

**MINUTES
OF THE BOARD OF DIRECTORS OF
THE FOREST LAKES METROPOLITAN DISTRICT**

The regular meeting of the Board of Directors of the Forest Lakes Metropolitan District was held on August 14, 2018 beginning at 1:30 p.m. at the Forest Lakes Community Center, Bayfield, Colorado.

Present at the meeting were the following members of the Board of Directors:

| | | |
|---------------------------------|----|---------|
| Casey Cook, President | -- | Absent |
| Richard Hillyer, Vice President | -- | Present |
| Brien Meyer, Director | -- | Present |
| Charles Scavo, Director | -- | Present |
| Tony Schrier, Director | -- | Present |

Also present were Brian Sheffield, Manager for the District; Selina Gallero, Secretary to the Board; and numerous residents.

APPROVAL OF AGENDA

With no additions, deletions, or corrections to the agenda, moved to approve the August 10, 2018 agenda. The motion was seconded and it was unanimously approved.

APPROVAL OF PREVIOUS MINUTES

There being no additions, deletions or corrections to the minutes of the regular meeting held on July 10, 2018 moved to approve the minutes. The motion was seconded and it was unanimously approved.

SPECIAL BUSINESS

Item A. **Resignation of Casey Cook, FLMD Board President.** Brian explained that Casey Cook submitted a letter of resignation from the FLMD Board of Directors, effective immediately. Moved to accept Casey Cook's resignation. The motion was seconded and it was unanimously approved. The board expressed their gratitude for Casey's many years of services to FLMD and the community. The statutes states that the board has 60 days to appoint someone to fill the vacancy and that person will serve until the next election which will be held in May 2020. After discussion, agreed to accept letters of interest to fill the vacancy with a deadline of August 31st. Notices will be posted at mailstop, office, dumpster and on the web site. If possible, the vacancy will be filled by the next board meeting.

REPORT FROM OFFICERS AND CONSULTANTS

MANAGEMENT REPORT - Mr. Sheffield reported the following:

1. **Bus Stop.** The bus shelter building materials have been ordered and part of them have arrived. The contractor is now waiting for the trusses.
2. **Ditch Water.** Brian has been in close communication with the water commissioner regarding our ditch water and wells. The ditch flow still continues even though the river has been gradually lowered. We have been making the necessary changes as needed on our diversion.
3. **Slash Pile.** We had to order some extra pulls from Transit Waste to deal with some of the slash that has been coming in since we were unable to use the burner. Upper Pine Fire District ignited the slash pile when we started getting some rain but it took several days to finish burning. We did receive minimal complaints but most residents understood our situation. Now that the fire ban has been lifted, we are able to commence burning with our burner box.
4. **Highway User Tax Fund.** We received the annual HUTF fund check for \$61,367.21. This is an increase of 4.3% compared to last year. HUTF is funding from the Stated passed through the County to FLMD, which is used for our road maintenance expenses.
5. **LED Conversion.** Brian met with LPEA to discuss their rebate program for converting to LED fixtures. After review of LPEA's program and meeting with CED Electrical, he plans to have the fixtures in the old firehouse converted and plans to convert the lighting in the community center to LED. The cost will be less than \$2000 for both buildings. Next year we will plan to change the lighting at the shop and blower building. Conversion to LED is a more efficient means of power use and a savings for the District.
6. **LPEA Full Account Review and Rate Assessment.** Brian met with LPEA staff to review all of FLMD's electricity accounts. Out of the 19 separate metered accounts that FLMD has, the five (5) highest billed accounts (wells, pumps, blowers, and lift station) met the criteria to convert to a cheaper rate. LPEA stated that we could save close to \$1,000 a month on our billing for a total savings of \$12,000 annually.

