



5972 County Road 234 Durango, CO 81301
Phone: 970-259-3102 Fax: 970-259-9870

**NOTICE OF REGULAR MEETING OF THE EDGEMONT RANCH METROPOLITAN DISTRICT
BOARD OF DIRECTORS**

TO ALL QUALIFIED TAXPAYING ELECTORS OF EDGEMONT RANCH METROPOLITAN DISTRICT TO ALL OTHER PERSONS TO WHOM IT MAY BE OF CONCERN:

NOTICE IS HEREBY GIVEN the Regular Meeting of the Edgemont Ranch Metropolitan District Board of Directors will be held at **4:00 PM on Thursday, December 7, 2023 at 5972 CR 234, Durango, Colorado.**

The purpose of the meeting is to transact the items specified below and transact such other business as may properly come before the Board in accordance with the Bylaws of the District.

AGENDA ITEMS:

1. Approve ERMD Regular Board Meeting Minutes from October 19, 2023
2. ERMD Adopt and Approve 2024 Budget and Resolutions – Marilyn
3. ERMD Adopt and Approve 2023 Budget Amendment – Marilyn
4. Metro Board Meeting Dates – 2024 Calendar Year
5. Resolution of 5 Designated Posting Locations for ERMD Meeting Notices for 2024
6. Election of Metro Board Officers for 2024
7. Discuss the water rates for the Farmhouses – Ms. Owens
8. Staff Report
 - a) Consideration of snow plow rate increase
 - b) Consideration of Shaw Solar
 - c) Consideration of AT & T Tower Lease
9. Board adjourns into executive session for the purposes of personnel evaluation and compensation pursuant to Sec. 24-6-402 (4)(f), C.R.S.
10. Board re-convenes public meeting

Dated this 4th day of December, 2023

EDGEMONT RANCH METROPOLITAN DISTRICT
Steve Martin, President

5 Edgemont Ranch Metropolitan District Locations & La Plata County Clerk's Office

www.edgemontranch.com

ermd@edgemontranch.com

**Edgemont Ranch Metropolitan District
Meeting of the Board of Directors
Minutes**

The Regular meeting of the Board of Directors of the Edgemont Ranch Metropolitan District was called to order on Thursday, December 7, 2023 at 4:05 PM at 5972 CR 234, Durango, Colorado.

All Directors were in attendance: Steve Martin, Al Winzerling, Larry Mongelli, Richard Butler and Marlena deCarion. Staff members in attendance were: Robert Ludwig, Kurtis Martinez, Gilbert Martinez, James White, Kevin White, Marilyn Heide, Debbie Smith, and Annette Hutchins. Residents Tom Norton, Sarah Olsen, Mark Hardaway, Len Unis, Bill Deju, Tom O'Neil, Nancy Heim, Lucinda Carr, Mo Owens, Linda Riggie, and Mike Montgomery. John Shaw and Kyle Amstadter with Solar Shaw also attended.

Mr. Winzerling moved to approve the October 19, 2023 ERMD Regular Board Meeting Minutes, seconded by Mr. Mongelli, and was unanimously carried.

Marilyn reviewed the Metro District's 2024 Budget. Mr. Butler moved to approve the Resolution to Adopt the Budget for 2024 (#2023-12-7.1), seconded by Mr. Winzerling and was unanimously approved. (See attachment)

Mr. Butler moved to approve the Resolution to Appropriate Sums of Money for 2024 for the general fund, water fund, sewer fund and the debt service (#2023-12-7.2), seconded by Mr. Winzerling and was unanimously approved. (See attachment)

Mr. Butler moved to approve the Resolution to Set Mill Levies associated with the roads (#2023-12-7.3), seconded by Mr. Mongelli and was unanimously approved. (See attachment)

Mr. Butler moved to approve the Resolution for Supplemental Budget and Appropriation, was seconded by Mr. Winzerling and unanimously approved. (#2023-12-7.4). The budget has incurred additional expenses. The general fund expenses increased from \$344,342 to \$450,000 for the purpose of buying a loader for snow removal. Also, the Water Fund expenses increased from \$587,342 to \$627,000 for capital projects and engineering for the water line replacement.

