

DRAFT – NOT YET APPROVED BY BOARD

**RECORD OF PROCEEDINGS
FIVETREES METROPOLITAN DISTRICT**

Held: 4:30 p.m. on Tuesday, December 1, 2009, at the FiveTrees Metropolitan District Office, 0133 Prospector Rd, Suite 4210, Aspen, Colorado.

Call to Order The meeting of the Board of Directors of the FiveTrees Metropolitan District, in the County of Pitkin, State of Colorado, was called to order by President Conarro at 4:45 pm with the following persons present:

Dave Conarro, President
Jim Aresty, Vice-President
Jason Gregg, Treasurer
David Parker was absent but excused
Steve Buettow was absent but excused

Also present: District Manager, Jim Korpela
Assistant Manager, Recording Secretary, Landis Greathouse

Approval of Agenda President Conarro declared a quorum was present. Dir. Aresty moved, and Dir. Gregg seconded, to approve the agenda as presented. Dir. Gregg requested that the issue of Frisch, Lot 5 be added to Other Business. Being no further discussion, the motion was approved unanimously by voice vote.

Approval of October 15,
2009, Minutes A motion was made by Dir. Gregg and seconded by Pres. Conarro to approve the October 15, 2009, meeting minutes as presented. The motion was approved unanimously by voice vote.

Final Budget Hearing:
Proposed 2010 Budget

At the request of Dir. Conarro, Mr. Korpela opened the public hearing (no members of the public were present) and reported that the only changes to the 2010 budget presented on October 15, 2009, were due to a slight trending of the lift mill levy up which resulted in a total mill levy increase from 10.827 to 10.851. This is caused in part by new assessed values provided by the County. Ms. Greathouse added that it is important to note that the operational mill levy did not change. At this point, the actual costs through October have been provided which paint a clearer picture of what projected costs will be by year end. Also, this year is unusual in that the County will be providing many different versions of updated assessed values and the last issuance may not come in until right before District is required to certify mill levy to County. Therefore, due to these circumstances, management is asking that the Board give directive

to certify the mill levy as appropriate to generate the revenues as approved in the budget with the understanding that the mill levy might be adjusted slightly.

Motion Dir. Gregg moved, and Dir. Aresty seconded, to adopt the 2010 budget as presented. The motion passed unanimously by voice vote.

Motion Dir. Gregg moved, and Dir. Aresty seconded, to appropriate funds for the 2010 fiscal year as presented in the 2010 budget. The motion passed unanimously by voice vote.

Motion Dir. Gregg moved, and Dir. Aresty seconded, to certify the mill levy as appropriate to generate the property tax revenues approved in the final 2010 budget. The motion passed unanimously by voice vote.

Approval of CSD as
Auditors of District's
2009 Financial
Reports

A brief discussion occurred regarding retaining the services of Chadwick, Steinkirchner & Davis as the auditors of the District's 2009 financial reports. Since an audit will be required for the District in 2010 and management and the District has had a good experience with CSD in the past, the Board agreed that CSD would be the right choice.

Motion Dir. Aresty moved, and Dir. Gregg seconded to approve Chadwick, Steinkirchner and Davis as auditors of the District's 2009 financial reports. Being no further discussion, the motion passed unanimously by voice vote.

Manager's Report

Beetle Mitigation Mr. Korpela reported on the additional funds that have been spent this fall for beetle mitigation. The funds were distributed on pheromone packets; tree thinning; cost sharing with forest service; etc. The anticipated grant from State and Federal programs will offset some of these costs. Dir. Aresty asked if management was pleased with Western Timber's performance. Mr. Korpela replied that they were adequate and the District will bid the job competitively again next year although it is likely that Western Timber will earn the job again.

Parking Ms. Greathouse reported that enforcement has been increased at the Sievers Lot to try and dissuade high school students from parking during the week. There seems to be some improvement. The issue is students who park in resident's driveways and not being able to enforce on private property. The Board agreed that there has been an improvement.

Pres. Connaroe noticed that Fridays seem to be the worst days and Ms. Greathouse agreed to monitor those days more closely.

Trails/Signage Mr. Korpela reported that 2 signs have been installed at the top of the private ski easement by the lift stating “Private Trail, FiveTrees Residents Only.” The hope is to deter non-residents from entering and also demark the trail for residents. The signage has not been run past the District attorneys for approval but the verbiage should be okay.

Sidewalk/Lights Mr. Korpela reported that the sidewalk budget has been adjusted down based on revised bid that have been received. The project has been deferred until 2010 due to weather and the permitting process with the City which can be time consuming. The installed solar lights seem to be performing well with some minor exceptions. The Board continues to dislike the light at the post office and would prefer a replacement, maybe some sort of strip light.

Mr. Korpela reported that due to cost increase and maintenance issues, he is recommending to delete the proposed grass strip at the sidewalk and go with continuous curb to concrete. Dir. Aresty questioned the impact it would have on the aesthetics. Mr. Korpela replied that the sidewalk project would not have any impact on surrounding vegetation and if grass is used there will be additional expenditures to get appropriate looking turf and to keep it well maintained. Dir. Aresty asked if a landscape architect could provide a rendering or Options A & B for the Board to vote on. Pres. Connaroe added that the dark colored concrete will help mitigate the visual impact. Dir. Aresty stated that he would like to spend the time and money on an entry study which would include the larger area down to Maroon Creek Road. Dir. Gregg agreed and added that the proposed sidewalk project might look piece meal and would like to see the original road design.

Action Item

Mr. Korpela to provide sidewalk design options.

Aspen School District Negotiations Mr. Korpela provided an update on the open space swap negotiations with the School District. The District would like to swap the open spaces that are of no value with spaces that could be used to the District’s benefit, by The School Road intersection and behind Sievers. Dir. Connaroe suggested that the District propose the swap and call it good, share the costs and do not ask the School District to cover costs incurred by FiveTrees to date. Dir. Gregg agreed with this approach.

FiveTrees Lift Update Ms. Greathouse issued lift stickers and guest passes to those present. Dir. Gregg suggested Ms. Greathouse post notices in the District that homeowners may pick up their stickers at the office. Ms. Greathouse added that they will also be available at the FTHOA annual meeting on 12/14.

Action Item Ms. Greathouse to post notices regarding lift sticker availability.

Other Business A discussion ensued regarding Lot 5, Frisch. The Board agreed that action needs to be taken and the Lot has remained unfinished for too long. Dir. Gregg stated that there needs to be a balance between the City and the District.

Action Item Ms. Greathouse to contact Community Development to determine protocol for abandoned construction. Staff to provide course of action alternatives at next board meeting.

Set Future Meeting An email will be sent to the Board of Directors in early 2010 to set the next required meeting.

Motion to Adjourn Given there was no further business to discuss, Dir. Aresty moved to adjourn the meeting at 6:00pm. The motion was seconded by Dir. Gregg and was approved unanimously by voice vote.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referred meeting, and were approved by the Board of Directors of the FiveTrees Metropolitan District.

James Korpela, Manager
FiveTrees Metropolitan District

Seal:

Date of Approval