

Meeting Minutes - Approved

Call to order by Mark Pearson

A meeting of DHRID Advisory Committee was held at La Plata Fairgrounds on 9/21/22.

Attendees

Committee members present: Mark Pearson, Tom Hill, Alan Shupe, Matthew Jacobson (Matt II), Matthew Juntunen (Matt I), Dan Featheringill, & Nicole Baillis.

Visitors included Genie Shupe, Estelle & Bob Keonig, Kyle Gregory, Casey Smith, Mary & Steve Rogers, Charles Berglund, and Alison Layman from La Plata County.

Alison Layman is the County Coordinator for Wildfire & Watershed Mitigation/Protection Fund (970-382-6291 970-749-2703 Alison.Layman@co.laplata.co.us)

I refer to Matthew Juntunen as Matt I, and to Matthew Jacobson as Matt. Apologies if I put any words in the wrong mouth - Genie Shupe

Approval of minutes

Minutes of May 10 meeting were reviewed. One correction was suggested for pages 2 where a statement about a potential egress through Baby Bear was attributed was attributed to Matt I but should have read "Matt II" (Matt Jacobson). A motion was made and seconded to approve the minutes, and they were approved by voice vote

Review Durango Hills Plat and County Resolutions re: establishing the Road District

Mark reviewed the original plat gave a brief history of how the roads built by the developer were not to county specs and were essentially private roads. The county commissioners in 1972 approved the development plat for Durango Hills, including a notation that the roads were dedicated to public use forever. However, the commissioners did not require creation of any mechanism for perpetual maintenance of the roads, such as a homeowners association. As the lots sold and houses were built, there was no one designated to remove snow or maintain the roads. For the first 14 years or so, some residents voluntarily paid for snow removal and maintenance. Several community members organized to find a way to have all owners share the costs, in a manner that was fair to all. In 1990, a majority of residents within the district petitioned the county commissioners to use their authority to create a general improvement district. The Durango Hills Road Improvement District was established by the La Plata County Commission in 1990 by resolution. The county acknowledged the roads within the District were public roads, and created a dedicated taxing district.

Resolution 1990-33 established the boundaries of the district and its status as a General Improvement District, which would be a taxing district. The Commissioners are the official Board of the District.

The county levies and collects property taxes, handles accounting, contracts for road maintenance and pays invoices. The resolution created a 7-member advisory committee of residents within the district to provide recommendations on the District budget, awarding of the road maintenance contract, and oversee the road contractor's snow removal and maintenance operations.

Several additional resolutions were enacted to clarify and further define aspects of the District:

Resolution 1992-45 recognized that the roads were and had been public roads, instead of private roads, and declared the roads as dedicated to public use within the boundaries of the DHRID. It also recognized that the improvement and maintenance of these roads would continue to be the responsibility of DHRID.

Resolution 1997-21 further defined the specific priority roads that were to be improved and maintained by DHRID.

Resolution 1998-22 authorized the creation of the Durango Hills Road Improvement Advisory Committee, defined the number of members (9) and formalized the structure of the committee and meeting requirements, etc.

Resolution 2012-11 decreased the number of committee members to 7, to lower the number of members needed for a quorum.

There was general discussion among the group after Mark reviewed the resolutions and brief history. Matt II asked for clarification of how the taxing district works. Mark explained that there is a mill levy on the assessed valuation of the properties, and that an election would be required to change the mill levy.

Alan told about the original petition and hearing, how the designated 5 roads were selected, and that this was based on the estimated snow removal costs. The first budget was \$21,000, and the mill levy was set by the county, to collect that amount based on the current assessed valuations in the district.

Casey Smith asked if the original mill levy was calculated using any mathematical or scientific basis. He also asked if the committee knew what the district revenue is, and Mark explained that there is an agenda item coming up to review the budget.

Tom said that the committee has the responsibility to ask the county (with committee approval) to increase funds if appropriate.

Recap of Summer Maintenance

Mark said that Kurt Waldo was asked to attend the meeting at 5:30. Nicole asked to go over some feedback she has collected from committee members right after the spring maintenance was completed.

