

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

November 16, 2017: 5:30 P.M. at

Shining Mountain Golf Course, 100 Shining Mountain Lane, Woodland Park, CO

**ATTENDEES**

Directors present:      Calvin McBride, Director  
                                 Jennifer McDowell, Director  
                                 Betty Williams, Treasurer  
                                 Robert "Elric" Winterer, President

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

Ken Rupp, Skyway Ranch

Members of the Public: See attached list

**ADMINISTRATIVE  
MATTERS**

Attendance and Agenda: President Winterer called the meeting to order at 5:30 p.m. and a quorum was noted. Treasurer Williams made a Motion to excuse Secretary Seaman; with Director McBride seconding said Motion. Secretary Seaman was unanimously excused.

Director McBride made a Motion to accept the Agenda, with Director McDowell seconding said Motion. 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. There were no conflicts.

Minutes: The Board was provided with the Minutes from October 18, 2017. Treasurer Williams made a Motion to approve, with Director McBride seconding said Motion. The Minutes were unanimously approved.

Ken Rupp: Mr. Rupp asked the Board if they had made a decision on the release of water from Reservoir #2 to Skyway Ranch Reserve Association.

The Manager presented the Board with an engagement letter for water attorney services from **Gilbert Marchand**, who was recommended by Jason Downie. Director McDowell made a Motion to have Mr. Marchand do an investigation on the water rights and augmentation related to the Reservoirs. Treasurer Williams seconded said Motion and it was unanimously approved and the Engagement Letter signed by President Winterer.

The Manager had prepared a letter from the Board to Mr. Rupp stating that the Board was having the water augmentation for the reservoirs analyzed by the water attorney. President Winterer signed the letter and Mr. Rupp was provided with the document.

Mr. Rupp stated that he did not believe the reservoir augmentation was included in the Augmentation Plan and release by Mountain Mutual. He mentioned that he had contacted Norm Lewis at Mountain Mutual regarding this release. Mr. Rupp stated his primary goal was to lower the water line and to make the Board aware of the water rights.

President Winterer asked Mr. Rupp if there was a deadline that he wanted to meet before the frost and Mr. Rupp stated the water could be released at any time.

Treasurer Williams asked Mr. Rupp how the Board would go about informing future Boards of the augmentation and the Manager responded that our water attorney would prepare a letter detailing our rights.

SDA Conference Attendance by Director McDowell: Director McDowell discussed the abundance of seminars that detailed laws and regulations required of Special Districts. She mentioned that there were funds available for grants and low interest loans.

Director McDowell discussed the SDA Leadership Academy. The Manager stated she had attended it a few years ago and it was worth the cost. The cost of the Academy is \$175 and includes lunches and seminars. The Board discussed approving Director McDowell's attendance and Treasurer Williams made a Motion to authorize the expenditure of \$175 for Director McDowell to attend. Director McBride seconded said Motion and it was unanimously approved.

## **OPERATORS REPORT**

Mr. Willow reported that the tank circulator was installed, and we were waiting on an electrical hookup and Mission Communications for the SCADA system. He anticipated another \$1,200 for this expense.

The ORC stated that the State was requiring GWUDI testing in 2018 and he expected the cost to be around \$5,500. Mr. Willow stated the testing will be done between April and October of 2018.

The ORC has connected the tap at 77 Denwood.

## **MANAGER'S REPORT**

AmCoBi: The Manager gave an update on the transfer of billing to AmCoBi on December 1, 2017. The customer accounts have been provided to AmCoBi and outstanding balances will be transferred after all payments are collected on November 30<sup>th</sup>. The letters regarding the transfer were sent out with the water bills in November and also posted on the website. The Manager will send out another email blast to customers with the letter attached.

The Manager provided a spreadsheet showing that with the savings of lockbox fees, lowering office supplies and postage and not requesting an increase in the management contract, that the District will save \$5.00 per month.

President Winterer and Treasurer Williams questioned whether MDM had received an increase in 2 years. The Manager will send them the contracts for 2016 and 2017 showing no increase in management contract in 2 years.

