

RECORD OF PROCEEDINGS

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
WILLOW BROOK METROPOLITAN DISTRICT
HELD
OCTOBER 18, 2019**

ATTENDANCE: The regular meeting of the Board of Directors of the Willow Brook Metropolitan District was called and held on Friday, October 18, 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:

EJ Olbright, Vice President
Mat Sherwood, Vice President
Michael Good, Secretary
Steve Johnson, Treasurer

Absent was President Randy Lewis, whose absence was excused.

Also in attendance were:

Sue Blair, Community Resource Services of Colorado, LLC (via telephone)
Marcos Pacheco, Community Resource Services of Colorado, LLC
Joe Maglicic, Ten Mile Engineering
David Robbins, Esq; property owner and President of RROA
Rebekah Barrington, property owner
Mark Nadeau, property owner
Marilyn Nadeau, property owner
John Drake, property owner (via telephone)

CALL TO ORDER: Director Olbright called the meeting to order, noting that a quorum of the Board was present and the meeting was called to order at 3:38p.m.

DISCLOSURE OF CONFLICTS OF INTEREST: Director Olbright inquired whether members of the Board had any conflicts of interest on matters coming before the Board. Director Good noted that he may have a potential conflict in relation to the arena fencing as he may be donating funds toward the project.

PUBLIC COMMENT: There was none.

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**APPROVAL OF
AGENDA:**

The Board reviewed the agenda. Director Sherwood moved to approve the agenda as presented. Upon second by Director Johnson and vote, the motion carried unanimously.

MINUTES:

The Board reviewed the Minutes of the September 27, 2019 special meeting. Following discussion, Director Sherwood moved that the Board approve the minutes as amended by rewording the paragraph relating to the fencing project to read more clearly. Upon a second by Director Johnson, a vote was taken and the motion carried unanimously.

**CAPITAL
PROJECTS:**

Update Regarding 2019 Water System Improvement Project:
Director Olbright spoke to the Board about the final pay application. The final punch list items are currently being addressed. Joe Maglicic informed the Board that they are getting ready to lay topsoil at the barn and then perform hydroseeding the following week. After that, they will be 100% complete. Director Johnson asked if they could still hydro seed while there is snow on the ground and to which Mr. Maglicic answered yes.

Review RFP Responses – Engineering Design – Fire Suppression:
Mr. Pacheco reported that only one qualified contractor submitted a response to the RFP. Joe Maglicic added that the submitting bid will be a joint venture project between Ten Mile Engineering and Bai Engineering. By joining teams there will be an increased ability to perform this work and complete a proper water model. Director Olbright noted that in order to move forward with the proposal, as presented, the Board would need to approve the agreement in an amount of \$19,250. Director Johnson asked why there isn't more interest in this project. Mr. Pacheco noted that due to the timing of the bid, many potential firms were already at capacity. There was a discussion surrounding the possibilities of updated fire systems. John Drake noted that he believes the County is just looking for the Board to come up with a good plan and then they can work through the grant process. Director Sherwood moved that the Board authorize CRS to negotiate an agreement between the District and Ten Mile Engineering and Bai Engineers noting the proposed contract value of \$19,250.00, with the intention of paying this amount out of the Water Fund. Upon a second by Director Johnson, a vote was taken and the motion carried unanimously.

Timeline for 2020 Road Project: Joe Maglicic gave an update on the process. He handed out maps that show what has been approved as part of the initial authorization. He outlined the areas that will be

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paved and the reasons behind this. The plan is to place 4" of paving as it will be more durable. Rebekah Barrington asked what is happening with the culvert located outside of the gatehouse. Director Olbright answered by noting the complexities with the culverts, compounded by the location of the gate, as well as other items. Director Sherwood asked Ms. Blair about the District's debt capacity. Ms. Blair was able to inform the Board of different scenarios. Joe Maglicic noted he will be bidding the paving on a LF basis which will allow for additional paving, if the Board were to approve it. Mark Nadeau asked what the phasing schedule will be and how the ranch will be affected. Mr. Maglicic noted that we will not know the phasing or impact to the District until bids are finalized. Director Olbright continued the discussion by talking about funding options. Ms. Blair updated the Board on options but wants to have various options by the November meeting. The Board talked about how to fund the authorized debt for the paving project. Director Sherwood asked if Director Johnson would take the lead on finding funding options.

