and the Manager explained that touring the facilities and making notes on things that needed to be worked on and the liens that SDMS filed with Teller County were not included in the District contract.

Secretary Seaman made a Motion to accept the claims, with Treasurer Holder seconding. The Board unanimously approved.

The Manager presented the unaudited financials; including a Draft Balance Sheet and Income Statement. Treasurer Holder made a Motion to accept the financials with Secretary Seaman seconding. The Board unanimously approved.

## **NEW BUSINESS**

The Manager stated she would like to begin work early on the budget for 2016 and long term budget. The Board approved meeting on September 2, 2015 at the Lost Dutchman.

Marilyn Callan requested that the Manager include her statement regarding the DA meeting in the June 2015 Minutes. The Manager agreed to modify the Minutes to include the statement she read.

## **PUBLIC COMMENT**

## **ADJOURNMENT**

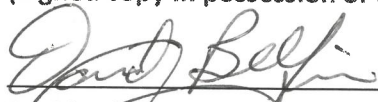
There being no further business to come before the Board at this time, upon motion by Director Williams, seconded by Treasurer Holder, and upon unanimous vote, the meeting was adjourned at 8:20 p.m.

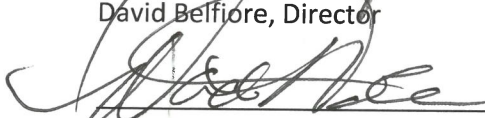
The next regular meeting is scheduled for September 16, 2015 at 6:00 p.m. at Police Department, 911 Tamarac Parkway, Woodland Park, Colorado

Respectfully submitted,  
Judy Bertrand, District Manager: Secretary


**THESE MINUTES APPROVED AS THE OFFICIAL AUGUST 19, 2015 MINUTES OF ARABIAN ACRES METROPOLITAN DISTRICT BY THE BOARD OF DIRECTORS.**

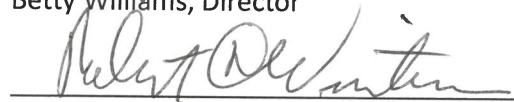
(Signed copy in possession of the District Manager)

  
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David Belfiore, Director

  
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Wade Holder, Treasurer

  
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Rebecca Seaman, Secretary

  
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Betty Williams, Director

  
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Robert (Elric) Winterer, President