

DURANGO WEST METROPOLITAN DISTRICT #2
MINUTES FOR THE REGULAR MEETING
November 16, 2016

- I. Call to Order
President Ward Holmes called the meeting to order at 7:01 p.m. Other Board Members present were Directors Dave Crom, Beverly Lawrence, Ray Schmutde. Also present: Jane Looney, District Manager; Tyler Whitt, District Water/Wastewater Operator; Fred Owen, District Accountant; Bud Smith, District Attorney and residents Phil McClain and Cliff Spencer.

- II. The minutes of the October 19, 2016 Regular Meeting. Ray made a motion to accept the minutes as amended. Beverly seconded the motion. Motion carried.

- III. Administration
 - A. Financials
 1. Jane presented the accounts receivable list.
 2. Accounts payable were presented for approval. Board Action: Ray motioned to approve. Beverly seconded the motion. Motion carried.
 3. Financial statements ending October 31, 2016 were presented. Fred put in fixed assets for the first time. DW2 has over \$5 million in assets.
 4. Review and Adopt 2017 Budget – Board discussion: Fred said we continue to have major repairs and should look at developing a long-range Capital Improvements Plan for streets; water, sewer and wastewater. He suggested we get a plan, preferably a ten year plan, to look toward bringing together costs and how to fund them. In addition to building up cash reserves in advance, Fred suggested we may have to plan for bonds . Beverly said that it’s responsible of us to look into this. Ray thought it was a great idea. Bud said DW2 has primary responsibility to develop and then share. Ray moved that Jane could proceed with developing an RFP for a Capital Improvement Plan and get a better idea of what it could cost to prepare and explore the option of getting a matching grant from DOLA. Beverly seconded. Motion passed. Ray asked about the need to raise rates. Fred said he thinks we are o.k. for this year. Dave motioned to adopt the 2017 Budget resolution. Beverly seconded. Motion carried. Budget was adopted and resolution approved.

 - B. Water & Wastewater Operations
 1. Water Operations Report: Clint replaced pump and fixed control issue at the pump house. All wells are up and going.
Update on Public Notice and Water Operator certifications - Ray spoke about issues with Tyler’s lapsed operator licenses and state not getting reports. We would like to see more timeliness. Ray said that while the Board likes everything Tyler does, the documentation and details need to be handled as well. Beverly and Dave concurred.

 2. Wastewater Report: see below.

3. Update on EIAF Grant/ Ammonia Variance: SGM is getting bids for contractor to carry out grant objectives. Diffusers will be placed by them. Ray asked if they are bigger. Tyler explained that they are smaller – will produce finer bubbles. Brandyn (SGM) communicated to Tyler that we may have to re-prioritize due to budget and not do all things in grant. Jane will check in with Brandyn for clarification,
4. Public education for lead and copper in drinking water. We sample every six months.

C. Roads

1. Review Snowplowing Contract 2016-17 - Beverly motioned to approve contract with Matt Leeder for the 2016-2017 snowplow season. Dave seconded. He also added that we should consider requesting other bids next year. Motion carried.
2. Street Cleaning – Dave reported no companies returned his phone calls regarding fall cleaning. Street cleaning then happened on Nov 8, 9 and 10. Current contractor said he has a new foreman and so quality of work should be better. Jane will look into Dave's leads for next spring.
3. Emergency Exit gate – Fire Marshall provided specifications for the gate. Jane found a contractor to do the complete job including signage for \$2835. CDOT confirmed that anything off the highway is DW2's responsibility to keep clear in a manner consistent with the main entrance. Further questions can be referred to CDOT's Hesperus Patrol Foreman, Kent Baxstrom at 382-9095.
4. Willow Drive Trails: Resident Phil McClain came to Board in 2014 and shared concerns that people were cutting through his property. "So this summer, I put up a sign for people to move over to other side of the streetlight pole." He's voiced issues with dogs off leash, liability and potential issues when he sells property. What residents want is access. Bud said we could put a trail marker on the trail between 343 and 321 Willow Drive and could maintain it because the trail between Willow Drive and Fir/Oak Drive is a "Prescriptive Pedestrian Walkway" as it's been used for over 18 years. The owner at 343 Willow Drive is o.k. with the trail. Bud handed out two maps. Under Colorado law, if an easement is used openly for 18 years, it becomes a prescriptive easement. There is a misconception that the District has created the easement – it was pedestrians. Bud suggested the option of acquiring an easement which would then come under District's liability. We could survey it and file papers. McClain will consider it. Bud said there is an easement there now adverse possession (for 18 years). Intent is if there's an historic use for 18 years without interruption. Changing it from an unrecorded easement to a recorded one so that would take care of liability and district could maintain it. Bud further said that in district greenbelt areas, we can require dogs be

on leash and it is enforceable. Proposed: survey the trail so it can be legally defined and then DW2 can file an easement deed which would then place liability on the metro district. McClain said could work. The District will hire a surveyor and coordinate with the two landowners. Bud will put together easement document.

5. Review Hunter Court drainage issues – Bud stated that DW2 is not responsible for drainage so issues are not our fault. Dave asked if trying to remedy the problem would establish a precedent. Bud said yes, and that’s the other problem. He would only suggest attempting to fix the drainage if it erodes our roads. Ward asked that Bud draft a response to the Hunter Court resident.
6. Greenbelt Mitigation update: Jane contacted LPEA and Cedar Networks on November 10th to find out their plans and timeline. Received several calls from residents.

D. Business

1. Review and Adopt Water/WW Operator Contract: Beverly motioned to approved Tyler’s 2017 contract. Ray seconded. Motion passed.
2. Request for Home Depot card – Board approved obtaining card for District and Tyler
3. Resident Cliff Spencer (added item) – addressed the Board concerning an aberration in water system. Before the 4th of July, he heard pounding. Water pipes were physically moving and hammering and then would fade away. This continued all day. Neighbors on both sides experienced it. Everything had been fine since then, but it started up again when Tyler was working on the Aspen/Spruce valves. It has happened during times of heavy water use. When it’s happening in the neighbor’s house, it’s happening at Cliff’s. The last time it happened was when DW2 turned water back on. The neighbor has had a plumber come out twice. He had no idea as to the cause or a potential solution. Tyler has reached out to several “experts” and no one has any idea what could cause situation due to its sporadic nature. Tyler has checked valves. He said that it is not a district water problem. However, he offered to Cliff to come over the second it happens again so he could look at it. And he will bring Cliff a pressure gauge to check the pressure in his lines.
4. Lake Durango Update: Ward reported that the level is at 841 feet. Pipe has been delivered.
5. Restore landscaping at Aspen and Spruce Drive corner from hydrant /valve replacement job: Board approved amount not to exceed \$500.
6. Other District correspondence: security light out on Oak Drive; greenbelt mitigation, several vehicles regularly parking on Fir Court – including Atmos truck; resident questioning location of new trail and need between 309 and 279 Willow Aspen/Spruce completion timeline, budget idea – random security patrol, vandalism, new snowplow contractor or more money as issues with ice, ruts, not plowing early

enough; strange structure in gully greenbelt – actually 190 Spruce property. This was taken care of by District Manager and owner.

7. Newsletter items: budget adoption; timing of snowplowing and rationale

IV. Adjournment

The meeting was adjourned at 9:08 p.m.

Jane Looney, District Manager / Secretary