Feedback from DHRID Members on Summer 2022 Road Maintenance

- Glad to see went back over trouble spots with blade and roller before adding mag chloride.
- Great to have the roadwork done before monsoon season started.

- Straightening the ditch out in front of Pfeiffer's house (539 Nusbaum) was worked on, but more it seems more straightening could have been done. Gained some width.
- S-turn above Stagecoach where it meets Silver Mesa wasn't really cleared of the wash boarding in front of bus house (1347 Silver Mesa). Section was already in bad condition, got rougher as summer went on.
- Doesn't appear there was ditch work completed going downhill from the Edgemont emergency access road. Discussed at drive-around. Drainage eroded more this summer. Why was this not done?
- Was drainage throughout the district worked on? Lots of water ran down the road during rainstorms and seems to make wash boarding come back quickly.
- Washboards came back on multiple places throughout the district within 2 weeks of being worked on.
- Rocks underneath gravel still showing. Doesn't seem there was enough material added in some places.
- Road material dropped on Sagebrush wasn't put where agreed during the drive around and problem areas weren't addressed.
- What else can be done about the steep curves and the constant wash boarding they have? Can these sections be paved? Any solutions?
- How is it determined that the agreed upon road work is completed? Does anyone from the DHRID sign off or review the work?

Charles Berglund commented that Silver Mesa above Stagecoach has had some near head-on crashes from people driving on the wrong side to avoid washboards.

Kurt arrived at 5:30 to answer questions and comments. Casey asked question about the slope, compaction rate of material, verification of type/size of gravel used. Kurt replied that he relied on his years of experience in the business and commented that the budget did not allow for enough gravel to do the best job on the roads. Casey asked would Kurt do these measurements if we had enough gravel, and Kurt agreed that he would.

Kurt confirmed that the culvert nearest the Edgemont emergency egress is plugged.

Casey talked about the direction of a ditch controls the direction of drainage, and that the speed is controlled by the riprap in the ditch. He asked if "worm tubes" could be used, and said he had seen some stacked in a parking area somewhere.

Kurt said that the budget does not allow for putting a crown everywhere; the steep slope, rocky terrain and excessive vehicle speed are two main problems with gravel staying in place. He recommends that the proper way to drive is to put the vehicle in 4WD all the way up. The district has some grades as much as 16%, compared with Wolf Creek Pass at 7%.

Casey stated that technology has changed - much research has been done, and there are binding agents available. Kurt told about some experiments he has been involved in where different agents have been used, but no real long-term success except where the substrate was close to perfect.

Kurt related a story about being asked by a district resident "was he going to do a good job on the roads this year?", and that he tries to always do the best he can do with what he has to work with.

There was some general discussion about whether the road maintenance process was being audited. Charlie asked whether the district could get someone to fix ditches "on demand." Dan said that he has been told that property owners are responsible for maintenance of their own ditches and

driveway culverts. Kurt said that many property owners in the district do not take care of their culverts, and that some are sub-standard.

Mark said that 2023 is the last year of the 3-year contract, and the district could include in the next RFP for the contractor to respond to ditch issues. Kurt said that in the past when there have been major washouts due to heavy monsoons, he has come up to get those areas cleared and reopen ditches, etc.

Tom said that with many new owners, some may not realize they need to address ditch and culvert issues. Perhaps a post on the FaceBook Durango Hills group page might be helpful. Nicole stated that there is only so much the committee can do to communicate with both neighbors and the county commissioners. Casey asked if there is a law regarding ditch maintenance, etc.

Kurt and Alan shared info about comparisons between our budget and the county's budget per mile of roads. The district budget (not including snow removal) is about \$14,000 per mile. Alan remembered that the county spends somewhere north of \$100,000 per mile to maintain the county's gravel roads.

Kurt said that the bottom line for him is that he appreciates the trust that the district and residents place in him to take care of the roads.

Fall Maintenance

Kurt's work order was provided to the committee prior to the meeting. Mark explained that it includes grading, rolling and mag chloride only, no new materials are budgeted for. The work order is in the amount of \$7,881.99 for Waldo's machinery and labor, plus \$3,659.30 to GMCO for mag chloride and application, for a total of \$11,541.29.