Mr. Martin moved to combine the next 3 items as one item. Mr. Winzerling made a motion to approve the following items: the meeting dates for 2024. (The dates are: February 15, April 18, June 20, August 15, October 17, and December 12), and approved resolution #2023-12-7.5 of the five Designated Posting Locations for ERMD meeting notices, and meeting dates for 2024, and also moved to keep the same board officers for 2024, seconded by Mr. Mongelli and was unanimously approved. (Steve Martin – President, Larry Mongelli – VP, Richard Butler – Sec/Tres, Al Winzerling and Marlena deCarion – Directors)

Ms. Owens from the Farmhouse units explained she would like to see the base Metro rates reduced/adjusted to be fairer due to the units not being separately plumbed and metered. They were former apartments and the units had a different fixed rate than the other residences. She had a letter Mr. Martin wrote to the original Edgemont Ranch developer, Tom Villelli, in 2005 explaining the reasoning behind asking for a reduced rate. Mr. Martin offered to meet with Ms. Owens at another time to review the letter and her concerns.

There was discussion concerning an increase in the Metro's snow plowing rates. Various rate increase amounts had been carefully compared and analyzed to adequately cover the rising costs. Currently the snow plowing rate is \$6.00/month. Staff presented a review of snow removal expenses and recommended the board approve a \$3.00 rate increase to \$9/month. Mr. Kurtis Martinez explained the various reasons why raising the snow plowing rate was warranted. Metro had been renting a loader in the past several years to plow the growing number of roads

to be serviced now 12 miles of roads in the whole Edgemont development, a 30% increase over the past 7 years). The current rental rate for a loader is \$6500/month through the winter months. Metro had recently purchased a used loader and now has 2 loaders and 2 pick-up trucks for staff's snow plowing task. The cost of tire chains for these trucks and loaders had greatly increased, as well as the fuel costs and with consideration of the depreciated costs for the various vehicles the need to raise the rate to cover the rising costs was clear. Mr. Martin moved to raise the Metro snow plowing rate from \$6.00 to \$9.00 per month, seconded by Mr. Mongelli and was unanimously approved.

John Shaw, of Shaw Solar, presented his proposal to install solar arrays on the Edgemont Ranch Metro property. They have been in business for 18 years. There would be no upfront costs to ERMD. The proposal has been reviewed by staff and the Board since March 2023 and would require a 30 year Solar Service Agreement between ERMD and an entity created by Shaw Solar. They have a good relationship with LaPlata Electric in coordinating with the solar arrays. Under the agreement, Shaw would deliver solar powered electricity at a 14% discount to Metro's current LPEA rate for the first five years and then bump to a \$0.10/kWh rate based off the year 1 production with a 1.5% escalation for the remainder of the 30-year contract. This results in an expected \$545,724 (20%) savings over the 30-year agreement. Any time after the 5th year, the District may choose to purchase the system at fair market value to boost overall savings to \$1,820,787 (66%). Mr. Martin had concerns about the 30-year commitment – would it become obsolete? There is no risk to Metro for any future changes, while service agreement is in place Shaw solar will monitor the system and perform all maintenance. They had looked at various places in Edgemont to position the solar arrays and selected three sites: a place by the waste water plant, an area next to the water treatment facility and a spot near the booster station. Mr. Ludwig said one pond would stay and the other two would be filled in for the placement of the solar arrays. All arrays will be designed to integrate with battery additions in the future. Kurtis Martinez commented the wastewater plant was not ready at this point for a battery back-up. In order to receive LPEA approval prior to changes in their requirements, John Shaw asked for Metro's commitment by December 20th. (Ms. Heim, an attending resident, had used Shaw Solar for her personal residence and was very pleased with her solar installation service.) The Board agreed to take a decision prior to the 20th.

Mr. Martin updated his negotiation efforts of the proposed AT&T tower lease agreement to the Metro Board. There were no major changes in the lease. There was a slight reduction in the fee. The District will receive \$29K /year starting in January 2025. This is a 5-year term. Metro can preserve each party's rights to get out of the lease. Mr. Mongelli moved to approve the updated AT&T tower lease agreement, seconded by Mr. Butler and was unanimously approved

Ms. Riggie of Hidden Treasure asked about the schedule for replacing the water lines in Hidden Treasure. Mr. Ludwig reported Metro will bid the project out to contractors in February, according to good bid cycles. It will take about a month to do. Metro will continue to flush the water lines until the replacement takes place.

