

**Indian Mountain Metropolitan District  
Regular Board Meeting  
November 13, 2021 9:00 am  
Community Center**

**Board Members:** Carol Darland, Karen Goodman, Marcia Logan, Dan Qualman via phone, Glenn Haas via phone

**Staff:** Samantha Bertin – Business Manager, Jackie Middelhoek – WSP Administrator, Nick Rinaldi – Maintenance

**Guests:** Carl Neu, Jeff Mason, Jeff Gudewicz, Brian Kocher, Chris and Bill Morris  
*(Disclaimer: This list may not name all guests in attendance.)*

**Call to Order and Welcome to all:** President Carol Darland called the meeting to order at 9:01 am

**Additions to and Approval of Agenda: MOTION: Carol Darland moved and Karen Goodman seconded the addition of the Common Interest Agreement topic being added to New Business and to approve the Agenda as updated. Motion passed unanimously.**

**Secretary: MOTION: Marcia Logan moved and Karen Goodman seconded the motion that the Notes from the Oct 8, 2021 Work Session be accepted. Motion passed unanimously. MOTION: Marcia Logan moved and Karen Goodman seconded the motion to approve the Minutes of the October 9, 2021 Regular Board Meeting. Motion passed unanimously.**

**Treasurer:** Karen Goodman reviewed the account balances as of October 2021 as shown on the Agenda:

General Fund	\$115,014.92
Special Conservation Fund	\$ 3,399.01
Reserves Fund	\$ 6,020.03
IMWSP Admin	\$ 18,103.88
IMWSP Water Acquisition	\$ 90.00
CORE	\$100,058.10
CSAFE	<u>\$ 29,005.27</u>
TOTAL	\$271,691.21

Samantha mentioned that money needed to be moved in December to pay for the water purchase. She needs to check on the rules for the CORE fund regarding maintaining a minimum balance.

**MOTION: Karen Goodman moved and Marcia Logan seconded a motion to approve the Treasurer's report. Motion passed unanimously.**

**District Manager:** Samantha had nothing to report at this point.

**Maintenance:** Nick Rinaldi reported that things were very busy. He has been focusing on the plumbing issue in the Comfort Station to prevent freezing this winter by using a pressurization protocol to force remaining water in the pipes back to the well. He reported that more chlorine is being used now and will be tested frequently to make sure the water quality is safe. He had painted about ¾ of the playground equipment but then hurt his back, which is delaying the completion for a

short time. He reported that he and Samantha checked the basement at the Lodge to determine what needed to be done to clean it out and organize what remains. His next project is to paint the interior of the Comfort Station.

#### **UNFINISHED BUSINESS:**

**Facilities Update:** Samantha reported that Nick's report sufficiently handled this update.

**WSP Update:** Jackie Middelhoek reviewed the delinquent status report and discussed levying fines on those that haven't reported three or more times in 2021. The fines will be levied based on the pending approval of the changes to the Operations Manual.

**Operations Plan Change:** The proposed changes to the Operations Manual were distributed and a brief clarifying discussion was held. **MOTION: Karen Goodman moved and Marcia Logan seconded the motion to accept the changes to the Operations Manual as presented. Motion passed unanimously.**

**Motion to Intervene Update:** Glenn Haas reviewed the latest on the Motion to Intervene as an Amendment to the existing DLOU court case. This motion relates to the \$100 annual charge to all Indian Mountain property owners as a water storage fee. The Court accepted the motion and Bar Star has 21 days to file a response.

**IMMD Nextdoor Account:** Samantha reported there were no new developments on this issue and she will follow up.

**Events Update – Craft Fair / Board Get Together:** Karen Goodman reported that the Craft Fair went very well, the vendors had a profitable day, there was a steady flow of people, and the monies collected (\$20 per table and donations for food items) offset the direct expense. She did say that the amount of food could be less for this event in the future as there were leftover food items that were given to the fire station at day's end.

Carol Darland suggested postponing the IMPOA/IMMD Board Get Together until January given how busy November and December get. January 8<sup>th</sup> after the Boards' regular monthly meeting was agreed to as a potluck. Carol and Samantha will double-check and coordinate with the IMPOA Board for their decision.

Samantha reminded the Board that the Christmas tree is usually set up the weekend after Thanksgiving and she could use volunteers to help with the set up and decorating. She will put a notice on Nextdoor to see if anyone responds. The Fire Department historically uses the Community Center for their Christmas party and having a decorated tree adds to the festivities.

#### **NEW BUSINESS:**

**Motion to Approve 2<sup>nd</sup> Amendment of IGA with HASP:** Glenn Haas explained that the Amendment needs to be updated whenever water is bought or new people come into the WSP program. Having the ability to hold vacant spots is beneficial to WSP to allow for new people to join the program. **MOTION: Glenn Haas moved and Karen Goodman seconded a motion to approve the amended and restated agreement with HASP. Motion passed unanimously.**

**Motion to Retain CCFWU as Attorney Firm:** The law firm of Collins, Cockrell, and Cole is splitting into two new law firms. Glenn Haas reviewed our past legal experience with the current firm and suggested/recommended that IMMD move with the firm that the attorneys IMMD has used in the past are joining – CCFWU. **MOTION: Carol Darland moved and Glenn Haas seconded the motion to retain CCFWU as IMMD’s law firm going forward. Motion passed unanimously.**

**Common Interest Agreement:** Glenn Haas provided background. At this point in time there are overlapping legal interests in process involving IMMD, IMPOA, and DLOU. It would be prudent to establish a Confidentiality Agreement involving the different attorneys to protect everyone. There is a clause on cancelling this if the common interests no longer exist. **MOTION: Glenn Haas moved and Carol Darland seconded the motion to establish this Confidentiality Agreement. Motion passed unanimously.**

Carl Neu is the signatory for DLOU, Carol Darland for IMMD. Samantha will retain the Agreement awaiting IMPOA’s decision. The signed document will then be held for Glenn to pick up at the Office the week of November 15<sup>th</sup>.

**Public Comment:** None

**Meeting Adjourned at 9:50 am**  
**Next Meeting: December 11, 2021**

Respectfully submitted,  
s/Marcia Logan