

**Indian Mountain Metropolitan District
Board Meeting
Community Center – 9:00
September 10, 2022**

Board: Brian Kocher, Marcia Logan, Dan Qualman, Carol Darland – excused, Karen Goodman – absent

Staff: Samantha Bertin – District Business Manager, Jackie Middelhoek – WSP Administrator

Guests: Becky Sturgeon, Jim Scherrer, Chris and Bill Morris, Judy Krill, Jeff Mason

Call to Order: Dan Qualman, 1st VP, called the meeting to order at 9:05 am and stated that there was a quorum present so the meeting could proceed.

Additions to and Approval of Agenda: No additions made

Secretary: MOTION: Marcia Logan moved and Brian Kocher seconded a motion to approve the Minutes of the August Board Meeting. Motion passed.

Treasurer: Samantha reviewed the account balances as of August 31, 2022 as stated in the Agenda

General Fund	\$177,002.16
Special Conservation Fund	\$ 4,012.66
Reserves Fund	\$ 6,024.54
IMWSP Admin	\$ 39,987.66
IMWSP Water Acquisition	\$ 57.50
CORE	\$ 65,430.14
CSAFE	<u>\$ 29,170.93</u>
TOTAL	\$321,685.59

MOTION: Samantha Bertin moved and Brian Kocher seconded a motion to accept the Treasurer’s Report for August 2022. Motion passed.

District Manager: Samantha Bertin reported that Dawn Schilling provided an estimate of \$5,500 for the full audit scheduled to be performed in 2023. The Engagement Letter will be forwarded to IMMD in the October/November time frame.

Samantha had met with subcontractors to begin the process necessary to construct the new RV Dump Station. Samantha has obtained the necessary permit paperwork from Park County. She is hoping that the Engineer can be engaged by the end of the year before she leaves. The funds for the new well had to be adjusted downward, which delays the start of work for a year.

WSP Administrator: Jackie Middelhoek reported that there are two property owners that still have not paid the fines levied on them. This month, seven property owners did not report their August gallon usage. The total number of WSP participants is 451.

The issue with the Water Referee, John Cowen, continues for the property owners with Decreed wells wanting to move from the W7389 Augmentation Plan to the WSP Augmentation Plan. Dan Qualman will continue the discussion with John Cowen.

IMMD/IMPOA Communications: Brian Kocher reported that the fence situation would be discussed at the IMPOA Board meeting later today. Other topics will include the Craft Fair, the Treasure to Trunk event, and discussion of a potential grant that is available to help with fire mitigation.

Maintenance: Jackie Middelhoek shared that Pat Smith has been out of town due to a family issue so she reported that things are normal and there are no special issues outstanding.

Unfinished Business:

Cluster Mailbox Update: Brian Kocher reported that he had a meeting with the Postmaster on this project and that IMMD/IMPOA needed to reconcile the issue of the postal zip codes for Como (80432) and Jefferson (80456) by determining the number of properties in each of the two zip codes. In addition, determine the number of boxes needed for each zip code, where to locate the cluster(s), etc. There is some data gathering that needs to be done in order to determine the realistic number of boxes needed.

DLOU Request for Financial Assistance: Samantha Bertin explained the “Disclosure of Conflict of Interest” letter that was prepared by Attorney Robert Cole for the three IMMD Board members that are part of DLOU (Don’t Lien on Us) to sign and submit to the Secretary of State. This step was determined to be necessary in order for the IMMD Board to approve financial assistance towards paying the final legal expenses associated with the Settlement Agreement with Bar Star. The Colorado Secretary of State certified the Disclosure letters on September 8, 2022 at 1:01:15 pm.

RESOLUTION: Dan Qualman stated that “be it resolved by the Board of Directors of the Indian Mountain Metropolitan District as follows:

1. Assisting DLOU with support of and funding for the litigation and Settlement with Bar Star serves a public purpose in furthering the District’s water service role by assuring proper functioning of WSP and that residents and property owners may operate water wells, have access to augmentation water, do not have their water service disrupted, and are not inappropriately charged for costs related to operating the augmentation plan.
2. The Board hereby approves and declares the official intent to pay the final two months of legal fees not to exceed \$8,000 associated with negotiating and securing a mutually agreed upon settlement with Bar Star to conclude all legal actions between the parties.”

MOTION: Brian Kocher moved and Marcia Logan seconded a motion to adopt the above-mentioned Resolution effective September 10, 2022. Motion approved by Brian Kocher, Marcia Logan, and Dan Qualman.

Water Attorney Report: Points for this topic were included in the previous discussion on the status of the property owners with decreed wells moving from the W7389 augmentation plan to the WSP augmentation plan.

NEW BUSINESS:

Budget Discussion: Samantha Bertin reviewed the outcome of the Saturday work session. Line item dollar amounts were adjusted as necessary. There will be a need to submit two separate amendments to #1, the IMWSP 2022 Budget, and also #2, the IMMD 2022 Budget to accurately reflect the line item amounts for the DLOU financial assistance and for the early remittance of the final payment on the LWTF loan for the initial purchase of water for WSP.

Public Comment:

Judy Krill provided an update to the Short Term Rental (STR) issue. Susan Stoval and Sandy Steiner attended the County Commissioners meeting two weeks ago and learned the Commissioners support compiling a list of STR owners. She also reported that the County had signed a contract with the company Carol Darland had recommended to help in identifying the owners. There will be two initiatives on the November ballot for tax increases (2% for STR, 1% for Safety) that directly affect the STR owners.

Meeting Adjourned: MOTION: Brian Kocher moved and Marcia Logan seconded a motion to adjourn the Board Meeting at 10:18.

Next meeting: **October 8, 2022**

Respectfully submitted
s/Marcia Logan
Secretary

(A copy of the Agenda for this meeting follows on the next page)

Indian Mountain Metropolitan District
Agenda for Regular Board Meeting

Sept 10, 2022

9am @ community center

Dial in number to attend via phone 1-805-706-4072

Call to Order-Welcome to all

Additions to and Approval of Agenda

Board Attendance: Marcia Logan, Karen Goodman, Carol Darland(via phone), Brian Kocher, Dan Qualman

Staff Attendance: Samantha Bertin, Jackie Middelhoek

Guests in Attendance: see sign in list.

Secretary's Report

Motion: The board approves the minutes of the Aug 2022, Regular Board Meeting

Treasurer's Report

Motion: The board approves the Treasure's Report for Aug 2022, balances include:

General Fund=\$177,002.16

Special Conservation Fund= \$4,012.66

Reserves Fund=\$6,024.54

IMWSP Admin=\$39,987.66

IMWSP Water Acquisition=\$57.50

CORE=\$65,430.14

CSAFE=\$29,170.93

Total=\$321,685.59

District Manager Report

WSP Administrator Report

IMMD/IMPOA Communication Report

Maintenance Report

Unfinished Business

- Cluster box units update
- DLOU Request for financial assistance
- Water Attorney Report

New Business

- Budget Discussion

Public Comment

Meeting Adjourned

Next meeting: Oct. 8, 2022