

Will-O-Wisp Metropolitan District

956 Wisp Creek Drive

Bailey, Colorado 80421

Meeting of the Board of Directors

July 8, 2010

Rick Angelica called the meeting to order at 6:31p.m. Members also present at roll call were Marty Prater, John Arnouts and Lynn Louvar. John Howell joined the meeting at 6:35.

Attending Guests:

Deb Russo (Accountant), Richard Toussaint (Attorney), Bill Schwartz (Operator), Vickki Arnouts (Recreation Committee), and Judy Kirby (Administrator).

Approval of the Minutes

Rick makes a motion to approve the minutes of the regular meeting on June 10, 2010; Marty seconds, and passes 4-0.

Guests

Dave Masini of Masini and Company, P.C. attended the meeting to go over the Draft Financial Statements ending December 31, 2009. After reviewing with the BOD;

Rick makes a motion to approve and have Masini and Company file the Will-O-Wisp Metropolitan District Report on Financial Statements, December 31, 2009; John A seconds, and passes 5-0.

Pine Ridge Development

Update - None

Plant / System

DMR sampling for June were good and the monthly bacteriological samples were acceptable.

The State Inspector was at the plant today, Bill said the inspection went well.

Brian Zick drew up the "Invitation to Bid" on the diversion. Bill will post in the paper.

Finance

Deb went over the Treasurers Report. **Rick makes a motion to accept the Treasurer's Report, Lynn seconds, passes 5-0.**

Rick makes a motion to approve the bills to be paid, John H seconds, passes 5-0.

The Delinquent Accounts were gone over.

Architectural Control Committee

Jennifer Murphy has resigned from the ACC. Marty would like something put in the August Newsletter for another volunteer for the committee.

Marty would like the covenants revised, since WOW is not an HOA, limiting the covenants to architectural items only.

Is there a ballot to the District regarding the Church of Christ? Rick stated that WOW is still waiting for the signed agreement that was asked for from the church one year ago this month.

Commencement of Executive Session

RA-I move the District adjourn into executive session to discuss: strategy and instructions for negotiations, and positions on matters which might be the subject of negotiations under Colorado Revised Statute 24-6-402(4)(e);

And the following additional details are provided for identification purposes: Due Diligence on Woodside Reservoir.

Is there a second? Marty seconds.

All those in favor for convening in an executive session?

RA, MP, JH, LL, JA are all in favor.

The District will adjourn into executive session as provided in the motion and take an electronic recording of the session to satisfy the Open Meeting Law.

On this date, July 8, 2010, at this time 7:32pm, the District has voted to convene in an executive session. For the record, I am Richard Angelica, the presiding officer. Also present at this executive session are the following persons: John Howell, Marty Prater, Lynn Louvar, John Arnouts, Richard Toussaint, Bill Schwartz, Deb Russo and Judy Kirby.

To satisfy the Open Meetings Law, this executive session is being electronically recorded.

The executive session is held for the following reason: discussion of Due Diligence on the Woodside Reservoir.

I caution each participant to confine all discussions to the state purpose of the executive session, and that no formal action may occur in the executive session.

If at any point in the executive session any participant believes that the discussion is going outside the proper scope of the executive session, please interrupt the discussion and make an objection.

RT - As the District's attorney, it is my opinion that the discussion of the matter announced in the motion to go into executive session constitutes a privileged attorney-client communication. I am therefore recommending that no further record be kept until the executive session has been concluded.

RA – The District’s Attorney has recommended that no further record be kept of this executive session. The time is now 7:37pm.

The executive session has been concluded. The participants in the executive session were: Richard Angelica, John Howell, Marty Prater, Lynn Louvar, John Arnouts, Richard Toussaint, Bill Schwartz, Deb Russo and Judy Kirby.

For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.

Seeing none, the next agenda item is...

Miscellaneous District Items

Recreational Committee – Vickki Arnouts

Vickki advises the BOD not to build the skate park because of the site location. This site is in a secluded area and would not be supervised. Also, this is in the area that could be the future site of the new plant.

The annual picnic is scheduled for Sunday, August 29th.

Rick makes a motion for the Recreational Committee to spend up to \$150.00 on meat, drinks and paper goods for the picnic, John A seconds, and passes 5-0.

Vickki would like something in the August Newsletter about homeowners putting their trash out on Tuesday mornings, not Monday nights.

Public Comments

None

Legal Matters

Due Diligence – Executive Session above.

Sub District – None

New Business

None

Old Business

Tract 5 – None

Policy Manual – Richard will give Lynn on more set of questions from TNC, he would like Lynn to go over these and will discuss at the August meeting.

CoWarn Agreement

Bill Schwartz lets the BOD know that WOW are now members of CoWarn.

Culverts

John H would like to know why the culverts are so important?

Richard says that there are safety issues without having them, and that there could be erosion problems which would cause tribulations with the water and sewer lines.

John H said that he had talked with Dave Kintz (Park County Road & Bridge) and Dick Hodges (Park County Commissioner) one day while out walking, and Dave said that he would meet with John H in a few days to go over each house and which houses needed culverts, and which houses did not.

Dave never called or met with John H.

John H would like to talk with Howard Dieter, to help with each home and what is needed, then take this information to the county. Once it is determined which houses will need to add a culvert, Dick Hodges told John H that if WOW sent him a draft letter, he would put on Park County letterhead.

Adjournment

Rick made a motion to adjourn the meeting at 9:25pm, John A seconds, passes 5-0.

Rick Angelica, President

Lynn Louvar, Director

John Howell, Secretary

John Arnouts, Director

Marty Prater, Treasurer