The Manager requested the authorization to transfer from Key Bank to Park State Bank \$19,000 on 11/9/17 and \$6,200 on 11/14/17 to make the payments for November. Ms. Bertrand requested authorization to transfer \$86,031.25 from ColoTrust General Fund to Zion's Bank to make the principal and interest payment on the bond due on December 1, 2017. The Manager also requested authorization to transfer \$20,000 from Key Bank to ColoTrust Capital Reserve. Director McBride made a Motion to authorize the transfers, with Director McDowell seconding said Motion. The transfers were unanimously approved.

Key Bank signature forms: The Manager provided the Board with signature forms from Key Bank checking account. She noted that the new checking account would be where AmCoBi would deposit customer payments and that the lockbox at Key Bank would close on December 1 and any funds remaining will be transferred to the new checking account.

Park State Bank closure: The Manager requested that the Board close the Park State Bank account which is used as the District checking account. With the new Key Bank checking account opened for customer deposits it would be a duplication of bank services. Treasurer Williams made a Motion to close Park State Bank checking account; with Director McBride seconding said Motion. It was unanimously approved, and the Manager will inform the President when all checks have cleared, and he will close the account.

CIP Grant: The Manager reported that Adam Sommers had still not heard back regarding the \$25,000 planning grant.

## **FINANCIAL REPORT**

Claims: The Manager presented the claims for payment, but noted that since Secretary Seaman was not in attendance that check # 1908 for her Director fees should be voided. Director McBride made a Motion to approve; with Treasurer Williams seconding. The claims were unanimously approved.

Financial Reports: The Manager presented the Balance Sheet (Statement of Net Position) and the Income Statement (Statement of Revenue, Expenses and Net Position). Treasurer Williams made a Motion to accept the unaudited financials; with Director McBride seconding said Motion. The Financial Reports were unanimously accepted.

Debt & ColoTrust Spreadsheet: The Manager presented the remaining amount of debt payments for the year; along with the detail behind the funds available in ColoTrust.

## NEW BUSINESS

N/A

## PUBLIC COMMENT

Ken Springer stated he appreciated the letter the Board sent out regarding the District's financial condition.

Karen Cornish stated she had mailed payments but that they were not applied by the end of the month and she received several late fees. The Manager asked where she was sending the payments and Ms. Cornish stated to the Golden, CO address of the management firm vs. Key Bank lockbox. The Manager stated she had sent letters/notes stating that by sending to Golden that MDM would then have to forward on to Key Bank in Denver and cause a delay in crediting. Mr. Cornish stated she had not received any notes or letters regarding this. President Winterer asked why she did not send to the address on the invoice; especially the bottom portion that was to be included with the payment. Mr. Cornish stated she was confused due to the address for the management firm at the top.

Kelly Goocher stated she was upset that she had been charged a \$15 late fee. The Manager responded that she had not made a payment in 5 months and that she had already been credited \$60 in late fees. Ms. Goocher said that the late fees were not on the website. Director McDowell pulled up the website on her phone and informed Ms. Goocher that they were on the site under "Rates". Ms. Goocher then said that the fees/rates should be easier to find on the website. Ms. Goocher referred to the Rules and Regulations and said they were revised in 2016 and the Manager stated that the Rules and Regulations were updated in 2014; as was shown on the front page of the Rules and Regulations. Ms. Goocher said the R&R's stated payments were due on the 15<sup>th</sup> and the Manager responded that the Rates, Fees and Invoices reflected that payments were due at the end of the month. Ms. Bertrand explained that the cost to update the Rules and Regulations would not be warranted and that was why updated Fees and Rates provide updates.

## ADJOURNMENT

Treasurer Williams made a Motion to adjourn the meeting at 7:10 p.m. with Director McBride seconding said Motion. The meeting was adjourned.

The next Regular meeting is scheduled for **Wednesday, December 20, 2017** at 5:30 p.m. at Shining Mountain Golf Course, 100 Shining Mountain Lane, Woodland Park, Colorado.

Respectfully submitted,  
Judy Bertrand, District Manager: Secretary

**THESE MINUTES APPROVED AS THE OFFICIAL NOVEMBER 16, 2017 MINUTES OF ARABIAN ACRES METROPOLITAN DISTRICT BY THE BOARD OF DIRECTORS.**

**(Signed copy in possession of the District Manager)**

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Kalvin McBride, Director

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Jennifer McDowell, Director

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Rebecca Seaman, Secretary

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Betty Williams, Treasurer

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Robert (Elric) Winterer, President