

January 14, 2009 Revised

ECPC Meeting Minutes

Attendance: MJ Minton, Frank Dertzbaugh, Doug Chapin, James Nee

I. Budget

- A. As of November we have collected \$135,974 in special taxes. \$36,000 was uncollected.

This year's expected budget:

Engineers (deferring \$27,000 till bond sale if necessary)	\$95,000
County Attorney (Timmy Ruppertsburger)	\$20,000
Municapp (Keenan Rice)	\$5,000
Escrow Fee to M&T Bank	\$2,500
Misc Administrative fees for ECPC (insurance, Bank accounts, mailings, services)	<u>\$5,000</u>
Total	\$127,500
Expected revenue from special taxes	\$172,500

- B. Miles and Stockbridge (ECPC's) attorney

Has a remaining balance of \$33,465. They were going to defer it until bond sale but when the CDA was delayed they wanted their money. The LLA will pay the balance on behalf of ECPC and expect to get repaid for all their pre CDA fees when bonds are sold. They have included the Miles and Stockbridge fee in the upcoming budget for Lake Linganore. Aspen North will have \$46,000 to use this year from the LLA budget, normally it would be \$37,000 which is the dues the AN property owners pay. The money is not available until March 2009. Miles and Stockbridge will be paid off leaving a balance of \$9,000.

In order to save \$5,000 in administrative fees from Municap, the county agreed to let MJ Minton do the requisitions for payment. If it becomes too much it may be given to them but for now MJ will be acting as Treasurer in regards to budget and requisitions.

It was asked that budget reports be provided at upcoming meetings.

II. Land Stewards

A. The DRRA (Developers Rights and Responsibilities Act) was not approved in the New Market Plan. ½ of their holdings were downzoned. Land Stewards decided not to move forward with development in the community. They have filed bankruptcy.

B. Jim Dimeglio, former LLA board project developer for Land Stewards is no longer with them. He has met with MJ a couple of times to offer his services as a construction manager.

C. Pump Station

The county is willing to work with us in coming up with an alternative to cost sharing the pump station. They would like us to use the Holly Hills station built in 1995. It worked 4 -5 years and has been sitting for 10. Mike Marschner met us at Aspen North to evaluate the pressure in the fire hydrants at the entrance of Aspen North. The fire flow pressure was not adequate as originally suggested. The county would like us to get prices on site preparation and a new pump station building. They will evaluate the condition of the pumps and let us have them and the generator. They would evaluate the condition of the pumps and costs to commission them.

III. We hope to have the Engineers complete the design plans so we can send it out for construction bids. The goal is to get the budget numbers for construction and the pump station by April. We will need to make a determination then, based on the budget numbers and credit markets, as to whether or not go another year with the special assessment at /\$1,500, or sell bonds which will bring the assurance of infrastructure being built , but will increase the special tax to \$3,500 +/-.

IV. The engineers have discussed a concern in their preliminary road grading plans that some of the lots will experience significant cut, creating slopes into their small lots. This may infringe on some of the building footprints requiring

some creative custom homes. Initially the engineers asked if we should provide a shoulder as the roads were very narrow, but that shoulder would mean an 11' cut and still a swale for the storm drain. This was agreed that it would be too much of an effect on property owner's already little lots. The road grading will significantly affect some property owners. The engineers set up a meeting on Jan 20 with the county development and review division to find out in advance what the county was going to require in regards to storm drainage, channel protection, and water quality. If storm water management could be done for the roads only or must it include the lots. It must meet a 100 year storm requirement. This will require cutting and filling into some properties. Some lots on Arapahoe may need to have front walkouts because of grading. They will be cut on the upper hillside. Shalom is only a 30' right of way so the road grading will go into those lots. Building restriction lines are 25' front and back, and 8' on the sides.

James Nee suggested providing total grading of the lots while we were mobilized doing the road construction, to eliminate future road damage from individual development. He felt the roads would be damaged in future building and we should do mass grading and clearing in addition to the road work. This was a question that would be addressed to the engineers. The board was concerned of costs, and making tree clearing decisions for the individual property owners. The overall budget is not enough to cover the road construction at this time, so it will be hard to justify adding costs when the goal is to reduce costs.

This was also addressed to the engineers at the Jan 20 meeting made part of these minutes.

At the end of the meeting we asked if anyone would like to volunteer for a board of director position. James Nee who had previously indicated on November 19, 2008 that he would be interested, decided not to follow through with the decision.