

WJ Metro District
Board of Directors Meeting
Monday, August 22, 2022
Via ZOOM
6:00 p.m.

MINUTES

[There is a delay to the start of the meeting while Paul calls and texts Shelly and Steve to join and make a quorum. Steve replies first that he will not be able to attend due to an appointment. Shelly does not immediately reply. When it appears there be no quorum, Paul suggests that those present go through and discuss any items not requiring a formal decision. However, when Shelly joins the meeting in progress, the meeting is officially brought to order. Steve's appointment is cancelled, and he joins the meeting in progress later.]

1. **Meeting begins.** The meeting is not called to order but begins informally at 6:15 p.m. Directors present: Wayne Ethridge, Paul Jones, Shelly Marolt (joins the meeting in progress), Steve Marolt (joins the meeting in progress). Other district members present: Bob Vhrin. Others present: Tony Zancanella, District Engineer and Vance Holzmann, Engineer-in-training (both from Zancanella & Associates). Paul Jones, Secretary, has written these minutes. A full transcript of the meeting is available upon request.
2. **Water, Septic and Engineering Report.** (Tony and Vance, Zancanella & Associates)
 - A. Wayne is concerned about an exposed pipe he has noticed on 51 Starwood Drive adjacent to the Upper Bullwinkle Circle. Tony agrees to look into the matter.
 - B. Tony introduces Vance Holzmann, previously a waste-water operator with Eagle River Water and San, who will be working with Z&A as an engineer-in-training and helping with some of the work for the WJMD.
 - C. Tony and Vance have written up a report (and emailed it to the board just prior to the meeting) of all items they will discuss at this meeting.
 - D. Comcast service has been set up at the booster station, so the PLC upgrade can be undertaken by Browns Hill. [Shelly Marolt joins the meeting, providing a quorum, and allowing the meeting formally to be called to order.] The work may take up to two weeks to complete. However, a temporary PLC will allow water and fire protection to continue without interruption. The new system will alert Z&A if the booster pump fails and provide other data in real time. Vance notes that he recently witnessed the booster pump do its aut cycle and that "it sounded good". Wayne confirms that he has witnessed the same on multiple Wednesdays.
 - E. Samuelson has repaired the previous issues with the pumps. However, since then, the breaker has failed on Well #1 and the pump-saver has to be replaced on Well #5. Rather than replacing the pump saver, Tony proposes to install VFDs (Variable Frequency Drives) on all wells. (Two of the six wells already have VFDs.) The VFDs provide a "soft-start" and tend to increase the longevity of the pump. Tony will look into cost.

- F. Currently, the wells have single-phase power. Three-phase power allows the pumps to run much more efficiently. Tony is not sure why three-phase power was not brought in originally by Westwater and SGM and will look into the possibility and cost of doing so.
- G. Along with the VFDs, Tony wants to put transducers in all of the wells, so the pumps can be turned off when the water level gets too low to avoid air getting into the system and the wells to oxidize.
- H. Prefilters are being replaced in the filtration building. Annual replacement is required.
- I. Tony shows a graph of the annual water production compared to the previous three years. It shows higher than average usage in June and July, probably due to higher-than-average temperatures.
- J. In removing debris from mudslides, Pitkin County, damaged irrigation lines in the landscaped area at the front of Lower Bullwinkle. As Pitkin County is not required to repair damage to irrigation systems within the road easement and as the irrigation system is no longer used and repairing it would be rather involved, Tony recommends just cutting off and capping the exposed pipe. The Board approves.
- K. The septic covers at 111 Lower Bullwinkle have been covered over by a concrete pathway. Z&A will work with the homeowner to cut the pathway and install a removeable cover to allow access. It has not been possible to test or pump the tank since the pathway was poured.
- L. The combined three-tank system at 610, 620, and 630 Stevens Street that pumps into a single-dosing tank needs to be pumped down and the syphon needs to be repaired.
- M. Floats and electrical connections in a few other systems need repair.
- N. Z&A has completed and submitted the diligence application with Paul Noto's office for the three water-rights exchange cases and recommends the continued diligence of those cases. (Every six years.) The application shows the capital expenditures that the District has paid for the filter building, the wells, and other operations over the past six years.
- O. The Division #5 water office in Glenwood has developed standardized forms for reporting data. Z&A is switching to the new forms.
- P. Wayne asks Tony and Vance if they could recommend anyone as a snowplow operator for the District. They will ask around. [Steve Marolt enters the meeting.]
- Q. Paul applauds Tony and Vance for the completeness of their report, including the unprecedented supporting written version. [Tony and Vance leave the meeting at 6:43 p.m.]

