

**WOODY CREEK METROPOLITAN DISTRICT**  
**MEETING MINUTES**  
**QUARTERLY BOARD OF DIRECTORS MEETING**  
**NOVEMBER 5, 2018**  
**6:30PM Woody Creek Laundromat**

The Board of Directors of the Woody Creek Metropolitan District conducted a regularly scheduled quarterly meeting of the Board of Directors on November 5, 2018. The following meeting minutes reflect the primary discussion points and any formal actions taken by the Board of Directors.

The meeting notice and agenda were posted at least 72 hours in advance at three designated locations within the District boundaries, on the website and published in the Aspen Times Weekly.

Members of the Board of Directors in attendance included Peg O'Brien (President), Sarah Evans and Nikki Allen, thereby constituting a quorum. Others in attendance included Andrew McGregor, Dave Bowman, Rebecca, John Edwards, Guy Fulfer, Scott Kenner, Cecilia Sanchez, Donnie McAllister, Patty Hamilton and Krystin Oda.

**Item #1. Roll Call**

President O'Brien called the meeting to order and when Nikki arrived a few minutes later, noted that three members of the board being in attendance, there was a quorum and that therefore, the meeting was entitled to proceed to action items.

President O'Brien also noted that this at the completion of the second year of the Metro District the District is in compliance with state and local regulations and is in financially sound condition. She also noted several District residents and supporters who passed in the last year: Gaylord Guinen, Trent Johnson, Beach DeYoung, David Eckhardt; and welcomed new neighbors including Nikke and Shane, and Scott and Dulcey.

**Item #2. Consideration of the Agenda**

After consideration, no changes were made to the agenda.

**Item #14. President's Report.**

President O'Brien noted that she, Gus Fillis and Guy Fulfer had met with Mike Kosdrosky, Executive Director of the Aspen Pitkin County Housing Authority (APCHA). All objectives were accomplished: 1) Request transparency of calculations: annual total actual value (of all 58

Metro residences - which directly impacts Metro tax income, Because of the impact of the perpetual drop in total actual value set by APCHA, the District is not making it's budget despite maxing out collections at 72 mills. This diminishes the ability of the District to fund capital reserves and maximum value calculation of individual properties for resale; 2) Bring APCHA attention to the fact that The WCMD is the only 100% deed-restricted-residential Metro in the county. Others are either mixed with free market or have residences that are not value-capped. 3) and the challenge of covering free-market costs of infrastructure maintenance, repair and replacements on a deed-restricted perpetually dropping tax-income structure. 4) Establish a positive relationship with APCHA.

Guy Fulfer noted that Mike informed them that though the WC subdivision Category number dropped, this will not lower the value of our properties; the new category we are in reaches up to maintain the previous values.

**Item #3. Consideration and Adoption of Minutes from August 6, 2018 meeting.**

*Sarah moved, Nikki seconded and the motion to approve carried unanimously.*

**Item #4. Public Comment: Invited, none offered.**

**Item #5, Communication Policy**

Guy Fulfer encouraged people to place their comments in writing regardless of any topic. After additional discussion, Peg distributes and reads a prepared draft communication policy. The policy requires that any non-emergency communication with the Metro District must be in writing and placed in the drop box or in the traditional mail. Individuals are discouraged from contacting Board members directly with questions, concerns and complaints. District business is addressed collectively by the Board at their quarterly meetings. Board members are not empowered to address District business outside meetings. Board members are subject to the provisions of "sunshine" law which prohibits Board members from discussing business outside a scheduled noticed public meeting. After additional discussion, *Peg made a motion to approve the communications policy. The motion was approved unanimously.*

**Item #5. Appointment of Treasurer**

*On a unanimous motion of the Board, Sarah Evans was appointed as Treasurer.*

**Item #6 – Appointment of Attorney**

No action was taken on this item at this time.

**Item #7. Treasurer's Report**

With Sarah's nod, Krystin Oda, the District's bookkeeper, was in attendance. She noted that she worked with Gus, Guy and Sarah to reformat and update the budget slightly from the version that was previously sent to the Board members – to make it more workable/accessible to her and to update to include actual expenses and revenues through the end of October .

Peg discussed water conservation and its relationship to finances. Peg explained how water year billing works, and that while total potable water use has increased 11%, tavern use has dropped 22%, cost shifting expenses of the Metro to residents. All present were in consensus that times of draught – though they tempt folks to increase water use – are times to conserve. Sarah and Peg both noted that expert input has revealed the great challenges of individual metering, due to current curb stop configurations. Peg mentioned that the City of Aspen water conservation model is something to consider, i.e. Restrictions and enforcements polices. And asked all to consider the value of our precious resources of money and water when deciding how green to keep their grass.

