

MORRISON CREEK METROPOLITAN WATER & SANITATION DISTRICT
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RECORD OF PROCEEDINGS

The Board of Directors of the Morrison Creek Metropolitan Water and Sanitation District met on Thursday, June 18, 2009 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: Donald Alperti, President
Ken Burgess, Treasurer
Jack Fahres, Director
Ken DePaul, Vice-President

Also: Steve Colby, District Manager
Suzie Hawkins, Recording Secretary
Tom Sharp, Council

Donald Alperti called the meeting to order at 3:31 p.m.

Meeting Minutes

Motion: by Ken DePaul to approve the May 21, 2009 minutes as presented. Ken Burgess 2nd. All in favor.

Financial Report

-Funds need to be transferred from the operating account to an account that bears a better rate of return. The manager suggested looking into CD's as an alternative to the Colotrust accounts as we may get a substantially better return.

Motion: by Ken DePaul to approve checks #10937 & #11,278-#11,315 and the May statements as presented. Jack Fahres 2nd. All in favor.

Manager's Report

-Senate Bill 09-87 is now law. The requirements of the Bill are as follows:

Annual Disclosure:

Effective September 1, 2009, the Board of each Special District organized pursuant to Article I of Title 32, C.R.S., shall, during the 60-day window between November 16 and January 15 of each year, provide a notice to the eligible electors of the district, containing the following information:

- The address and telephone number of the principal business office;
- The name and business telephone number of the manager or other primary contact person;
- The names and business telephone number of the manager or other primary contact person;
- The names of the members of the board, indicating each member whose office will be on the ballot at the next regular special district election;

- The times and places designated for regularly scheduled meetings of the board during the year; and the place where notice of board meetings is posted pursuant to §24-6-402(2)© C.R.S.;
- The current mill levy, and total ad valorem tax revenue received during the last year;
- The date of the next regular special district election of board members;
- The procedure and time to submit a self-nomination form for election to the board;
- A statement that an application to request permanent mail-in voter status can be obtained from the county clerk, or on-line from the secretary of state, and can be returned to the county clerk and recorder of the county or counties in which the district is wholly or partially located;
- The address of any web site on which the special district's election results will be posted.

The notice including the above information shall be made in one or more of the following ways:

- Mailing the notice separately to each household where one or more eligible electors of the district resides; or
- Including the notice as a prominent part of a newsletter, annual report, billing insert, billing statement, letter, voter information card or other notice of election, or other informational mailing sent by the district; or
- Posting the information on the official web site of the district, if there is a link to the district's web site on the official web site of the Division of Local Government ("DLG"); or
- For any district that is a member of a statewide association of special districts, such as SDA, by mailing or electronically transmitting the notice to the statewide association, which association will post the notice on a publicly accessible section of the association's web site; or
- For a special district with less than 1,000 eligible electors, that is wholly located within a county with a population of less than 30,000 by posting the notice in at least three public places within the boundaries of the special district, and posting the notice in the office the county clerk and recorder of the county. Such notices shall remain posted until the Tuesday succeeding the first Monday of the following May.

Boundary Maps:

On or before January 1, 2010, every special district must file a current, accurate map of its boundaries with the county clerk and recorder of each county in which the district is located. Thereafter, each district must maintain a current, accurate boundary map (reflecting all inclusions, exclusions, and other boundary changes) and make sure that such updated map is on file with the DLF, the county assessor, and the county clerk and recorder no later than January 1 of each year.

The Special District Association is creating a website on which the required information can be posted and will fulfill the requirements.

The Board asked the manager to provide the information to them before posting.

-The manager requested authorization to begin electronic paycheck deposit for employee payroll only.
Motion: by Ken DePaul allow the Manager to begin direct deposit of payroll checks. Ken Burgess 2nd. All in favor.

-There is an extension necessary for the audit.
Motion: by Ken Burgess to file for an audit extension. Jack Fahres 2nd. All in favor.

-We may need to remove bio-solids from the plant this year. The manager recommended contacting parker-AG to schedule the job.

-The manager inquired if the Board members were OK with receiving the meeting information electronically only. The consensus was that would be acceptable except in the case of large documents.

President's Report

-There was discussion about the District's wastewater plant and the future need for its replacement.

Attorney's Report

-The water referee has recommended a granting of due diligence to the judge for the conditional rights on wells 3, 4, 6 & 7.

-Mr. Sharp and Mr. Colby had a telephone conference with attorneys from the Stream Protection Division of the CWCB and the State AG's office concerning case # 07CW119 (the change case). They seemed willing to stipulate to a decree without injury if the State Engineer agrees with the letter from HRS. Eric Harmon of HRS will contact Craig Lis of the State Engineers office to discuss.

Old Business

-Water Supply Masterplan. Mr. Sharp and Mr. Colby met with Eric Harmon & Peter Boddie concerning Mr. Sharps concerns about assumptions in the plan. Mr. Harmon indicated that they will rewrite parts of the plan to address the concerns. In addition they will provide a Proposed Scope of Work for further investigations to determine solutions to the legal challenges in utilizing the vast groundwater supply beneath the District.

-Mr. Sharp will attend tonight's scoping meeting for the updating of the Stagecoach Community Plan and represent the District.

New Business

-The Manager recommended approving All Terrain Excavating to pump vaults in Stagecoach. They have a proper truck and have submitted a signed pumper contractor contract and provided evidence of the required liability insurance.

Motion: by Ken DePaul to approve All Terrain Excavation to provide vault pumping services in the Morrison Creek Water & Sanitation District. Ken Burgess 2nd. Pass.

Motion: There being no further business Ken DePaul moved for adjournment at 5:28 p.m. Ken Burgess 2nd. All in favor.