
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors Ruedi Shores Metropolitan District February 9, 2010

A Regular Meeting of the Board of Directors of the Ruedi Shores Metropolitan District, Eagle County, Colorado, was held February 9, 2010, at 6:00 p.m., at 093 Silver Spruce Lane, Basalt, Colorado, in accordance with the applicable statutes of the State of Colorado.

ATTENDANCE **The following Directors were present and acting:**

- Brad Lundgren
- John Rowley
- Rocky Huber
- Nina Dunn
- Susan Atchison

Also in attendance were:

- Eric Weaver, Robertson and Marchetti, P.C. (via phone)
- Matt Jones, Robertson & Marchetti, P.C. (via phone)
- Tom Shea, Property Owner
- Doug McMillin, Project Manager

CALL TO ORDER

The Regular Meeting of the Board of Directors of Ruedi Shores Metropolitan District was called to order by Director Atchison, at 6:00 p.m., noting that a quorum was present.

PUBLIC INPUT • Director Dunn has requested a notice of the election to be posted at the Post Office boxes to see if anyone else would be interested in serving on the Board.

AGENDA No changes were made to the agenda.

MINUTES The Board reviewed the regular meeting minutes from January 12, 2010. Upon review and by motion duly made and seconded it was unanimously

RESOLVED to approve the January 12, 2010 meeting minutes as presented.

**MEETING
CALENDAR**

The Board reviewed the 2010 calendar and determined that the March 9, 2010 meeting should be canceled.

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CONSTRUCTION UPDATES

Mr. McMillin reported that Zacanella has finished installing and programming the controls and the entire system is now being run and monitored remotely. There are a few minor adjustments that are still getting dialed in.

Mr. McMillin has proposed reading the water meters on a monthly basis for the first year to help dial in the system and to get a good record of how much water is being consumed.

Mr. McMillin reported that the operations manual is being put together but that in order for the manuals to be effective the interworkings of the system need to be figured out and experienced over the coming months. For now the manual is being set up in a basic format and will be updated later once more data and specific operating procedures can be identified.

Mr. McMillin reviewed the outstanding Hudick issues and explained that Hudick is willing to split the costs of the Rowley issue 50/50 in order to come to agreement on the issue, but would require that the funds being held for the damage done to Mr. Shea's home be released as this is not a Metro District issue. The Board discussed their options and Mr. Weaver explained that by splitting the costs of the Rowley issue the District would incur approximately \$3,900 in expense that could be recouped in small claims court against Holy Cross. The Board felt that it would be best to incur this cost and have this issue resolved instead of continuing to incur costs to fight it. Upon a motion duly made and seconded it was unanimously

RESOLVED to release the remaining retainage to Hudick upon receipt of the final change order to split the Rowley costs and removal of the previously agreed upon three way split of the conduit trenching costs.

Upper Eagle River Amendments and Edits

Mr. McMillin will revise the rules and regulations to remove the sewer aspects for adoption in at the April or May meeting.

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Grand Junction Pipe

Mr. McMillin reviewed the Grand Junction pipe issue which is a dispute of the amounts owed due to repairs that were made to the PRV vaults. The PRV manufacturer will pay for the actual repairs to the PRV's, but will not pay for the costs to dig up the PRV installed before the repairs were made, which is Grand Junction pipe's responsibility. Mr. McMillin and a board member will meet with Grand Junction pipe on February 12th to try and come to a resolution on the issue.

Miller Compliance

Mr. Weaver reported that Mr. Miller has still not reimbursed the District for the work done by Hudick to his property upon his approval. Upon a motion duly made and seconded it was unanimously

RESOLVED to send a letter to Mr. Miller stating that if his balance is not brought current immediately the District will move forward with filing a lien on the property and shutting off his water service.

Mulcahey Compliance

Mr. McMillin reported that Mr. Mulcahey is still disputing that there is not enough pressure being supplied to his house. Mr. McMillin reiterated that he had plenty of time to give input during the design process and that the District is only responsible for delivering sufficient pressure to the curb stop. Obtaining adequate pressure for a home that sits uphill of the meter is the responsibility of the owner. The Board agreed with Mr. McMillin's conclusion.

Card payment

Mr. Weaver reported the Card's paid their water invoice short due to a credit they created for removal of their original water meter. Mr. McMillin reported that the water meter will be returned to the Homeowner. The Board has asked that the short payment be returned to the Homeowner with an explanation and request that the original invoice to be paid in full.

2010 Election Resolution

Mr. Weaver reviewed the amended election resolution which changes the Designated Election Office from Lynette Sander to

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Matt Jones as Lynette has left Robertson & Marchetti. Upon a motion duly made and seconded it was unanimously

RESOLVED to approve the revised Election Resolution changing the DEO from Lynette Sander to Matt Jones.

**FINANCIAL
STATEMENTS**

Mr. Weaver presented the preliminary January 31, 2010 financial statements and reported that the project continues to come in under budget, even with the \$70,000 Road contingency which is still being held for potential spring repairs. Mr. Weaver also reported that the operation expenses and revenues are on track with the budget. On motion duly made and seconded it was unanimously

RESOLVED to approve the preliminary January 31, 2010 financial statements.

**ACCOUNTS
PAYABLE**

The board reviewed the accounts payable list. Two additional invoices were added to the AP list in the Board packet. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve and ratify payables as presented with the addition of two invoices from Max Fire Apparatus, Inc and Western Slope Electrical.

**ACCOUNTS
RECEIVABLE**

The Board reviewed the accounts receivable aging report noting the major balance past due from Mr. Miller which was discussed earlier.

ADJOURNMENT

There being no further business to come before the Board, by motion duly made and seconded, it was unanimously

RESOLVED to adjourn the Regular Meeting of the Ruedi Shores Metropolitan District Board of Directors held on February 9, 2010

Respectfully submitted,

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Matt Jones
Recording Secretary for the Meeting

Subject to Approval