

WJ Metro District
Board of Directors Meeting
October 25, 2021
Via ZOOM
6:00 p.m.

MINUTES

1. **Call to order.** The meeting is called to order at 6:04 p.m. by Wayne Ethridge, President. Directors present: Wayne Ethridge, President, Paul Jones, Shelly Marolt (joins the meeting in progress), Bob Vhrin. Absent: Steve Marolt. Other District Members present: Lisa Stephen (joins the meeting in progress). Others: Debbie Braucht (Marchetti and Weaver), Ben Elmore, District Engineer (Zancanella & Associates). Paul Jones, Secretary, has written these minutes. A full transcript of the meeting is available upon request.
2. **Review and acceptance of minutes from the previous meeting (August 23, 2021).** Bob notes that under Item 2. **Leasing Ruedi Water to White Star**, the minutes state: *As an agent for both the White Star HOA and the WJMD, Tom Zancanella sees an opportunity for the WJMD to lease 4 acre-feet of water per year from its irrigation river pipeline water rights to White Star homeowners.* Bob asks whether *pipeline water rights should read Ruedi Water rights.* Paul will ask Tom Zancanella how it should read. [Paul subsequently asked Tom, who stated that the minutes read correctly as written.] Also, Wayne notes that in Item 9. **Update on Homeowner's Association of the W/J Ranch Conveyance of 3 Common Area Lots to the WJMD**, the minutes read, *Wayne proposes that the Board sign a quick-claim deed to transfer that parcel and two other minor ones from the WJ HOA to the WJMD.* Wayne notes that the term is "quit", not "quick" claim deed. Wayne moves to accept the minutes, conditionally, upon the possible change questioned by Bob and the second indicated by Wayne. Bob seconds. Unanimously approved. [Unanimously approved by Wayne, Paul and Bob.]
3. **Review of August 31, 2021, financial reports.** Wayne notes that the District's attorney, Paul Taddune, needs to be paid \$10-12K for services rendered, mostly in conjunction with the Deep/Friedman encroachment on a shared easement. Wayne also wants approval to pay a bill to Mountain Pest Control for the removal of a wasp nest on the Upper Bullwinkle trash enclosure. Paul Jones notes that Wayne should simply submit the two bills to Aspen Bookkeeping for payment. Bob reminds Paul to submit a request for reimbursement for District expenses paid by him and enumerated at the previous meeting. Paul says he will do so.
4. **Public Hearing for Consideration of the 2022 Budget, Setting Mill Levy and Appropriating Funds and for Consideration of Setting 2022 Utility Fees.** Wayne [stated the meeting was published as the Public Hearing on the 2022 Budget](#); opening the public hearing for consideration of a resolution to adopt the 2022 budget, set the mill levy and appropriate sums of money. Bob notes that the District will continue to keep

the mill-levy at 48.5 mils for another year as the District does not expect to lose revenue due to the Gallagher amendment. [Lisa Stephen joins the meeting.] There is no further discussion of the budget, mill levy or appropriating funds. Bob moves to approve the resolution. [Unanimously approved by Wayne, Paul and Bob.] Wayne states that the public hearing is still open for consideration of the resolution setting 2022 utility fees. Wayne notes that there is a small increase in the fees. There is no further discussion on the resolution. Paul moves to adopt the resolution setting the utility fees. Bob seconds. [Unanimously approved by Wayne, Paul and Bob.] [Shelly Marolt joins the meeting.] Wayne asks Shelly if she has any questions about the budget. Shelly says she does not. Wayne closes the public hearing for consideration of the 2022 budget.