Alan moved to approve, Dan seconded, and voting was unanimous to accept the work order

Visitor comments

Alison Layman was reintroduced. She explained her functions with the county, and reported on the grants that were discussed at the May meeting that she had agreed to look into for the district. She was able to find some information on the website for the Colorado Federal Land Access Program. Because the district includes a NF Access Road (Stagecoach/Upper Silver Mesa) we could apply. There is a grant coming up in 2024. The feds handle the design and construction work; the district board (county commissioners/DHRID) would be the project manager. It would only cover funds for the access road.

Kurt said that the best things that could be done for the road system would include fixing the ditches and elevating the road surface so they could make a crown. Alan asked if the county would write the grant and be the project manager. Someone asked about chip-sealing the road. Kurt said that it works well on flat surfaces when the road can be well-prepared. One drawback is that it can actually peel up unless a rubber edge is used on the snow removal blades; with a rubber blade, the snow can't be properly removed and can result in a surface like a luge course.

Mark said he would talk to a Mark Lambert at the FS, and also find out about the new District Ranger; they would know more about this grant.

Alison also walked and looked at the potential emergency access road between Durango Road and Baby Bear. She said there is some agreement in place for fire mitigation up there. Tom stated that requirements for official emergency access roads are pretty strict. Mark said maybe some of those requirements could be waived. Alison talked to the owner of both parcels, and thought they seemed okay with the concept of using the road for this purpose - but someone else would need to pay for the costs. Also they were concerned that people might think it was ok to use it for other purposes, which would not be OK. Matt II said that this owner has, in the past, had people mistaking his road for the Forest Service access, so he put up a sign at the Sandalwood/Durango Road intersection "No FS Access" and he put some no trespassing signs on his property. The road is pretty overgrown right now, so not really easily accessible. The owner is named Robert.

Nicole asked if all the ditches could be done as part of spring maintenance. Kurt said that to do 1 mile with 6" of gravel in the middle of the road, which ends up being 4" sloping to 2" on the edges would help the lower half right away, and then the ongoing maintenance would be less after that. Nicole asked whether if the additional proposal for Lower Nussbaum had been accepted in the spring of 2022, how long would he expect it to last. Kurt said that maybe 3 years or so, depends on conditions, before you have to start up maintenance again. Regarding the ditch by the Edgemont egress, it would require a vac truck to remove the blockage.

Review 2023 Budget

Mark stated that the revenue is approx. \$91,000. Snow removal budget is \$20,700 for 5 months of having the grader in the district. An additional \$5000 is budgeted for snow contingency for an extra heavy snow event(s). That leaves about \$65,000 for spring maintenance. The reserve fund is \$175,000, which represents approximately 2 years of the budget. This is for things like a major repair to roads, such as the rain event a few years ago when some large washouts occurred.

Charlie asked if it is possible to renegotiate the hours. Mark explained that we did that a few years ago, and reduced the cost by shortening the duration of the snow portion of the contract to 5 months from the previous duration of 6 months.

Alan suggested that if we require the grader be used to push back the snow several times during snow season, it would help keep the roads in better shape and use up some of the extra hours of snowplow time.

Nicole asked how roads could be added to the snow contract. Mark said we could add roads in the RFP when it comes up for renewal.

Tom moved to approve the budget, Nicole seconded, and the vote was unanimous to approve.

Old Business

Matt I showed the latest sign design from Terry Spriggs. The cost will be \$700, including heavy duty paint and no Plexiglas protector. Tom requested the speed limit should be 20 instead of 25, and the committee approved the final version. Matt I said he would be helping Terry to install the sign.

Tom reported regarding the other small informational signs that had been discussed at the last meeting, to be placed in strategic locations. He spoke with Jim Davis, who thought these types of signs would be reasonable to put up. The cost for the several signs would range, depending on

quality, from \$500-\$1000-\$1200. Nicole noted that the details were discussed at the last meeting. Matt I said that in some areas, the growth of oak brush was part of the problem. Matt II liked the signs and said they would provide more of a community feeling in the area.