3. Review and acceptance of minutes from the previous meeting (May 23, 2022).

Wayne moves to approve with one minor change and Steve seconds. Unanimously approved.

4. Consideration of filling Board Member Vacancy. Shelly has spoken with Paul and Katie Viola. One of them might be willing in a year. With no other candidates, no one is appointed. Paul notes that new board members will need to be "nurtured, as "he, Wayne, and Bob are dying off". Steve asks what would happen if no one would serve

on the board. Paul comments that he's certain owners of the free-market lots would be happy to serve, something that might not be in the interest of the rest of the deed-restricted members.

5. Update on controversy over access easement on Vhrin, Deep, Friedman, Finger properties WJ HOA.

- A. Wayne jumps ahead to this item, noting that Bob Vhrin has been waiting patiently. Wayne notes that he has asked Bob to attend the meeting to explain a situation that has arisen amid the controversy. Bob reports that Deep/Friedman's attorney, David Lenyo, mentioned in July that Deep/Friedman wanted to include in the lawsuit over the shared easement a shed, to be located in the corner of their building envelope. Bob says that David Deep and Jacqui Friedman have submitted an application to Pitkin County for a permit to build the shed, the proposed site of which is directly over a curb stop supplying water to both homes. Bob says that Pitkin County says it is up to the WJMD/WJHOA, the owner and operator of the water system, to object to the potential obstruction of the curb stop. Wayne moves to direct Zancanella to inspect the site with the understanding of where the shed is going to be, and if it's going to block the curb stop, that we send a letter to Pitkin County stating that this cannot be allowed. Paul seconds. Steve makes a point of noting that the Board's action in this matter is in no way a favor to former Director Bob Vhrin, but rather an exercise of its responsibility to protect access to its water system. The board unanimously approves of the motion.
- B. Paul asks Bob for a general update on the lawsuit. Bob reports that the trial is scheduled for November. Paul asks about depositions from Board members. Bob states that in July Deep/Friedman's attorney asked for depositions from Board members, Bob's attorney objected, and the judge ruled against depositions. Bob said Lenyo identified possible witnesses, and that Paul Jones was one of them. [Bob Vhrin leaves the meeting.]

- 6. New Business.** Shelly asks the other board members for advice. She reports that her daughter witnessed an incident on Stevens Street between Anthony Smith's large Turkish dog and two large Bernese. All parties agree that Anthony's dog, off leash, attacked the two Bernese who were on leash and being walked by their owner. Shelly says she thought she would do the neighborly thing by calling Anthony to let him know there was a problem and that he needed to keep his dog on leash. Shelly reports that Anthony acknowledged the incident and agreed to the restriction, but Shelly says she has since witnessed Anthony walking the dog off leash. Wayne advises that the owner of the Bernese needs to call Pitkin County Animal Control, which can issue formal warnings and assess fines if necessary, noting that such action was very effective in a case on the upper bench. Paul agrees, noting that the WJMD/WJHOA is not set up to enforce such situations and relies on Pitkin County Animal Control to do so. Shelly adds that one of her own two little dogs can be vicious, and so she would never think of allowing it off leash. She further notes that she personally had an incident with another neighbor's dog attacking one of hers, and that after speaking to the neighbor about it, the neighbor has kept the dog leashed.

7. **Approve and Ratify Accounts Payable.** Paul moves to approve and ratify the accounts payable list. Shelly seconds. Unanimously approved and ratified by all four members present.
8. **Financial Report.** Newly appointed treasurer at the last meeting, Steve says he is still getting up to speed and will be ready to give a financial report at the next meeting. The budget for 2023 will be presented, discussed and adopted at that next meeting on October 24th.
9. **Snowplowing.** The District still does not have a snowplow operator in place for the winter. Wayne will put an ad in The Aspen Daily News.
10. **Update on the Airport.** Wayne observes that there is conflict between the BOCC and their appointed advisory committee. The BOCC has made it clear that the committee, made of up dedicated citizens interested in the issue, can give advice that probably won't be taken. Wayne says he recently challenged our representative on the BOCC indirectly by saying, "Isn't it time for some BOCC member to stand up and say it's absolute idiocy for us to expand an airport at a time when we are going to reduce emissions. The two cannot compute. And he just sat there like a slab of granite."
11. **Adjournment.** Paul moves to adjourn. Steve seconds. Wayne adjourns the meeting at 7:17 p.m.