7. **Budget Review and Rate Study.** Amy Lyons, former Finance Director of Bayfield School District, will be working with us to analyze our budget process and to determine where we can make improvements. We are confident that she can help us provide a more efficient and simplified budget.
8. **Water Accounting for FLMD.** Brian met with the Wright Water Engineers and consultants to discuss the current water situation in Forest Lakes. We reviewed our augmentation plan, replacement sources, water priorities, and water contracts. Due to the drought situation, they recommended that we implement restrictions and contact the residents that have high water usage. More will be discussed under New Business.
9. **Impact Fee Refund Request.** The owner of 1092 Alpine Forest Drive recently submitted his house plans and paid for a water tap, sewer tap and impact fee. The owner then submitted a letter stating that he is unable to continue building due to health issues. He is requesting that the impact fee be refunded. Brian explained that these fees are non-refundable, however, since it has been less than 60 days and due to the unforeseen circumstances, he would recommend refunding the impact fee. Moved to approve the refund of \$3,109.00. The motion was seconded and it was unanimously approved.

Maintenance Report. Brian reported for Kyle the following:

- A broken water meter was replaced at the Rec Center.
- Water pump valves in the Vac Trailer were rebuilt and replaced. Scheduled maintenance was completed and the trailer was put back in service.
- A leaking meter base was replaced at 721 Timber Drive.
- Dead deer on Forest Lakes Drive and Berry Drive were removed and disposed of.
- Concrete was poured for the new bus stop, and for a new storage building at the shop.
- Gravel was hauled to Lake View and East Valley View Drive.
- All water and wastewater lift pumps, and mixers were serviced.
- WWTP contact chamber was dewatered and cleaned.
- The wastewater ponds filled back to normal operating levels after our cleaning project in June. All equipment returned to normal function and our Mixed Liquor Recycler was turned on. We began discharging effluent again on the 16th.
- Scheduled maintenance on the roller was completed.
- Water and sewer taps were installed at 263 East Forest Lakes Drive.
- Upper Pine Fire Department burned our slash pile due to extreme fire danger and volume. All ashes were cleaned up and the burn pile was reopened. Burning in our air burner has resumed.
- All side roads in the subdivision have been worked on and the ditches are being cleaned and reestablished to promote better drainage. Roadwork continues as needed.
- Tires on E-1, and T-3 were plugged and repaired.
- Plugged culverts on Pine Valley Road, Forest Lakes Drive, and Pine Tree Drive were cleaned out with the Vac Trailer.
- Level sensors in the WWTP Lift Station were pulled and cleaned.

FINANCIAL REPORTS

1. Through June, property tax revenue received was \$612,278 (96%) of the levied property taxes for the year. Tax revenue can include penalties, special assessments and specific ownership taxes, which are not included in the property tax percent collected.
2. Water chart shows that we pumped 5,504,170 gallons of water and can account for 88% of the water used through metered billing for July.
3. If equally collected and expended over 12 months, expenditures and revenues would be at 50% through May. In the General Fund, revenue was at 63% and expenses were at 41%. In the Water Fund, revenue was 52% and expenses at 38%. In the Sewer Fund, revenue was at 49% and expenses at 48%. Combined funds budget expenditures were at 42% through the reported month.

UNFINISHED BUSINESS

- Item A. **Court Matter with Resident.** FLMD has an ongoing court matter with the resident at 422 Pine Tree Drive, Mr. Richard Szopinski who we have a permanent protection order and he is in violation of that order. We were headed into court in August but the courts changed the schedules and our trial has been cancelled for now. We were informed that Mr. Szopinski pleaded guilty to felony menacing in another court case involving another Forest Lakes resident. A sentencing hearing has been set for the felony case on 9/14/18. After this date, there will be more meetings to allow the courts to discuss our case and possible dispositions.
- Item B. **Recycling Program.** The final draft of the agreement has been ready for months but TDL Recycling has not provided any start date or signed the agreement. The last email with TDL was in July and he stated that they were getting things worked out.
- Item C. **Electronic Gate System.** Brian stated that they are waiting for materials and need to map out the area. A meeting and site visit with the contractor is scheduled for Friday.

- Item D. **WWF Discharge Permit Update.** Colorado Department of Public Health will not get to any permit renewals for the San Juan Basin until late August or September. No Update.

