

# RECORD OF PROCEEDINGS

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## MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE WILLOW BROOK METROPOLITAN DISTRICT HELD DECEMBER 14, 2018

**ATTENDANCE:** The Special Meeting of the Board of Directors of the Willow Brook Metropolitan District was called and held on Friday, December 14, 2018 at 3:30 p.m., at The Gate House; 524 Ruby Road, Silverthorne, Colorado, in accordance with Colorado law. The following Directors were present and confirmed their qualification to serve on the Board:

Donald Samuels, President  
Randy Lewis, Vice President  
Mat Sherwood, Secretary/Treasurer  
Michael Good, Assistant Secretary  
EJ Olbright, Assistant Secretary

Also in attendance were:

Sue Blair and Marcos Pacheco; Community Resource Services of Colorado, LLC (via phone)  
Rebekah Barrington  
John Drake (via speaker phone)  
Eric Kircher  
David Robbins  
Joe Maglicic; Ten Mile Engineering  
Ken Kremer

**CALL TO ORDER:** President Samuels noted that a quorum of the Board was present and the meeting was called to order at 3:30 p.m.

**DISCLOSURE OF CONFLICTS OF INTEREST:** President Samuels inquired whether members of the Board had any conflicts of interest on matters coming before the Board. Director Samuels noted for the record that he has in the past purchased hay from the District's contractor.

**APPROVAL OF AGENDA:** The Board reviewed and discussed amendments to the Agenda. Director Good moved to approve the agenda as amended. Upon second by Director Sherwood, and upon vote, the motion carried unanimously.

**MINUTES:** The Board reviewed the November 16, 2018 Minutes. Director Sherwood moved to approve the Minutes as presented. Upon second by Director Lewis, and upon vote, with Director Samuels abstaining, the motion carried and the Minutes of the November 16, 2018 Board Meeting were approved as presented.

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## ENGINEERING REPORT

2019 Waterline Project – Discussion ensued regarding the criteria for bidding. It was noted that the project will be publicly bid taking into account that this is mountain work and thus special consideration should be made by those bidding. Director Olbright noted that the prospective bidder should have a history of at least 3 jobs that have taken place above 9,000 feet. The project is expected to be performed in 7 phases. Director Samuels noted that it is a requirement that a road remain open during construction and that bidders should bid an alternate associated with no shut down of water to property owners. Discussion ensued regarding any easements or restrictions associated with affected properties.

Mr. Maglicic discussed the status of the bid/contract documents, noting that they should be in final form prior to December 21, 2018. It was noted that Mr. Maglicic would act as the project manager facilitating between contractors and residents communication related to the project. Ms. Blair stated that there isn't a hurry to bid the project. CDPHE will want to review the contract documents during the loan process. Director Olbright stated that it will be an economical benefit to the District to bid during the winter months before construction schedules are filled.

Discussion ensued regarding notification to property owners and/or renters regarding the project and phasing of same. Mr. Drake noted that he would prepare a newsletter. Rebekah Barrington requested information be published on the District's website. Following discussion, the Board determined to allow Mr. Drake and Rebekah Barrington to prepare informational pieces requesting the timeframe for the project phases.

The Board discussed publishing for the bid around January 4, 2019, with consideration towards bid opening the week of January 24, 2019.

Following discussion, the Board determined to hold a special meeting on December 28, 2018 to review bid documents.

## FINANCIAL/ MANAGEMENT ITEMS

Claims – The Board reviewed the December claims presented for payment. Following review and discussion, upon motion made by Director Lewis, seconded by Director Good, and upon vote, the claims were unanimously approved for payment.

Cash Position – Ms. Blair reviewed the December 7, 2018 Cash Position. Following review and discussion, upon motion by Director Good, seconded by Director Sherwood, and upon vote, the December 7, 2018 Cash Position was unanimously accepted.

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Unaudited Financial Statements - Ms. Blair reviewed the unaudited Financial Statements for the period ending November 30, 2018. Following review and discussion, upon motion by Director Good, seconded by Director Sherwood, and upon vote, the December 7, 2018 Cash Position was unanimously accepted.

2019 Budget Hearing -The President opened the public hearing to consider the proposed 2019 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2019 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

Ms. Blair reviewed the estimated 2018 expenditures and the proposed 2019 expenditures.

Following discussion, the Board considered the adoption of the Resolution to Adopt the 2019 Budget, Appropriate Sums of Money and Set Mill Levies (for the General Fund at 45.100 mills and the Debt Service Fund at 36.783 mills, for a total mill levy of 81.883 mills). Upon motion by Director Samuels, seconded by Director Lewis and upon vote, unanimously carried, the Resolution was adopted, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was authorized. Ms. Blair was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Summit County and the Division of Local Government, not later than December 15, 2018. Ms. Blair was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2019. Copies of the adopted Resolution is attached to these Minutes and incorporated herein by this reference.

SRF Loan Application - Ms. Blair provided an update on the status of the SRF Loan.

## **DIRECTOR'S ITEMS**

Waste Management - Director Good discussed the holiday schedule for Waste Management's trash pickup. Two pickups are scheduled for the weeks of Christmas and New Year's Day.

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**OTHER  
BUSINESS**

The Board requested that a discussion item regarding a Mag-chloride Policy be added to the February Agenda. Director Samuels announced that Larry Kull passed away on December 6, 2018.

**ADJOURNMENT**

There being no other business to come before the Board, the meeting was adjourned the meeting was adjourned at 5:07p.m.

Respectfully submitted,

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Secretary for the Meeting