Mr. Martin introduced Metro's newly hired employees, Kevin White, Gilbert Martinez, and James White, to the meeting's attendees. He welcomed them to the Metro District.

Mr. Martin moved to adjourn the meeting, seconded by Mr. Winzerling at 5:10 PM.

The Board then adjourned into executive session for the purposes of personnel evaluation and compensation, the Solar project, and a discussion of the rental rate of the Metro office to the EPOA pursuant to Sec, 24-6-402 (4)(f), C.R.S..

The Board re-convened the public meeting. After reconvening the public meeting, the Board unanimously approved the report of the Compensation Committee which will govern the balance of 2023 and the commencement of 2024, the Solar project and the adjustment of rental rate for the EPOA. Thereafter the meeting was adjourned.

Respectfully submitted,
Annette Hutchins,
Administrative Assistant



5972 County Road 234
Durango, CO 81301
Phone: 970-259-3102

RESOLUTION TO ADOPT BUDGET

(Pursuant to 29-1-108 C.R.S.)

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE EDGEMONT RANCH METROPOLITAN DISTRICT, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2024 AND ENDING ON THE LAST DAY OF DECEMBER, 2024.

WHEREAS, the Board of Directors has appointed Marilyn Heide to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, Marilyn Heide has submitted a proposed budget to this governing body on October 12, 2023, for its consideration, and;

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on October 19, 2023, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget, and;

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues or planned to be expended from reserves/fund balances so that the budget remains in balance, as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS of the EDGEMONT RANCH METRO DISTRICT, Colorado:

Section 1. That the budget as submitted, amended, and summarized by fund, hereby is approved and adopted as the budget of the Edgemont Ranch Metro District for the year stated above, with the exception of tax revenue, which the Controller has authority to adjust based on the final assessment values to be received from the County January 3, 2024.

ADOPTED, this 7th day of December, A.D., 2023

Attest: *[Signature]* Pres.
(Official's signature and title)

[Signature] Treasurer
(Official's signature and title) *[Signature]*



5972 County Road 234
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RESOLUTION TO APPROPRIATE SUMS OF MONEY

A RESOLUTION APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNT AND FOR THE PURPOSE AS SET FORTH BELOW, FOR THE EDGEMONT RANCH METROPOLITAN DISTRICT, LA PLATA COUNTY, COLORADO, FOR THE 2024 BUDGET YEAR.

WHEREAS, the Board of Directors has adopted the annual budget in accordance with the Local Government Budget Law, on December 7, 2023 and;

WHEREAS, the Board of Directors has made provision therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget, and;

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, thereby establishing a limitation on expenditures for the operations of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE EDGEMONT RANCH METROPOLITAN DISTRICT, COLORADO:

That the following sums are hereby appropriated from the revenue of each fund, to each fund, for purposes stated:

General Fund		
Total General Fund		\$ <u>361,438</u>
Water Fund		
Total Water Fund		\$ <u>960,000</u>
Sewer Fund		
Total Sewer Fund		\$ <u>1,018,471</u>
Debt Service		
Total Debt Service Fund		\$ <u>26,381</u>

ADOPTED, this 7th day of December, 2023

Attest: By: *P. Stephen Martin* *PRES.*
Title: _____

By: *[Signature]*
Title: Secretary



METROPOLITAN DISTRICT
Phone: 970-259-3102

5972 County Road 234
Durango, CO 81301

RESOLUTION TO SET MILL LEVIES

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2022, TO HELP DEFRAID THE COSTS OF GOVERNMENT FOR THE EDGEMONT RANCH METROPOLITAN DISTRICT, COLORADO, FOR THE 2024 BUDGET YEAR.

WHEREAS, the Board of Directors of the Edgemont Ranch Metropolitan District, has adopted the annual budget in accordance with the Local Government Budget Law, on December 7, 2023; and

WHEREAS, the amount of money necessary to balance the budget for general operating purposes from property tax revenue is \$356,538; and

WHEREAS, the amount of money necessary to balance the budget for bonds and interest is \$26,217; and

WHEREAS, the 2023 valuation for assessment for the Edgemont Ranch Metropolitan District as certified by the County Assessor is \$45,280,440.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE EDGEMONT RANCH METROPOLITAN DISTRICT, COLORADO:

That for the purpose of meeting all general operating expenses of the Edgemont Ranch Metropolitan District during the 2024 budget year, there is hereby levied a tax of 7.874 mills upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2023.