NEW BUSINESS

- Item A. **Mandatory Water Restrictions.** As Brian explained earlier, he met with WWE and their recommendation was that FLMD implement water restrictions to curtail excessive water use. The restrictions require residents to water on odd/even days based on the street address; no watering during the day; no washing vehicles, driveways, etc. The effective date for the restrictions is August 17th and letters will be mailed to the individuals who have high usage. Rates will be adjusted later that will impact the high users for next year. Moved to approve the implementation of Mandatory Water Restrictions, effective August 17, 2018. The motion was seconded and it was unanimously approved.
- Item B. **Request to Eliminate Lot Consolidation Requirement.** Brian explained that Doug Hawkins owns 2 lots adjacent to each other and does not want to go through the La Plata County lot consolidation process in order to eliminate the fee on his vacant lot. He has requested that FLMD waive the process and eliminate the fee on his vacant lot and is willing to sign an agreement that he would abandon the taps and not sell the property. The office has denied his request. Director Schrier asked Mr. Hawkins if he was aware that his taxes would go down if he did the lot consolidation and he commented yes. Mr. Hawkins stated that he can put a shed on the lot and reduce the taxes but stated that he has a home on 515 Mesa Drive and the lot in front of his home is unbuildable. He is requesting that the Board do the neighborly thing and agree with him. He spoke about the grade of the lot and said it was not buildable. He stated that he does not understand why the county is forcing him to get a survey and he feels FLMD is hiding behind the County to make a decision. A new survey cost is approximately \$2,000 - \$2,500. Director Schrier commented that if the Board agrees to waive the fee for one homeowner, then we need to do it for everyone. Mr. Hawkins agreed and continued stating that the reason he does not want to consolidate is because he wants to be able to sell the lot, but said he would do a deed a restriction that states that the lot can only be sold with whatever condition FLMD wants to put in the deed. He continued that by not having that lot with the home will only decrease the value of the home. Director Hillyer commented that he feels its setting a bad precedent as he also owns several lots himself and knows that if he wants to lower the taxes and remove the fees, he must consolidate his lots. Mr. Hawkins asked him why he didn't consolidate and Director Hillyer told him because some day he would like to sell the lots just like him. Mr. Hawkins then commented that he does not want to sell the lot. Discussion continued and it was agreed that FLMD should not have to change our policy because of the county process. Brian commented that maybe FLMD can talk to the County and ask them to streamline the process. Mr. Hawkins continued by saying that he would just end up having to go back to the county and get a surveyor and didn't see how that would help. Mr. Hawkins stated that he was not asking for an exception but for a policy change. The Board agreed that they do not want to set a precedent and are not prepared to change the policy.

RESOLUTIONS

ANNOUNCEMENTS

Bonnie Celona thanked the board for all the info on the recycling and the electronic gates. She then inquired about the FLMD Board meeting time. She stated that she was at the June meeting but not at the July meeting and when she read the minutes it said a poll was taken which was 50/50 and that she thought that there was going to be a formal poll to see what time was best for the meeting or post something at the entrance. Brian stated that there was mention of a sign going up if the meetings were to get changed but no poll was ever agreed upon. He continued that the board had asked him to look into what it takes to change the meeting time and he did find some information that came up about a previous request to change the meeting time and how the board had discussed that and also all of the legal requirements that are necessary to change the meeting time including policies, etc. This is when the board decided to leave the time of the meeting the same for now. Liz Oetter asked if the board might consider a new time for the October meeting because not everyone can come during the day and hear what all is being discussed. Bonnie continued that the younger people cannot come and express themselves and should be given an opportunity. Discussion about the social media websites took place. Director Hillyer explained that several of the Board members work and they take time to come to the meetings and historically attendance was always very poor in the evenings. At this time the meeting will remain at 1:30 p.m.

Roger Norris complimented the crew for the good road work that they have been doing. He commented that it was nice to see a crown being put back into the roads. He also commented that the ditches looked good.

The hours to the trash and brush pile will remain the same.

Thanks for the additional dogipots.


The next board meeting will be held on September 11, 2018 at 1:30 p.m.

APPROVAL OF DISBURSEMENTS

The Board considered the bills of the District for payment. Moved that the bills be approved for payment subject to review at time of signing. The motion was seconded and it was unanimously approved.

ADJOURNMENT

There being no further business to come before the Board of Directors, the meeting was adjourned at 1:30 p.m.



Selina Gallero
Secretary to the Board of Directors
Forest Lakes Metropolitan District