Tom will rework the proposal before the February meeting, so maybe they could be ordered in time to install them in the spring. Mark said that for this year there is no money in the budget for those signs.

Traffic counts - Tom wondered about the 102 trips per day to the FS parking area being correct. He contacted Jim Davis to check if maybe an error was made. Jim reported back that there had been an input area, and the number should have been 58 per day. Tom submitted a chart with the corrected traffic counts recorded in 2021.

New Business

Resource Allocation - Durango Road residents have asked to have Durango Road added to the roads that are serviced. Tom reviewed a spreadsheet titled Durango Hills District Information he had prepared, and that was provided to the committee members prior to the meeting. The chart listed, by road, the total houses and property tax revenue for the years 1990, 1997, and 2022.

Tom also reviewed another spreadsheet titled DHRID Allocation of Resources, which was also provided to committee members prior to the meeting. This compared Sagebrush Trail to Durango Road (including Sandalwood, Midway Dr, and Spur Dr) in the categories of number of percentage of traffic per 2021 counts, number of lots, number of houses, taxes paid, and various DHRID services provided.

Tom questioned whether Durango Road should be considered a primary, rather than a secondary road, because there are more people and more tax revenue is collected from those properties.

Public Questions/Comments

Matt II questioned whether traffic counts for Sagebrush were accurate, because counters were only placed at one end of Sagebrush.

Tom stated that things have changed since the early days of the district. He presented a motion:

"Effective immediately, the DHRID Advisory Committee shall hold regular meetings to develop a comprehensive plan to address the needs and revenue necessary for the fair and equitable allocation of road maintenance and snowplowing within the district, including both primary and secondary roads, to be submitted to the Board of County Commissioners by Spring, 2023."

Bob Keonig stated that all properties are assessed at the same mill levy.

Tom is in favor of reallocating services (maintenance) to serve the whole mountain.

Alan reviewed the original premise of how the roads were designated to be serviced - that they served as egress for all residents.

Mark said that the motion amounts to a study committee to look at options. Nicole stated that Tom has done a case study, as a starting point, and that the big issue was the state of the road and the

lack of funds. She asked the questions - should we address the issue? If so, when and how? Nicole agrees that it would be a good idea to look at it, and that talking would cause no harm.

Bob K, speaking about Novai Way, said that those owners understood the circumstances when they bought, and have lived with it.

Charlie asked about why the district started plowing upper Silver Mesa. Mark explained that it is per the old Forest Service agreement, and that it does not take too long and allows the plow to turn around, and costs nothing additional since we have a fixed price contract.

Tom believes the 1990 resolution did not specify which roads were to be maintained, and that the distinction wasn't made until 1997. Tom said that if there is a way to improve district services, maybe it should be looked at.

Bob said that the Novai Way residents would not be in favor of adding their road to be included in the serviced list, and that it would be a problem to plow that road with a grader.

Tom reread the motion. Matt II said he would second the motion.

Mark said he would perhaps approve different wording to study the issue. Matt I would not support it if it meant taking funding from one area such as Sagebrush. Tom said that was not his intention.

Nicole said she would like the idea of a study group, regular conversations about topics to effect changes, maybe some interim meetings for a plan. Tom suggest people should bring ideas. Nicole said that the language of the motion may be "swimming upstream."

Mark proposed a meeting before the end of the year to discuss these topics. Nicole would like to get a date set for such a meeting.

Alan said that at the hearing before the 1990 resolution that there was a map of the district with the roads that were to be serviced.

Nicole wanted to analyze and try to come to a resolution, and would need better reasons for and against to be able to reach a conclusion.

Tom decided to withdraw his resolution, and Matt II withdrew his second. Tom proposes a new motion: that the committee agrees to hold a special meeting to begin to discuss issues around allocation of resources. The agreed upon date is 10/19/22. Tom and Nicole will collaborate on a plan of discussion

Adjournment

Mark moved to adjourn the meeting. Alan seconded. Voice approval.