5. **Public Hearing for Consideration of the 2021 Amended Budget.** Wayne opens the public hearing for the consideration of the 2021 amended budget. Debbie Braucht notes that she published the public hearing for consideration of the 2021 amended budget, but she and Ken Marchetti see no need to amend the 2021 budget at this time. Wayne closes the public hearing for consideration of the 2021 budget.
6. **Review and Adopt a Resolution Authorizing Certification of Delinquent Utility Fees to the Pitkin County Treasurer.** Debbie reports that there is only one property delinquent in payment of utility fees. Paul moves to adopt the resolution, noting that he will contact the property owner the next day and believes the balance will be paid immediately and that there will be no need to send the owner to the ~~County Clerk~~Pitkin County Treasurer for collection. Shelly seconds. [Unanimously approved by Wayne, Paul, Shelly and Bob.]
7. **Review and Approve May 2022 Directors Election Resolution.** Directors Bob Vhrin and Shelly Marolt are up for re-election. The terms will be for three years to get them to an odd-numbered year, as required by Colorado law. Debbie notes that other new legislation signed in July requires all metro districts to send self-nomination forms to every elector in the district via email or a postcard (per a registered voter list provided by the Pitkin County ~~voter registration~~Clerk and Recorder). The deadline for self-nomination forms is Friday, February 25th at the close of business. Debbie notes that this change means additional expense for metro districts and ~~the law is being challenged.~~ ~~Debbie~~ hopes this will be the only year that we will have to do this. The actual election itself will cost the District over \$10K. If Bob and Shelly agree to serve another term and there are no other self-nomination forms submitted, the election will be cancelled. Wayne moves to approve the resolution. Bob seconds. [Unanimously approved by Wayne, Paul, Shelly and Bob.] Debbie Braucht, Marchetti & Weaver, LLC leaves the meeting.
8. **New Business.** Bob Vhrin reports that he plans to remodel the inside of his house over the winter. He plans to erect a temporary tent on his property to store the contents of his house during the remodel. The tent will be contained within his building envelope, while still leaving space within the building envelope to park his vehicles. Paul notes that he hopes to glass in a 150-sf deck over Thanksgiving, pending County approval.

9. **Approve and Ratify WJMD Accounts Payable.** Wayne asks if Binnie has bought the new plow blade for the CAT and whether the plow truck and CAT are all set to go. Paul asks for clear approval from the Board for Binnie to buy the larger blade. The Board agrees and Paul will direct Binnie to make the purchase and make sure the truck and CAT are ready to go. Paul moves to approve and ratify the accounts payable list. Shelly Seconds. [Unanimously approved by Wayne, Paul Shelly and Bob.] Wayne returns briefly to New Business to ask Lisa Stephen if she has anything. Lisa does not respond, so Wayne moves on.

10. **Water, Septic and Engineering Report.** Ben notes that the water report, sent to the Board that morning, indicates that usage is in line with previous years.

Ben says a second well is down and we are currently operating with four of six wells. Ben says this situation is not a crisis, especially in the winter when usage is lower, but not good. Ben says he has been having trouble getting Samuelson to come out.

Ben says we are still waiting for parts and the new PLCs still have not been installed.

Ben notes that after two weeks, the water flowing into the basement of the wellhouse receded, just as it did last year. Ben cannot explain what is going on.

Ben reports that he has still not received a bill for the septic pumping, all of which has been done. Access to Bisque Jackson's tank is still obstructed by a poured concrete sidewalk.

Ben reports that the crack sealing on the roads has been completed.

Wayne notes that he had a conversation with the Cummings tech, Steph, as he was servicing the back-up generator on the upper bench. Steph said that the generator was not always firing. Ben says Matt Franklin inspects the generator every Wednesday and had found that it wasn't always firing, and that the Cummings tech had been called out, that he didn't have all the parts, that he is scheduled to come back, but that Ben doesn't know whether the issue has been resolved. Wayne asks Ben to stay on top of it.

[Ben leaves the meeting.]

11. **Update on controversy over access easement on Vhrin, Deep, Friedman, Finger properties.** The WJMD, as agent for the WJHOA, has informed property owners David Deep and Jacqui Friedman that if they obstruct the easement shared with their two adjacent neighbors, by parking in the easement, they will be fined per day, per vehicle. Bob Vhrin reports that David and Jacqui have been abiding by the mandate, parking on their property, but outside the easement, except for about two feet inside the easement. This is acceptable to the Vhrins. The Vhrins are, however, concerned that snow not be stored where David and Jacqui are currently parking, such that David and Jacqui would be forced to park within the easement. Paul will direct Binnie to talk to Bob to understand the situation.

12. **Update on Homeowner's Association of the W/J Ranch Conveyance of 3 Common Area Lots to the WJMD.** Wayne reports that Paul Taddune's recommendation was to file a quit-claim deed and that the quit-claim deed has been filed. The original deed will be kept on file at Paul Taddune's office.

13. **Update on the Solar Farm.** Bob reports that the solar farm is up and running. Wayne notes that it is smaller (it was supposed to be a third larger) than originally planned because of terrain issues. Wayne finds it "still hideous"; Shelly calls it "heinous and huge".

14. **Update on the Airport.** Neither Wayne nor anyone else present has any new information on the airport.

15. **Tentative meeting schedule for 2022.** While Colorado Law does not allow the formal adoption of a meeting schedule until the first meeting of the year, the Board agrees to the following dates for its regular quarterly meetings: Mondays, February 28th, May 23nd, August 22nd and October 24th. All meetings will begin at 6 p.m. and will be conducted via Zoom.

16. **Adjournment.** Wayne adjourns the meeting at approximately 6:50 p.m.