OPERATIONS:

Fencing Update: Director Olbright updated the Board and let them know they are complete with the fencing for this year. Moving forward, there will be continued fencing projects that will need to be completed. The committees will come up with a long-term plan for future fencing needs. Mark Nadeau asked about the status of getting additional funding to complete additional fencing projects.

Tom Festa's Request for Snow Plowing: David Robbins told the Board that Tom Festa got a hold of him and asked why his access easement wasn't plowed up to the circle. Ms. Blair was contacted and asked to look into this with Erik Kircher. Mr. Robbins noted that everyone else with the same situation is provided plowing services by the District. There was a discussion surrounding this topic and Mr. Robbins provided several examples and locations where snow removal is provided on an access easement. Mark Nadeau noted his concerns by looking at the situation from both sides but also believes there could be an opportunity to negotiate a trade of resources.

Contract for Winter and Summer Road Maintenance: Ms. Blair reviewed this item with the Board.

Gate Discussion: Director Good provided a handout to the Board. He spoke about the issues that he believes were taking place. All the corrective issues have been documented. He asked for input

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about leaving the gate open for 6 months. The Board did not feel this was appropriate at this time. Following a discussion, Director Olbright noted that he feels the Board should continue to repair the gate until a long-term plan is established and proper funding is available. Director Sherwood agrees with this thought process and wants the Board to start planning for the future. Director Sherwood added that the infrastructure committee is looking into replacing the gate when the road is paved. In an effort to deal with current issues, the Board authorized Director Good to purchase a battery for the gate.

FINANCIAL/ ADMINISTRATIVE ITEMS:

Ratification and Approval of Claims: Director Sherwood moved that the Board ratify the claim of Check No. 5700 totaling \$14,758.10. Upon a second by Director Johnson, a vote was taken and the motion carried unanimously.

Review Financial Statements for the Period Ending September 30, 2019 and Cash Position Dated October 15, 2019: Ms. Blair reviewed the financial statements with the Board. Director Sherwood moved that the Board approve the financial statements and cash position. Upon a second by Director Johnson, a vote was taken and the motion carried unanimously.

2020 Draft Budget: Ms. Blair reviewed the 2020 Draft Budget with the Board.

Discussion Regarding 2020 Capital Projects: Director Olbright discussed the potential debt capacity as presented by Ms. Blair. He also went through the list of capital projects that was made available at the meeting.

Potential Funding of Capital Projects: Ms. Blair reported that she is evaluating several different funding mechanisms for future capital projects.

Schedule Public Hearing for November 15, 2019: The Board confirmed this date for the public hearing.

OPERATOR'S ITEMS:

Water System Report: Mr. Pacheco reviewed the water report with the Board. There were no questions about the report.

OTHER BUSINESS:

Authorize an Additional \$10k for Irrigation Work: Ms. Blair reported that there is money available in general reserves to fund

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the irrigation work in 2019. Mr. Robbins reported that the RROA recommends this work be completed in 2019 in an amount not to exceed \$10k. Director Sherwood moved that the Board approve the expenditure in an amount not to exceed \$10k from general reserves for ditch and irrigation repairs. Upon a second by Director Johnson, a vote was taken and the motion carried unanimously.

Director Sherwood also moved that the Board authorize up to \$10k for security and perimeter signage. Upon a second by Director Johnson, a vote was taken and the motion carried unanimously.

ADJOURNMENT:

There being no other business to come before the Board, Director Sherwood moved to adjourn the meeting. Upon second by Director Johnson, a vote was taken and the motion carried unanimously. The meeting was adjourned at 5:56p.m.

Respectfully submitted,

Secretary for the Meeting