

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE WOODMEN HILLS METROPOLITAN DISTRICT**

February 23, 2023

Attendance:

Board Members present: Vice President Sherry Ringen, Secretary Neil Erickson, Director Jon Martin, Treasurer Stacey Popovich, and President Troy Stinson (via phone).

District personnel present: Water Enterprise Director JD Shivvers, Parks & Rec Director Marcus Graves, legal counsel Blaire Dickhoner, and Director of Administration Carter Bullion.

1. Call to Order

Convene: Vice President Ringen calls the meeting to order at 5:36 PM

2. Roll Call

Jon Martin, Stacey Popovich, Neil Erickson, Troy Stinson, and Sherry Ringen present.

3. Director Disclosures

Nothing to disclose.

4. President's Welcome and Remarks and Rules of Conduct

Vice President Ringen welcomes everyone at the meeting and says that President Stinson is not feeling well so she will be running the meeting. Room recites Pledge of Allegiance.

5. Approval/Disapproval of Agenda

Motion: To approve agenda as written

Moved: Neil Erickson moves

Second: Stacey Popovich seconds

Discussion: None

Vote: Carried by unanimous vote

6. Public Comment Regarding Current Board Business Not on the Agenda

One public comment. A resident asks why water bill due dates were changed to the 20th of the month. Carter gives an explanation for the change: 1) to be in line with the policy set out by existing district bylaws where there were certain limitations on billing that weren't being

followed previously. 2) To ensure that the district as a whole has the ability to get the monthly payments in time before it starts billing for the next month.

Resident asks about late fees. Carter explains that previous to the boards change there was a flat fee rate. The board changed that to a 1% rate. For January no late fees would be applied because of the change. The board and resident have a conversation about fees and fee increases.

Vice President Ringen gives an announcement to the community asking for respect to the staff when they call the district office.

7. Approval/Disapproval of Board Minutes

Motion: To approve January regular minutes

Moved: Neil Erickson moves

Second: Stacey Popovich seconds

Discussion: None

Vote: Carried by unanimous vote

Motion: To approve February 9 special minutes

Moved: Jon Martin Moves

Second: Stacey Popovich seconds

Discussion: None

Vote: Carried by unanimous vote

8. Attorney's Report

Legal Counsel Blaire Dickhoner asks if there are any questions about the board update he provided. President Stinson thanks him for putting together a report. No questions from the board.

9. Approval/Disapproval of Financials

Carter Bullion gives a financials report for January 2023 month end.

Parks & Rec financials (Jan.):

Revenue: \$235,120 on a budget of \$254,997.

Expenditure: \$122,800 on a budget of \$249,867.

Net Ordinary Income: \$112,319 on a budget of \$5,129.

Neil Erickson asks about the offset in salary and wages. Carter and Marcus explain that the cause is from bringing on the new Parks & Rec director, and the team isn't as large due to the season. Marcus explains that they're filling a couple of open positions including a maintenance tech. Because Marcus is new, there isn't enough historical data to build a seasonal trendline for salary allotment.

Carter explains a huge offset in repairs and maintenance being because of sublines that are built into the repairs and maintenance budget. Those budgeted costs have not come through yet. He expects that as projects come through those costs will start coming through.

Water financials (Jan.):

Income: \$273,003 on a budget of \$413,151. Tap Fees were low. We've had some issues from an accounting perspective with Challenger which is now resolved.

Expenditure: \$198,004 on a budget of \$243,622. The district had to buy additional stock of water meters.

Revenue for water consumption in the winter months will be a lot less. Going into 2023 and beyond we will have historical data and use trend to set expectations.

Wastewater financials (Jan.)

Income: \$266,403 on a budget of \$425,051.

Big offset in tap fees overall. Because of current economic climate, no builder can give an expected absorption rate month-to-month. They give an annual number. Carter explains that there is no risk in not hitting monthly revenue targets because the District covers its bills with monthly income that it receives from the district.

Expenditure: \$232,747 on a budget of \$220,464. Legal fees is the biggest driver. In February a \$93,000 credit will help offset that expense

Totals (Jan.)

Total Revenue: \$774,527 on a budget of \$1,093,201.

Expenditure: \$555,811 on a budget of \$713,955.

Net Income: \$218,715 on a budget of \$379,245.

Motion: To approve January financials

Moved: Stacey Popovich moves

Second: Jon Martin seconds

Discussion: None

Vote: Carried by unanimous vote

10. Consider for approval a second amendment to the resolution concerning district charters and fees. Resolution 2023-02-27-4

This resolution changes Paintbrush sewer treatment fee to \$29.88 from December 1 to December 31, 2022.

Carter explains that the board already voted on this but that at the time the resolution wasn't available. There doesn't need to be another vote.

11. Consider Resolution Establishing an Electronic Signature Policy

Blaire Dickhoner presents resolution which allows that ink signatures not be necessary on future resolutions. Electronic signatures will be allowed.

Motion: To approve Resolution 2023-02-23-01

Moved: Stacey Popovich moves

Second: Jon Martin seconds

Discussion: None

Vote: Carried by unanimous vote

12. Summary Overview: Parks and Recreation Report

Marcus Graves gives an update on district programs. The district had 506 registered participants in Fitness Programming compared to 274 in January 2022. The district is adding a Yoga class.

Sports programming: The district is coming to the end of its youth basketball season, this year the program had 72 participants vs 46 last year, including an additional team.

Facility usage at RCE is increasing. Gym guidelines have changed to allow non-residents into the basketball courts but not the weightroom. Changed child watch age from 2 years to 18 months.

13. Summary Overview: Water Report

JD Shivvers gives an update on district's meter program – all meters are installed. JD thanks the community for your participation and making this program a success. New pump station is under way. All treatment plants and water pumping stations are in maintenance mode to gear up for spring irrigation. Bentgrass Development stages are going well. Bact. C samples came back good. All fire hydrants are all in service.

14. Summary Overview: Wastewater Report

JD Shivvers gives an update:

Annual EMR report to state of Colorado completed.

Survey company began to survey 105-acre parcel purchased last year.

D-49 sent revised reimbursement agreement for bus barn project.

Still working on negotiations for golf course water IGA.

Ongoing IGA negotiations with ER Horton for Grandview development

15. Items Unfinished from Previous Meeting

None

16. Board Follow-Up on Older Items

Neil Erickson gives an update on baking policy set up.

17. Executive Executive Session for determining positions relative to matters that may be subject to negotiations, CRS 24-6-402(4)(e), namely the Paint Brush Hills Metro District arbitration review, a draft IGA with Falcon Highlands, potential agreements/contracts for Grandview, a water rights purchase, and a draft inclusion and service agreement with Circle K.

Motion: To move into executive session

Moved: Neil Erickson moves

Second: Jon Martin seconds

Discussion: None

Vote: Carried by unanimous vote

18. Other Business

Consider for approval termination of our intergovernmental agreement between WHMD and Falcon Highlands Metro District for water operations and maintenance services

Motion: To terminate intergovernmental agreement

Moved: Jon Martin moves

Second: Neil Erickson seconds

Discussion: None

Vote: Carried by unanimous vote

Consider for approval a water rights purchase contract

Motion: To move forward with water rights purchase contract

Moved: Jon Martin moves

Second: Stacey Popovich seconds

Discussion: None

Vote: Carried by unanimous vote

19. Adjournment

Motion: To adjourn

Moved: Jon Martin moves

Second: Stacey Popovich seconds

Discussion: None

Vote: Carried by unanimous vote