Scott Kenner asked if the District has to comply with County water-use restrictions? Peg replied that these along with many County rules have no jurisdiction within the Metro District

#### **Item #8 Public Hearing to Consider the Draft 2019 Budget**

Budget presented by Krystin and Sarah, and considered. Peg and Guy weighed in with approval.

#### **Item #9. Adoption of a Resolution Approving the 2019 Budget.**

Without any additional discussion, *the Board moved to unanimously approve the 2019 budget resolution.*

#### **Item #10. Adoption of a Resolution Appropriating Sums of Money**

*The Board moved unanimously to approve this item.*

#### **Item #11. Adoption of a resolution Setting Mill Levies**

*The Board moved unanimously to approve the resolution.*

#### **Item #12. Adoption of the Resolution of Annual Administrative Matters**

The Board Unanimously approved the resolution. Peg thanked Krystin for her help; reminded her authorization covers only communication with appointed members of the BOD and staff; And respectfully conveyed suggestion from CFO and residents that next years' individual statement simply communicate the "amount due", on whatever date it is sent out, after October collections have been input and in time for folks to address before transfer of delinquencies for collection by the county (so between October 6<sup>th</sup> and 20<sup>th</sup> would be ideal – thus avoiding confusion with Nov fees and giving time before the 12/1 interest attachment). Krystin and all other BOD members agreed with that plan.

The group briefly discussed the delinquent fee collection process and noted that the deadlines were as follows: December 1st is the due date for individual payments to brought up-to-date with the Metro District, and December 15<sup>th</sup> the hard deadline for the Metro's many resolutions and transfers of assessments to be in to Pitkin County Assessor's – we'll pretend it's the 10<sup>th</sup> : ).

#### **Item # 19. New business – Long-term parking and storage**

Chair of Long-term Parking and Storage Committee Guy Fulfer gave an overview of the work he and his committee are doing in reference to the allocation and leasing process for District owned

properties. These areas are currently covered by covenants. The goal of the effort is to come up with a comprehensive strategy to enforce current pertinent covenants, for fair and equitable allocation and distribution of this community asset among all residents. In his research, he contacted 11 storage facilities to assess their rates. The standard price for a single parking space is \$100 per month. The District will need to physically delineate parking spaces. There may be conflicts with existing users. He will bring a draft policy for the Board of Directors to consider at their February 2019 meeting. He has created an email address, and encourages all with any comments/complaints or suggestions to submit them to [woodycreekparking@gmail.com](mailto:woodycreekparking@gmail.com) before the final formal policy is drafted and presented to the board in February. Guy noted that this is a potential revenue stream, but that currently he is leaning toward advising a more nominal fee simply to be sure all spaces are in active use, and fall into neglect and disuse when others would value the space. Guy outlined plans to have the spaces surveyed and permanently monumented, and to reassign spaces before requiring current items/vehicles occupying the spaces be moved, to facilitate the most smooth transition possible.

### **Item #13. Discussion and Adoption of Policy Regarding Fines for Interfering with District Facilities and Operations.**

Peg O'Brien explained the need for the policy and the specific incident which prompted this discussion. This incident resulted in costs and risks to the District which have to be absorbed by all customers. Following a brief discussion, ***Peg moved to approve the policy as written and distributed. The motion was approved unanimously.***

### **Item #17. Old Business**

Nikki provided an update on composting and recycling. She noted that the recycling dumpsters are always full. She asked about getting more frequent pick-ups or larger units? Board first asked that inappropriate use be curtailed before taking on cost burden of widening out the landfill stream. Inappropriate use = dumping by non-WC residents; residents dumping/dropping more than domestic, household allotment.

Nikki inquired about placing a compost bin, which is available available to those community members who contribute to the monthly cost through her to pay for it, on the commercial property or behind the laundry? In response, ***Peg made a motion to authorize Nikki, who is the official BOD agent of garbage/recycle/compost to establish a composting bin on community property as appropriate to be used by those that pay. The motion was seconded by Sarah and approved unanimously.***

### **Item #16. Appointment of New Board Members and Administration of Oath of Office**

Peg asked all community members in attendance to consider serving on the Board of Directors. Patty Hamilton expressed interest. ***Nikki moved, Sarah seconded a motion to appoint Patty to fill a vacant seat on the Board of Directors. The motion passed unanimously and Patty was formally sworn in.***

Cecilia Sanchez also expressed interest. *On a motion by Peg, seconded by Patty Hamilton, Cecilia was sworn in unanimously.*

**Item #15. Accept resignation from Peg O'Brien**

Peg tendered her resignation, which the Board members reluctantly accepted.

**Item #21. Adjourn**

The meeting was adjourned.

Minutes prepared by Andrew McGregor, District Administrator.