

# **Will-O-Wisp Metropolitan District**

**956 Wisp Creek Drive**

**Bailey, Colorado 80421**

Meeting of the Board of Directors

February 11, 2010

**Rick Angelica called the meeting to order at 6:30p.m.** Members also present at roll call were John Howell, Marty Prater, John Arnouts and Lynn Louvar (6:35).

## **Attending Guests:**

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

## **Guests**

Jeannie Boyd to discuss the building of a skate park within WOW.

## **Approval of the Minutes**

**Rick makes a motion to approve the minutes of the regular meeting on January 14, 2010; John H seconded, and passed 4-0.**

## **Pine Ridge Development**

The 401 is out in draft form, not hard to comply with. WOW will need to do five years of measuring and testing, very heavy the first twelve months then twice a year. The samples to be tested will cost about \$750/test.

WOW is where it needs to be on the 404. The storage tank use and operating principles have been submitted.

Richard gave the BOD the first Amendment to the Development Agreement. There were no changes with Alan Fishman's signature. Richard recommends the BOD adopt this agreement. Rick would like the board to look over and adopt at the March meeting.

## **Plant / System**

DMR sampling for January was good. The monthly bacteriological samples were acceptable. The developers should be starting on the diversion point soon.

Mike Penton was very complimentary of Bill when his pipes froze...thank you Bill.

## **Finance**

Deb went over the Treasurers Report. **Rick made a motion to accept the Treas Report, seconded by Lynn, passed 5-0.**

**Rick made a motion to approve the bills to be paid, seconded by John H, passed 5-0.**

According to the state unemployment insurance auditor our rate is too high, Dib is looking into. Deb Russo is now an employee.

The Delinquent Accounts were gone over. Kari Williams of 180 Wisp Creek Drive asked that four months of late fees be removed from her bill; this would give her a chance to get caught up.

**Lynn made a motion to waive four months of late fees as long as Ms. Williams continues to make her monthly payments and pays on time for the next six months, if she does not pay on time in that six month period, the late fees will be added back to her invoice, seconded by Rick, passed 5-0.**

The Masini & Company paperwork for 2009 audit were signed.

Vicky Wilson complained about having her construction workers sign being taken down

### **Architectural Control Committee**

None

### **Miscellaneous District Items**

Recreational Committee – Vickki Arnouts

Jeannie Boyd would like some direction about the skate park, donations, tax write-offs, handling money to fund, etc. Vickki is working on plans with engineers, the where, materials needed, etc. Is looking at other parks in the Denver area.

Richard let them know that the BOD cannot commit to a lot at this time. Rick brought up the area across 285 for recreational use. The BOD had many questions about the skate park...does not think that fundraising should begin until more information is given.

### **Public Comments**

None

### **Legal Matters**

Due Diligence – none.

Sub District – none.

The Well #7 Agreement from January, 2010 was sent to Tom Ragonetti, Richard has not heard back from him.

The easement for the access road to the water storage tank at the top of Park Road is not back yet.

Election

John A, Marty and Lynn turned in their acceptance letters to run again.

Richard recommends to the BOD to have a mail ballot election.

If no election needed, Dana Retterer (DEO) will cancel the election.

### **Old Business**

Tract 5 – none

Advertising on the web page, there have been two checks sent in.

Rick would like to give some compensation to Douglas Hayes who has put a lot of work into getting the web page up and running. He suggests splitting the advertising money each month, the BOD agrees.

Richards's intern is reviewing the policy manual turned in by Lynn, will discuss in March.

## **New Business**

Commencement of an 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: Work session of BOCC, County Lot Tract 3, a possible WWTP site.**

**Is there a second? Lynn seconds.**

**All those in favor for convening in an executive session, RA, MP, JH, LL, JA, 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, February 11, 2010, at this time 8:20pm, 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, Debra 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: discuss the acquisition of property from Park County.**

**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.**

**I hereby attest that the electronic recording reflects the actual contents of the discussion at the executive session and has been made in lieu of writing minutes to satisfy the recording requirements of the Open Meetings Law. I will retain the tape in my possession for a 90-day period. The time is now 8:50pm, and we now conclude the executive session and return to the open meeting.**

**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, Debra 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...**

**Adjournment**

**Rick made a motion to adjourn the meeting at 8:55pm, seconded by Marty, passed 5-0.**

---

**Rick Angelica, President**

---

**Lynn Louvar, Director**

---

**John Howell, Secretary**

---

**John Arnouts, Director**

---

**Marty Prater, Treasurer**