

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

March 16, 2016: 6:00 P.M. at

Denny's: 100 Morning Sun Drive, Woodland Park, Colorado

ATTENDEES

Directors present: Kalvin McBride, Director
 Betty Williams, Treasurer
 Robert (Elric) Winterer, President

Others present: Judy Bertrand, Metropolitan District Management
 Jason Downie, AAMD Attorney
 Paige Whitmore, Metropolitan District Management
 Lynn Willow, AAMD Water ORC

Members of the Public: See attached list

**ADMINISTRATIVE
MATTERS**

Attendance and Agenda: President Winterer called the meeting to order at 6:12 p.m. and a quorum was noted. President Winterer made a Motion to excuse Secretary Seaman with Director Williams seconding said Motion. The Secretary was unanimously excused. Treasurer Williams made a Motion to accept the Agenda; with Director McBride seconding. The Agenda was 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: Treasurer Williams made a Motion to accept the February 17, 2016 Board meeting Minutes; with Calvin McBride seconding said Motion. The Minutes were unanimously approved.

Resolution to Cancel the Election: The Manager presented the Resolution to Cancel the May 3, 2016 Election as there were not more candidates than vacancies. Director McBride made a Motion to accept the Resolution; with Treasurer Williams seconding said Motion. The Board unanimously approved and the President signed the Resolution.

Statement by President Winterer: The President read a statement to the Public reiterating that the public could not continue to interrupt the meeting and disrupt District business.

Open Records Request Policy: The Manager presented the Open Records Request Policy to the Board and the District Attorney, Jason Downie. Mr. Downie stated that the copy and hourly charges should be specific instead of stating "up to a maximum of..." Treasurer Williams made a Motion to approve the Policy with the modifications suggested by Mr. Downie. Director McBride seconded said Motion and the Board unanimously approved. The Manager will bring the updated Policy for Board signature at the next Board meeting.

PUBLIC COMMENT

Marilyn Callan discussed MDM charges for out of scope work related to herself, Edith Coffman and Craig Baker. She stated that MDM should provide hourly rate details for these charges. (Note: The March 2016 Board packet did include an hourly breakdown of charges from MDM for responding to these three homeowners.)

Edith Coffman questioned the cost to the District of the Caselle billing program being implemented by MDM. She mentioned the Frye billing program costing around \$2,000 and asked what the cost for Caselle was. MDM stated that they were paying over \$15,000 for the program and that there was no cost to the District for the program; only for a \$75 monthly maintenance fee charged by Caselle. The actual charge to MDM is approximately \$1.00 per home per month and MDM is only charging AAMD \$.50 per customer per home due to their financial situation.

Edith Coffman made comments about who the MDM's Accountant was dating. (MDM had provided the Board and homeowners with a CV on Cade Bertrand showing he has dual degrees in Molecular Biology and Bio Chemistry, is 4 credits from obtaining his mechanical engineering degree; owns a water testing lab in Boulder and performs as an ORC and Project Manager for other MDM Districts). MDM wanted the Board to determine if they would like Mr. Bertrand to work with Lynn Willow to complete the O&M Manual and work on the capital improvement prioritization plan as his fee is less than half of the District engineering fee.

Sandy Zuniga stated she had concerns about the accounting checks and balances. No specifics were provided.

Kathy Hansen stated that the homeowners were not informed of water purchases and asked how the homeowners would know if water was purchased. She was informed that any water purchases were reflected on the ORC Monthly Report and that there had been no water purchases since March 2015 and that the total paid in 2015 was \$4,000; but much of that was payments outstanding for 2014. The ORC stated that he informs the Board Secretary when there are water issues and, if needed, she sends out an email to the homeowners.

Edith mentioned that Cliff Sowa was willing to transfer the aametro.org website to the District. President Winterer said they would contact Mr. Sowa.

OPERATORS REPORT

Lynn Willow requested authorization to schedule the prairie dog pest control that he expects to cost \$1,100 or less. Director McBride made a Motion to authorize the pest control; with Treasurer Williams seconding said Motion. The Board unanimously approved.

President Winterer stated that he had found concrete canvass material online and stated he would send the information to Lynn. The benefit to this material is that it can be shaped.

The Manager brought copies of the Potable Diver proposal obtained by Lynn Willow for cleaning and inspection of the water tank. The last time it was performed was 2008 or 2009 due to a lack of funds to pay for the inspection. Director McBride stated the proposal was less than he had expected. Treasurer Williams made a Motion to authorize this project; with Director McBride seconding said Motion. The Board unanimously approved.

MANAGER'S REPORT

The Manager presented the Manager's Report and stated that the District's contract with MDM expires on March 25, 2016. She had prepared a new contract for Board review and approval, but stated that due to 3-4 homeowners and their attacks against the Board and Manager that she would provide her 2-month notice and would not renew her contract with the District.

The Manager requested authorization to retroactively transfer \$12,250 from Key Bank Lockbox to Park State Bank to cover checks. She noted that the ORC had purchased almost \$4,000 in magnometers that had previously been approved by the Board. Treasurer Williams made a Motion to approve the transfer; with Director McBride seconding. The transfer was unanimously approved.

The Manager requested authorization to move another \$10,000 from Key Bank Lockbox to ColoTrust for the bond payment. Treasurer Williams made a Motion to authorize this transfer; with Director McBride seconding said Motion. It was unanimously approved. The Manager stated that there was \$109,000 in ColoTrust and that \$42,000 was from property tax revenue.

The Manager stated she had signed the Engagement letter with John Cutler and Associates and noted that the audit would cost \$5,000 vs. Biggs Koffard bid of \$7,500 to \$8,500.

The Manager did not discuss some of the items on her report as after comments of a personal nature from 2 homeowners she stated she was giving her 2-month notice and that these projects would no longer be applicable.

The Manager highlighted that for the first time in 13 months she was charging for out of scope work due to 3 people. She presented the Board with her invoice for these people's issues.

The Johnsons and other homeowners discussed that they were pleased with the management firm and the Board and questioned why the District was allowing 3-4 homeowners to sabotage the District and impact all the progress that has been made over the last year.

FINANCIAL MATTERS

Claims: The Manager presented the claims and Treasurer Williams made a Motion to approve; with Director McBride seconding. The claims were unanimously approved.

Financial Reports: The Manager presented the Balance Sheet showing that there was \$109,000 in the bond fund and that there were now enough funds to pay for the entire bond payment for 2016. She noted that AAMD had received payment of liens from several homeowners through Teller County.

The Income Statement (Statement of Revenue, Expenses and Net Position) showed net income of \$71,000 year to date and the Manager noted that this was the best position AAMD had been in for years.

ADJOURNMENT

Several members of the Public began to lose control and make comments about one another. Jason Downie instructed the President to adjourn the meeting. President Winterer adjourned the meeting at 7:30 p.m.

The next regular meeting is scheduled for April 20, 2016 at 6:00 p.m. at Denny's; 100 Morning Sun Drive, Woodland Park, Colorado.

Respectfully submitted,
Judy Bertrand, District Manager: Secretary

THESE MINUTES APPROVED AS THE OFFICIAL MARCH 16, 2016 MINUTES OF ARABIAN ACRES METROPOLITAN DISTRICT BY THE BOARD OF DIRECTORS.

(Signed copy in possession of the District Manager)

Kalvin McBride, Director

Rebecca Seaman, Secretary

Betty Williams, Director

Robert (Elric) Winterer, President