That for the purpose of meeting all bonds and interest of the Edgemont Ranch Metropolitan District during the 2024 budget year, there is hereby levied a tax of 0.579 mills upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2023.

As a result of recent legislation, the assessments for 2023 will be adjusted by January 3, 2024 that will affect this mill levy. The Controller is hereby authorized and directed to adjust property tax revenue and certify to the County Commissioners of La Plata County, Colorado, the mill levies based on the final evaluation for the Edgemont Ranch Metropolitan District as hereinabove determined and set.

ADOPTED this day of December 7, A.D. 2023.

Attest: By: *[Signature]*
Title: Pres.

By: *[Signature]*
Title: Secretary



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METROPOLITAN DISTRICT

**RESOLUTION FOR SUPPLEMENTAL BUDGET and
APPROPRIATION**

(Pursuant to Section 29-1-109, C.R.S.)

RES. #2023-12-7.4

A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAID EXPENSES IN EXCESS AMOUNTS BUDGETED FOR THE EDGEMONT RANCH METRO DISTRICT, LA PLATA COUNTY, COLORADO.

WHEREAS, the General Fund and Water Fund have incurred unforeseen additional expenses;


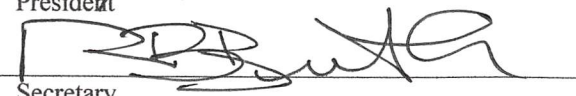
AND WHEREAS, there are sufficient funds in the General Fund and Water Fund;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE EDGEMONT RANCH METRO DISTRICT, COLORADO:

Section 1. That the 2023 appropriation for the General Fund is hereby increased from \$344,207 to \$450,000 for the purpose of buying a loader for snow removal;

Section 2. That the 2023 appropriation for the Water Fund is hereby increased from \$587,342 to \$627,000 for the purpose of capital projects and engineering for water line replacement;

ADOPTED this 7th day of December, 2023.

Attest: 
President

Secretary

RESOLUTION NO. 2024-12-7.5

A RESOLUTION OF THE EDGEMONT RANCH METROPOLITAN DISTRICT ESTABLISHING A TIME AND PLACE FOR REGULAR MEETINGS AND DESIGNATING PLACES FOR THE POSTING OF NOTICES OF REGULAR AND SPECIAL MEETINGS.

WHEREAS, the Edgemont Ranch Metropolitan District is required by C.R.S. 32-1-904 to designate a time and place for regular meetings and to post notice of all regular and special meetings in at least three public places within the limits of the District; and

WHEREAS, the District is also required by Colorado Sunshine Law, C.R.S. 24-6-402 (2)(c) to designate annually at its first regular meeting of each calendar year the public places for posting of notice to the public of all meetings.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE EDGEMONT RANCH METROPOLITAN DISTRICT:

1. That the Board of Directors of the Edgemont Ranch Metropolitan District shall hold regular meetings in 2024 on February 15, April 18, June 20, August 15, October 17 and December 12 at 4:00 o'clock p.m. at 5972 County Road 234, Durango, CO 81301. Special meetings of the Board of Directors shall be called in accordance with the provisions of the Special District Act and shall be held at such times and such places as are designated in the notice of the special meeting. Board meeting may also be held electronically via Zoom.
2. Notice of all regular and special meetings shall be posted at the following five places within the limits of the District:
 1. ERMD Office – 5972 C.R. 234
 2. Edgemont Highlands – The Lodge Mailboxes – 40 Red Canyon Trail
 3. Edgemont Highlands – Mailboxes – 63 Highlands Boulevard
 4. Edgemont Ranch – Mailboxes – Silver Queen Entrance
 5. Edgemont Meadows – Mailboxes – Meadows Main Entrance
3. A copy of the notice of time and place designated for all regular meetings shall be posted in the locations specified above and shall also be posted in the office of the County Clerk and Recorder of La Plata County, Colorado.

ADOPTED this 7th day of December, 2023.

EDGEMONT RANCH METROPOLITAN DISTRICT

ATTEST:



Secretary

By



President