

DURANGO WEST METROPOLITAN DISTRICT #2  
MINUTES FOR THE REGULAR MEETING  
October 16, 2024

- I. Call to Order  
President Carly Thomson called the meeting to order at 5:01 p.m. Other Board Members present were Directors Corey Beough, Beverly Lawrence, Derek Ryter and Stephen Wells. Also present: Jane Looney, District Manager; Stacie Tucker, District Accountant; and Dave Marsa, Water and Wastewater Operator. Eight residents signed in as attending.
- II. The minutes of the September 9, 2024 Regular Meeting were presented for approval. Beverly moved to approve minutes from the last meeting. Stephen seconded the motion. Motion passed.
- III. Public Comments – one resident addressed concern over curb height at her residence and recent rains. The board listened to residents’ comments regarding the 2024-02 Open Burn resolution passed in August. All but a few who spoke were opposed to the resolution. Some spoke of allowing more exceptions such as for gas fireplaces with no embers. Others commented on impact on property values, other situations more likely to cause fires, and suggesting we follow La Plata County fire protocols. Many expressed that homeowners need to be responsible and take precautions and that written guidelines would be beneficial.
- IV. Administration
  - A. Financials
    1. Jane presented the accounts receivable list for September 2024.
    2. Accounts payable were presented for approval. Beverly moved to approve the accounts payable. Stephen seconded. Motion was approved.
    3. Financials – Financial statements ending September 30, 2024 were presented.
  - B. Water & Wastewater Operations
    1. Water Operations Report – the water tank was inspected by a robot (instead of diver) for our five-year state mandated inspection. Dave completed the Lead and Copper survey.
    2. Wastewater Operations Report – Dave is waiting on parts for the temperature probes.
  - C. Roads and Open Space
    1. Road Update – Leeder filled potholes and indentations on Wedgewood Circle so don’t have to do next year. Still waiting on the hydrovacung of the culverts on Cedar and upper Aspen Drive; however, they did clean out the drainage into and out of the culverts. Street cleaning is scheduled for week of November 4<sup>th</sup>.
    2. Open Space Update – Jane investigated resident’s concern about a fence being on district property and request that a trail be marked between 476 and 498 Oak Drive. The district had looked at doing this a few years ago but our

maintenance contractor left. Jane is getting a quote from Punchlist for the trail and will get an estimate for surveying the greenbelt property.

V. Business

1. Review Open Burn Resolution 2024-02 – the board listened to further comments and discussed issues brought up during public comment. One board member countered some residents’ suggestion that we follow county provisions, saying DW2 is not the county – we have homes that are right next to each other, not 35 acre parcels. The board thought that perhaps the current resolution was too restrictive and that going back to the 2020-06 resolution would work for now, with the goal to rewrite this resolution that would include broader definitions and guidelines. Jane will contact the Fire Marshal for assistance. Beverly motioned to repeal Resolution 2024-02 and that Resolution 2020-06 should remain in effect. Derek seconded. Motion carried. The district will notify residents via the newsletter and website.
2. 2025 Budget Public Hearing – the board reviewed the budget. No residents spoke regarding the budget.
3. Durango Fire & Rescue (DFR) Fire Mitigation Proposal – DFR would like to use grant funding in 2025 to do mitigation on Flo Gaia’s land which is adjacent to DW2 in the gully and behind many homes. DW2 would match 30% estimated at \$15,000. Benefits to district are grant monies are secured, administered and work done by DFR and critical wildfire mitigation next to the subdivision gets accomplished. The board discussed adding this to the 2025 budget. The board wants to ask FireSmart which is more critical if can only do one project. Beverly made a motion that if both projects are priorities, then willing to increase the deficit and add the \$15,000 to the General Fund’s mitigation budget. Stephen seconded. Motion passed with one board member voting against. Jane will ask DFR if they can get more grant monies to help fill the 30% match.
4. ROW Issue – a resident on upper Aspen Drive built a boulder retaining wall well within the ROW on a corner that has our main water and sewer lines as well as major snow storage location. The resident’s response to our request to move the boulder wall is in the packet along with a memo with more details including Dave and Bud’s assessment. Leeder’s assessment: the rock landscaping at the corner of Spruce and Aspen poses several concerns relative to snow plowing and maintenance of water and sewer lines, if needed. The board decided that this instance goes far beyond other landscaping issues in the neighborhood and so need to address it by having our attorney craft a demand letter that the resident move the boulder wall. During construction of the wall, Derek said he did inform them in person that they were constructing it within the 10-15 foot ROW.
5. Review Drainage Memo – the board had requested our attorney draft this memo updating his 2017 letter stating the district’s position on the drainage issue. The letter was sent to the previous resident at this Hunter Court address. The board discussed the memo and district jurisdiction. The board decided to have our attorney draft a letter to the current resident based on his memo.

6. LPEA and Spectrum Updates – Spectrum submitted its excavation permit for a major upgrade project. LPEA has begun Phase 2. Jane and Dave walked the area with them and Circle Z. LPEA proposed moving a portion of the line into our pond greenbelt property to avoid conflicts with the existing utility ROW being encroached on by residents as well as some tree/shrub issues. The board instructed Jane to tell LPEA/Circle Z to stay within the existing easement.
  7. Other District Correspondence – chickens and roosters; thank you for such a quick response to the asphalt repairs on Wedgewood Circle; miss PSA in newsletter and asked who made the decision to delete it; thank you for manager’s hard work and leadership; suspect an encroachment of 498 Oak Drive fence and request to level out /put trail there; is there a district easement for trail at 747 Oak Drive which is for sale; locate markings question.
  8. Newsletter Items – Resolution 2024-02 repealed but Resolution 2020-06 still in effect; what not put down toilets; we don’t have rules about chickens and roosters but refer to LPC’s noise ordinance in the county and that they do bring in predators to the neighborhood
- IV. Adjournment – Beverly motioned to adjourn meeting. Stephen seconded. The meeting was adjourned at 7:21 p.m.

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Jane Looney, District Manager / Secretary