

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, December 17, 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
Ken Burgess
Tony Borean
Jack Fahres

Also: Steve Colby, District Manager
Suzie Hawkins, Recording Secretary
Tom Sharp, Council
Tony Stich
Bob Woodmansee
Matt Cary

Donald Alperti called the meeting to order at 3:33 p.m.

Meeting Minutes

Motion: by Tony Borean to approve the November meeting minutes as presented. Ken Burgess 2nd. All in favor.

Financial Report

Motion: by Tony Borean to approve checks #11543-11578 along with the November statements as presented. Ken Burgess 2nd. All in favor.

Ken Burgess reported that \$6,700 left over from funds for the Horseback and South Shore conceptual master plans has been returned to the SPOA.

Manager's Report

-Termination notices are on the rise.
-The new EPA groundwater rules went into place on December 1st which has mandated an increased level of chlorine residual monitoring in the water system.

Attorney's Report

-The change case which proposes transferring a portion of the conditional water rights from well #5 to wells #2, #2R and #10 has been hung-up for a year. Stipulations were sent in January and revised in May. Erin Light has indicated she will write a revised letter based on HRS's findings.

President's Report

Mr. Alperti reported that he has not heard anything concerning Mr. Song's project.

Old Business

-Water Supply Masterplan. HRS is making a few last minute changes to some wording in the plan. Mr. Sharp is close to having the District wide augmentation plan ready for filing with the Court. He recommended continuing the meeting on Tuesday December 29th 2009 at 9:30 A.M. to adopt them.

Motion: by Ken Burgess to table consideration of approval of the master plan and augmentation plan and resolutions accompanying until a continuation of the meeting on Tuesday, December 29 at 9:30 a.m. Tony Borean 2nd. All in favor.

New Business

-Tony Stich addressed the Board concerning water & sewer extensions to the Horseback Subdivision. He had several suggestions for reducing costs including not requiring lateral installation at the time of construction. Mechanisms for funding such extensions were discussed. Donald Alperti suggested that Tony and Ken Burgess meet with the County finance director to discuss improvement districts.

-May 2010 Election. The manager recommended appointing Melinda Sherman to serve as the Designated Election Official,

Motion: by Ken Burgess to name Melinda Sherman the Designated Election Official for the May 2010 election cycle. Tony Borean 2nd. All in favor.

-Vacant Board Seat. The manager has received notice of the resignation of Kenneth J. DePaul as a Director of the District.

Motion: by Ken Burgess to accept the resignation of Ken DePaul. Tony Borean 2nd. All in favor.

-A notice of the Board vacancy has been placed in the legal section of the Steamboat Pilot. The manager has received letters or emails indicating interest in appointment to the Board from 3 individuals: Tony Stich, Bob Woodmansee and Matt Cary. All three of the candidates were present and addressed the Board concerning their reasons for seeking appointment.

Motion: by Ken Burgess to go into executive session pursuant to CRS 26-4-402 for personnel discussion at 5:24 p.m. Tony Borean 2nd. All in favor.

Motion: by Ken Burgess to exit executive session pursuant to CRS 26-4-402 for personnel discussion at 5:27 p.m. Tony Borean 2nd. All in favor.

Motion: by Ken Burgess to appoint Bob Woodworth to the board of directors. Tony Borean 2nd. All in favor.

-Tom Sharp discussed the possibility proposing a shortened 2nd amendment to the County/District IGA. The Board should consider the possibility of no longer requiring wells to be permitted in the Districts name. Also the new provisions on time limits for obtaining a building permit and constructing a

foundation after recording the LOA and paying the impact fee should be included. He will work on a proposed 2nd amendment.

-The Manager recommended the final acceptance of the Meadowgreen Lots 1 to 50 water & sewer improvements.

Motion: by Ken Burgess to finally accept the Meadowgreen Lots 1 to 50 water and sewer line extensions. Tony Borean 2nd. All in favor.

Motion: by Ken Burgess to continue this meeting until December 29, 2009 at 9:30 a.m. at Tom Sharp's Conference Room.

-On December 29th at 9:30 A.M. the meeting was called back to order by President Alperti. In attendance were Donald Alperti, Ken Burgess, Jack Fahres and Tony Borean.

-Tom Sharp has completed the Augmentation Plan including an appropriative right of exchange and he recommends the final approval by the Board of such plan and direction to file the plan with the District court prior to the end of 2009. HRS has completed the Water Supply Masterplan and the District manager recommends the final adoption of such plan. Mr., Sharp has prepared a resolution to adopt and approve such plans (attached).

Motion: by Ken Burgess to approve the Water Supply Masterplan by HRS dated December 2009 and approve the proposed plan for Augmentation and Appropriative Right of Exchange and authorize the filing of such Plan and Exchange. Tony Borean 2nd. Pass.

- Their being no further business Tony Borean moved to adjourn the meeting. Jack Fahres 2nd. Pass.