

Aspen Trails Metropolitan District
Regular Board of Directors Meeting
Date & Time: Wednesday, December 14, 2005, 7:00 pm
Location: Bolton's 771 Aspen Dr, Durango, CO

Call to order at 7:10pm

Attending: Board: Jennifer Bayer, Judy Bolton, Bob Foisel, PJ O'Connell (by phone)

Determination of quorum: yes, 4 board members present

Approval of Agenda: motion to approve by Bolton, second by Bayer, approved 4:0.

Reports

Financial –

Bolton provided the following financial information: Profit & Loss & Balance Sheet statements, Vendor Transactions, Bottom line

Bolton reported that \$6350 in assessments is still outstanding and statements with finance charges were mailed in mid-November. If no arrangements are made and not paid by first of year we will begin lien proceedings.

Bolton reported that the 1st Conservation Trust Fund check has been received for \$154; we will receive 4 payouts each year. The amount will vary depending on the number of lottery tickets sold, and number of entities receiving distributions. Funds have been deposited in our CSAFE account.

Bank Signature card submitted – Foisel & O'Connell still need to sign

Operations-

Snowplow contract with Neil's Excavation & Contractors signed by Vlass.

Follow-up items

Volunteer work: During the last meeting Bolton suggested a work program alternative in lieu of part of assessment payment to involve owners more in the road maintenance process. Questions regarding liability were raised. Bolton contacted our insurance provider and found that volunteers working on ATMD projects are covered as long as working under direction (not necessarily supervision) of board, board members also covered in volunteer capacity. The board discussed the possibility of offering property owners who are having difficulty making their assessment payments the chance to work on road projects in lieu of making payments. O'Connell raised the question of valuation for this work; head of operations would need to be contacted prior to any work arrangement. Bayer suggested that a 2-tier system be considered for volunteer work projects first offering projects to owners with past due accounts, and then offering to owners at large. Further discussion will follow in the spring.

Fall newsletter: Bolton reported that the newsletter was sent out in mid November. Foisel suggested that informing owners of the amount of past due assessments in the newsletter and the effect it has on our annual budget may help them to pay on time which could allow us to decrease assessments in the future.

DSL: Bayer reported on the possibility of getting DSL service within the subdivision. Currently subdivisions nearby have this service available so it is feasible that if there is enough interest in Aspen Trails, it may be provided here as well. There is a petition process that Bayer is willing to facilitate in the hope of having enough names on the petition to entice a DSL provider to establish service in Aspen Trails. A discussion regarding mailing of formal letters with a petition to sign ensued. Bolton cautioned that since this is not one of the services the district is approved to provide postage should not be used for this purpose alone, however if there is an ATMD mailing going out the petition form could be included to inform owners of the possibility.

Discussion and or Action Items

1. **Minutes** for October 12, 2005 meeting were approved without change. Motion to approve by Bolton, Second by Bayer, passed 4:0.

2. **Budget Items** – Bolton presented both a revised 2005 budget and proposed 2006 budget for approval. Following a lengthy discussion the budget numbers were approved. Foisel requested that the format be made easier to understand in the future. Bolton will try.

Approve Revised 2005 budget motion by Bayer, second by O'Connell, passed 4:0

Resolution 2005-6 for \$300 assessment fee for 2006 motion by O'Connell, Second by Foisel, approved 4:0.

Approve 2006 Budget motion made by O'Connell, second by Bayer, approved 4:0.

Resolution 2005-7 to Appropriate Funds (for operations, debt service, capital improvement, emergency reserves, and capital reserves): motion made by Bolton, second by O'Connell, approved 4:0.

Resolution 2005-8 to set the mill levy to La Plata County for the district of 5 mils for operations and 9.224 mils for debt service: motion made by Bayer, second by O'Connell, approved 4:0

3. Digging/building notification

Bolton spoke with Nan Bedau (County Planning) she will check with Building & Planning Dept to see what can be done about notification to ATMD on building permits, and new construction issues. Bedau recommended to Bolton that in our bylaws we establish a \$5000 bond for anyone working on road or right of way. Foisel suggested that our resolution in October for road impacts covers this need. Foisel will work on a draft letter from the board to all digging entities to inform of our need to be notified prior to work. Bolton will contact the line locate service to register ATMD for notification. Bayer suggested that checking the public record periodically could be a useful way to find out where new construction is occurring. The problem is that once its public record the damage to roads has probably already occurred. Bayer offered to create a poster for the mail box area informing owners of the need to contact board prior to digging. Drafts of the letter and poster will be reviewed at our next meeting.

4. **Recent Roadwork-discussion & plan:** Foisel expressed concern over recent roadwork. A bar ditch was not established on Dugan's Hill where he thought it would be. Bolton voiced concern that recent grading work re-filled previously cleared ditches and left berms that will be a problem for snow runoff. Foisel wondered about the status of work on Elk Lane since it is still bumpy and culverts are not in place. Apparently there was miscommunication regarding who would be paying for placement of several driveway culverts on Elk Lane. The board agreed that labor costs to replace existing buried culverts (Michaud property) should be ATMD responsibility since precedent had already been set (Bennett), however new construction culvert materials and installation are the responsibility of the new owner. Concern was expressed by all board members about follow through by contractors and the need to tighten our expectation of performance on construction and maintenance work. Bayer offered to work with Vlass as co-construction managers to help provide better communication with contractors on performance specifications. Board members agreed that two party accountability would be good and recommended that this be placed on the January agenda.

New Business

1. Collis property letter was discussed; owner's son feels ATMD cut off their access. Board discussion noted that there was no visible sign of a driveway prior to roadwork or in the photo submitted by Collis, owners had parked on the edge of the road for several years. The board is willing to make some concession since the road level was raised considerably. Foisel will contact Mr. Collis (who is acting on behalf of his mother) and offer the following: ATMD is willing to waive the 2006 assessment if Collis restores viable access (driveway) to the property by July 31, 2006.

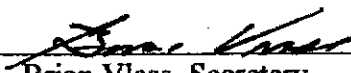
2. **Authorization for Accountant** Chadwick Steinkirchner to perform 2005 Audit Exemption. Motion by O'Connell, second by Bayer, approved 4:0.

3. **Spring Election** -election official, schedule, call for nominations, election workshop, compliance information. Bolton informed the board that 4 board positions are up for election in May 2006. There is a strict schedule of dates that certain activities need to be accomplished by. The board needs to appoint an election official in the near future. Bolton will email a copy of compliance dates to board members, Bayer and Bolton are considering attending the election workshop on January 27 to learn about election process.

4. **Meeting schedule-** The 1st meeting of 2006 will be on Tuesday, January 24th at 7pm, probably at the Bolton's, 771 Aspen Dr. 2006 meeting schedule needs to be set at the January meeting.

Meeting Adjourned: 11:00pm
Minutes respectfully submitted by Judy Bolton.

Minutes approved _____


Brian Vlass, Secretary

1/24/06

Date

