

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE WILLOW BROOK METROPOLITAN DISTRICT HELD FEBRUARY 15, 2019

ATTENDANCE: The regular meeting of the Board of Directors of the Willow Brook Metropolitan District was called and held on Friday, February 15, 2019 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 (via conference call)
Michael Good, Assistant Secretary

Absent was Director Olbright, whose absence was excused.

Also in attendance were:

Sue Blair and Marcos Pacheco; Community Resource Services of Colorado, LLC
Eric Kircher; Metro Services
David Robbins, Esq; property owner and President of HOA
Joe Maglicic; Ten Mile Engineering
Jon Rovick, property owner
Holly Adnan, property owner
Chris McGadden, property owner
Ken Cremer, property owner
John Drake, (via conference call)

CALL TO ORDER: President Samuels noted that a quorum of the Board was present and the meeting was called to order at 3:39 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. Director Samuels also noted that he would not be taking the lead on the District's road project. There were no further disclosures presented.

APPROVAL OF AGENDA: The Board reviewed the agenda. Director Good moved to approve the agenda as amended. Upon second by Director Lewis, and vote, the motion carried unanimously.

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MINUTES:

The Board reviewed the Minutes of the December 14 and 28, 2018 special meetings as well as the February 6, 2019 Work Session. Following discussion, and upon motion duly made by Director Samuels and seconded by Director Good, vote was taken and motion carried unanimously and the December 14, 2018 Minutes were approved as amended, the December 28, 2018 Minutes were approved as presented and the February 6, 2019 Work Session Minutes were approved as presented.

2019 WATERLINE IMPROVEMENT PROJECT:

Bid Overview/Selection of Contractor/Budget. Mr. Maglicic reviewed the bid tabulation noting that 3 competitive bids had been received. Discussion ensued regarding the 3 bids received, the project process and specifics of the term "pipe bursting" noting that this method would allow for less damage to the roads and reduced of costs. Discussion ensued regarding the need for utilize temporary water and options available.

Barn Materials Storage. Discussion ensued regarding whether or not the space at the barn will be utilized for storage of excess materials or if the haul off of materials was required. Mr. Maglicic reported that the bids did include a cost for hauling the material away, including materials near the gate.

Monthly Report. Ms. Blair presented a form of monthly report that will be used for communication purposes with the Board and the community.

Change Order Process. Ms. Blair presented a written process for approval of Change Orders. Following discussion, and upon motion duly made by Director Sherwood, seconded by Director Samuels and, upon vote, unanimously carried, the Change Order Process was approved as presented.

Organizational Chart. The Board discussed the Organizational Chart. Following discussion, Director Sherwood moved that the Board approve the organizational chart as presented. Upon second by Director Samuels, vote was taken and motion carried unanimously.

SRF Loan Process. The Board discussed a list of questions to be addressed at the February 19, 2019 meeting to be held with CDPHE and CWRPDA.

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Irrigation Plan. Discussion ensued regarding preparation of irrigation plans that will dovetail with the construction plans. It was noted that Mr. Maglicic and Mr. Robbins would coordinate the irrigation planning with construction. It was noted that water rights would not be affected.

Public Comment. Ms. Blair reported that as part of the approval process for the SFR loan, the District would need to publish for a public hearing to discuss and take comment regarding the water line improvements projects. Ms. Blair will coordinate this meeting and report back to the Board.

FINANCIAL/ ADMINISTRATIVE ITEMS:

Claims. The Board considered ratification of approval of the claims represented by check nos. 5625 – 5632, plus auto payments and payment to Director Lewis and Samuels of \$200; for total Claims of \$35,696.83.

Following review, upon motion duly made by Director Samuels, seconded by Director Lewis, and upon vote unanimously carried, ratification of the claims was approved.

Cash Position. Review of the Cash Position dated February 9, 2019 was deferred.

Unaudited Financial Statement. Review of the Financial Statements for the period ending January 31, 2019 was deferred.

2018 Audit. Ms. Blair reported that the 2018 audit is scheduled to begin April 29, 2019.

DIRECTORS' ITEMS:

Smith Development Update. Chris McGadden Reported that a letter was received regarding a Town Hall meeting related to the development. Mr. McGadden discussed the status of the development and sales, noting that sales are not meeting projections.

Future Water and Road Operations. A work session was recommended to discuss plans for future water and road operations.

OPERATOR'S ITEMS:

Water System Report. Mr. Kircher reported on roads, snow plowing and the water system. Generally, the water system was in good condition; however, there was a possibility of some frozen pipes, yet to be determined. He noted that the line in Diamond Loop is repaired. Director Good inquired regarding the snow

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removal from private property being stockpiled on public roads causing concerns regarding the safety for drivers and maneuvering difficulties for Mr. Kircher. Director Good noted that he would make courtesy calls to those who were plowing snow across roadways. Discussion ensued regarding consideration towards replacing the gate on Ruby Road.

**BARN,
AND
ITEMS:**

**STABLE
MEADOW**

Barn/Stable Committee Members. It was noted that there has not been a recent Committee meeting since the barn has been shut down. Mr. Robbins noted that Rebekah Barrington was interested is serving on the Barn Committee. Mr. Rovick noted that he would meet with Ms. Barrington.

2019 Haying Contract and Irrigation. Director Samuels noted that he was available to provide consultation regarding the next steps with the haying contract and irrigation.

Potential Grading Plan at Barn. It was determined that the grading plan would be discussed at the meeting to be held with CDPHE and CWRPDA on February 19, 2019.

**STANDING
COMMITTEE
REPORTS:**

Area Development Updates. Mr. Robbins provided an update.

Architectural Control Committee. It was noted that nothing is occurring with Lot 22 presently. There are plans for Lot 8 – several questions have been submitted including the status of abandoned taps. It was noted that the house previously on this lot burned down in 1990. Research is required regarding the status of the taps for this lot including recovering of purchase documents that would provide proof of tap payment. It was noted that there are concerns regarding the building design for Lot 8 related to the height above grade and if the out-building is within the building envelope. On Filing 2, there are 4 buildings sites with duplex potential.

OTHER BUSINESS

Waste Management. It was noted that the District had received correspondence from Waste Management regarding contamination of recycling materials and the assessment to the District of a \$15.00 per yard charge - an amount of \$90.00, having been assessed. It was noted that glass deposited into the dumpster was in violation. The Board determined to consider posting of a sign regarding no glass; an extra charge to the community, or removal of the recycling if offenses continue.

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Richard Bennum's Request to Unbury Electrical/Communication Boxes. Discussion ensued regarding the level of urgency for unburying of the utilities. The Board determined that should service be jeopardized, the District would unbury the electrical/communication boxes straightaway.

Consider Special Meeting. The Board discussed the need for a special meeting in March, 2019. Ms. Blair noted that she would assess the need and inform the Board appropriately.

ADJOURNMENT

There being no other business to come before the Board, the meeting was adjourned at 5:13 p.m.

Respectfully submitted,

Secretary for the Meeting