

# RECORD OF PROCEEDINGS

---

**MINUTES OF THE SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF THE  
WILLOW BROOK METROPOLITAN DISTRICT  
HELD  
DECEMBER 12, 2019**

**ATTENDANCE:** The special meeting of the Board of Directors of the Willow Brook Metropolitan District was called and held on Thursday, December 12, 2019 at 4:00 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:

Randy Lewis, President  
EJ Olbright, Vice President (Via Telephone)  
Mat Sherwood, Vice President  
Michael Good, Secretary

Absent was Director Steve Johnson, whose absence was excused.

Also in attendance were:

Sue Blair, Community Resource Services of Colorado, LLC  
Marcos Pacheco, Community Resource Services of Colorado, LLC  
Michael Kurth, Neighbor  
Jeniene Kurth, Neighbor

**CALL TO ORDER:** Director Lewis called the meeting to order, noting that a quorum of the Board was present and the meeting was called to order at 4:02 p.m.

**DISCLOSURE OF CONFLICTS OF INTEREST:** Director Lewis 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:** Michael and Jeniene Kurth live in the Willow Brook community and border the emergency access to the Willow Brook Metro District. They spoke to the Board about a couple concerns they have and wanted clarification on access and security matters. One concern is the emergency access and the chain being up only from time to time. President Lewis noted the intricacies with access there as there are different easements involved. Ms. Kurth presented maps showing where the issues are that they are experiencing. There has been extensive foot traffic through their property by way of the other properties. President Lewis suggested that the Board take the time to have a meeting to discuss the options to close access to the public. There was an extensive discussion about the topic.

# RECORD OF PROCEEDINGS

---

President Lewis will take the lead on discussions to remedy these issues.

## **APPROVAL OF AGENDA:**

The Board reviewed the agenda. Director Olbright requested that the agenda be amended by adding items V/B: Discussion of Festa Driveway, IV/F: Meeting Notice Protocol, and IV/G: Reserve Study. Director Sherwood moved that the Board approve the agenda as amended. Upon a second by Director Good, a vote was taken and the motion carried unanimously.

## **MINUTES:**

The Board reviewed the Minutes of the November 15, 2019 Meeting. Director Good noted one misspelling. He requested that the minutes be amended by changing the spelling from 'to' to 'too', on page 6. Following discussion, and upon motion duly made by Director Sherwood and seconded by Director Good vote was taken and motion carried unanimously and the November 15, 2019 Minutes were approved as amended.

## **CAPITAL PROJECTS:**

Water System Improvement Project Update: Ms. Blair reported that the District has received the final pay application from RKR that will be paid today, less retainage. The District is working to close out the loan. Ms. Blair is communicating with the Power Authority on the final amount of the loan.

Update 2020 Paving Project: Director Olbright spoke and told the Board Joe Maglicic is on track to finalize the documents soon. The goal is to start the bid process around January 6<sup>th</sup>. Director Olbright would like Ms. Blair to get with Mr. Maglicic to work out a schedule.

Fire Hazard Project Update: President Lewis spoke about the RMYC proposal and the different amounts that are proposed for the different scopes. President Lewis would like to see more clarification from the RMYC and will report back at future meetings.

The hydrant project was discussed. Director Olbright recommended that Mr. Drake re-write the grant to include the 13 hydrants as recommended as part of the study. He also suggested that Mr. Drake work with Fire Chief Berino. Director Olbright also addressed the additional water storage and stated he does not believe it is needed. There was a provisional approval by the Board for \$95k to be put into the proposal. The Board also requested that CRS work with the Authority to use an additional \$100k from the loan for the installation of an interconnect valve.

# RECORD OF PROCEEDINGS

---

## OPERATIONS:

Barn Use Opinion: President Lewis reported that the District's attorney has provided an opinion on the District's limitations of use with the barn. The opinion is that the barn cannot be used for commercial business. It is intended solely for the use of residents of the community.

Director Olbright added discussion about Matt Hill and his ability to operate the ditches and pull hay. Mr. Hill would like to place cattle on the property to graze the meadows as part of his agreement. There was a continued discussion about how to move forward with the meadows. Due to the legal opinion of the District's attorney, President Lewis would like Director Olbright to provide that legal opinion to the stable committee and then revisit the issue after they have time to reevaluate their goals.

Festa's Driveway: President Lewis reported that there is a section of Mr. Festa's driveway that should have historically been cleared of snow. Although this has not been the case, President Lewis would like to begin performing the work. It was indicated that Mr. Kircher has said he will not do the work because the road is too narrow. Director Good suggested the District work with Mr. Festa to provide this service in the future. President Lewis would like an invoice submitted for any monies paid for this work and then the District will review and pay the invoice. The goal is to make it through this season with this model and then with our new contractor, RKR, work to come up with a proper plan to ensure the driveway is cleared timely. Director Sherwood will take the lead on working with Mr. Festa through this process.

## FINANCIAL/ ADMINISTRATIVE ITEMS:

Consider Approval and Ratification of Claims: Ms. Blair reviewed the claims with the Board. Director Good moved that the Board approve current claims represented by check nos. 5719 - 5727 totaling \$679,176.64. Director Good requested that Ms. Blair reach out to Mr. Maglicic and inform him that the Board needs to see more detail on his invoices. Also, the Board approved the payment to Matt Hill but will hold the check until work is complete. Upon a second by Director Sherwood, a vote was taken and the motion carried unanimously.

Review Financial Statements for the Period Ending October 31, 2019 and Cash Position Dated November 8, 2019: Ms. Blair reviewed the financial statements and cash position with the Board.

Adoption of 2020 Budget, Mill Levy Certification and Appropriation

## RECORD OF PROCEEDINGS

---

of 2020 Expenditures: Ms. Blair reviewed the proposed 2020 budget and mill levy with the Board. There was extensive discussion as to what the expenditures will be in 2020 and how the Board plans to be financially responsible. Following discussion, President Lewis moved to adopt the 2020 budget as amended, certify a total mill levy of 93.642, and appropriate 2020 expenditures. Upon second by Director Olbright, a vote was taken and the motion carried unanimously.

Review and Adopt Resolution Calling May 2020 Election Resolution: Ms. Blair presented the resolution to the Board. Director Good moved that the Board adopt the resolution for the May 2020 Election. Upon a second by Director Sherwood, a vote was taken and the motion carried unanimously.

Review and Adopt 2020 Annual Administrative Resolution: Ms. Blair reviewed the 2020 Annual Administrative Resolution with the Board. After discussion, the Board set their regular meeting dates on the 3<sup>rd</sup> Friday of the months of January, March and May through December at 3:30 p.m. Director Sherwood moved that the Board adopt the annual administrative resolution as amended. Upon a second by Director Good, a vote was taken and the motion carried unanimously.

### **OPERATOR'S ITEMS:**

Water System Report: Director Olbright noted that he was able to check with Metro Services and they indicated the system was operating normally and there are no issues to report.

### **OTHER BUSINESS:**

Recognition of Summit Fire & EMS Line of Duty Death: The Board will be making a \$500 donation to the fund that has been set up for the fallen firefighter.

### **ADJOURNMENT:**

There being no further business to come before the Board, the meeting was adjourned at 5:53 p.m.

Respectfully submitted,

---

Secretary for the Meeting