

**MORRISON CREEK METROPOLITAN WATER & SANITATION
DISTRICT**

24490 Uncompahgre Road, Oak Creek Colorado 80467

Phone (970) 736-8250 FAX (970) 736-0177

Email: Info@mcwater.org

RECORD OF PROCEEDINGS

The Board of Directors of the Morrison Creek Metropolitan Water and Sanitation District met on Thursday, August 17, 2006 at the offices of Sharp, Steinke and Sherman, LLC located in Steamboat Springs at 401 Lincoln Avenue, Steamboat Springs, Colorado for their regularly scheduled meeting.

Present: Ken DePaul, President
Ken Burgess, Treasurer
Donald Alperti, Vice President
Tony Borean, Director

Also: Steve Colby, Manager
Suzie Hawkins, Recording Secretary
Tom Sharp, Council
Michael R. Rothberg, RTW, Inc.
John H. Faulkner, RTW, Inc.

Ken DePaul called the meeting to order at 3:44 p.m.

Meeting Minutes

Motion: by Donald Alperti to approve the July 20, 2006 meeting minutes as presented. Tony Borean 2nd. All in favor.

Manager's Report

-Well #10 is progressing as planned. Presently waiting for an easement from the Wittemyer's in order to obtain the building permit. The easement has been provided to Wittemyer. Wittemyer has asked we not plow the access road unless there is an emergency because it crosses an old ski run.

-Mr. Colby received a letter from Joe and Pat Abel regarding their \$428 bill, asking the board to make a concession as they had a leak. Tom Sharp commented that generally speaking, utility companies do not get in the business of forgiving debts and usually set up a separate entity or fund, useable by people who find themselves in circumstances needing relief. The separate entity decides if the case warrants special assistance or not, instead of the board. Steve Colby will write a letter to the Abel's explaining the Board is not in a position to exceptions on a case by case basis.

-We have received a letter from Jim Heckbert who owns 160 acres behind Blackhorse II. He is building a horse barn and eventually a house on the property and is asking for special consideration on the tap fees for the horse barn and shed. The way the manager interprets the rule the barn would fall into the point system for the tap fee. The Board declined to consider a special category for a horse barn.

-Mr. Colby received a quote on the SCADA system from Browns Hill Engineering. The costs came in, with installation, at \$77,000 and without installations at \$58,000 for a complete system at all locations. The manager recommended getting more information and obtaining bids.

The board directed Mr. Colby to move forward and get more information with the new engineering consultants.

-The Stagecoach Reservoir increase is moving forward. A public meeting was held last week. The manager will write a letter to the UYWCD that we feel that identifying and mitigating any impacts to the outfall line from the plant should be the responsibility of Upper Yampa Water Conservancy District.

-Mr. Colby informed the Board of the water consumption of the Coyote Run playground which has been running in the order of 2 to 3 thousand gallons per day.

-Mr. Colby leaves for vacation on Saturday for two weeks.

Financial Report

Motion: by Donald Alperti to ratify checks #9723-9764. Tony Borean 2nd. All in favor.

Motion: by Donald Alperti to approve the financials as presented. Tony Borean 2nd. All in favor.

Attorney's Report

-Mr. Sharp has researched the easements to our water tank and water line and access road on the Heckbert property. We are OK on the tank and access road but may need an easement on the water line. We have a prescriptive easement but should try to finalize it in the future.

-Mr. Sharp updated the Board on a well controversy between two lot owners. A lot owner with a Lot Agreement filed on one lot, drilled his well on the adjacent lot he owned. He subsequently sold the adjacent lot and now a dispute over the use of the well has erupted. Mr. Sharp has advised that the dispute is between the two lot owners and the District should not get involved. It raises questions about the Districts involvement in the wells which should be discussed as part of the whole vault and well program.

President's Report

-Nothing to report.

Old Business

-RTW representatives Mike Rothberg and John Faulkner were present to discuss the proposed contract and recent changes in their Ft Collins office. Mr. Rothberg assured the Board that the District would receive the same level of service. The contract will contain provision that if the District wishes to terminate at any time because RTW personnel have changed or we are unhappy for any reason we can. Tom Sharp has reviewed the contract and suggested several changes which RTW will include. The Board directed the contract to be executed when Mr. Sharp and Mr. Colby are comfortable with its form.

-District LIDAR policy and Mr. Song's offer for reimbursement to the District for use of the LIDAR information he has was discussed. Mr. Song and TSR have suggested a \$1500 consideration to the District for 660 acres of information on Woodchuck Hill.

Motion: by Ken Burgess to accept the \$1500 offer from Song for the data.

Motion: by Ken Burgess to license The TSR Group to provide LIDAR information to others under the same policy as previously adopted with D&D. D&D will continue to be available to provide the information Donald Alperti 2nd. All in favor.

- Mr. Burgess updated the Board on his efforts on CR16.
- Mr. Burgess requested Board authorization to begin discussions with the county on the vault agreement. The Board authorized Mr. Burgess to proceed with Counsel Sharp's involvement.

New Business

-Mr. Colby informed the Board that Heather Reidy, SPOA Administrator and SouthShore resident, had contacted him concerning a SouthShore master plan which she indicated the SPOA board had earmarked funds for. Mr. Colby explained that he felt the SouthShore area was somewhat different than Morningside because the District has a plan for water & sewer for SouthShore that was prepared by NHPQ 35 years ago. In addition Mr. Song's plans for the Winchester area may affect planning on the area. Mr. Colby suggested getting RTW involved with master planning for the area.

Motion: by Ken Burgess to have Steve Colby write a letter to SPOA noting the water district would like to update and reaffirm the South-Shore master plan using the funds left over from the Morningside master plan. Tony Borean 2nd.

-HRS has submitted a 3 phase proposal to investigate well sites for a sum not to exceed \$14,650. Part of the proposal will determine if the Districts LIDAR information will be helpful in this analysis. HRS will work with TSR on this phase.

Motion: by Ken Burgess to approve spending up to \$14,650 with HRS to complete the report. Tony Borean 2nd. All in favor.

Motion: by Tony Borean to adjourn at 5:55 p.m. Ken Burgess 2nd. All in favor.