

# MORRISON CREEK METROPOLITAN WATER & SANITATION DISTRICT

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## RECORD OF PROCEEDINGS

The Board of Directors of the Morrison Creek Metropolitan Water & Sanitation District met on August 17, 2017 at the Offices of Sharp, Steinke, Sherman & Engle located at 401 Lincoln Avenue in Steamboat Springs, Colorado for their regularly scheduled meeting.

Present: Bob Woodmansee, President  
Mike Ratliff, Vice President  
Leah Wolf Martin, Director  
Paul Barry, Director  
Tavis Rogers, Director (electronically)

Also Present: Steve Colby, District Manager  
Tom Sharp, Counsel  
Erin Light, Division of Water Resources  
John Troka, SPOA

-President Woodmansee called the meeting to order at 4:00 P.M.

### July Meeting Minutes

- Paul Barry made the motion to approve the July meeting minutes as prepared and e-mailed to the Board. Mike Ratliff 2<sup>nd</sup>. Pass.

### June Special Meeting Minutes

-Paul Barry made the motion to approve the June special meeting minutes. Leah Wolf Martin 2<sup>nd</sup>. Pass.

### Financial Report

-The financial report and check register were reviewed.

-Paul Barry made the motion to ratify the payments of check #'s 14489 to 14527 inclusive, and two ACH payments to the IRS, two ACH payments to Lincoln Financial and one ACH payment to Colorado Dept. of Revenue and to accept the financial report. Leah Wolf-Martin 2<sup>nd</sup>. Pass.

### Managers' Report

-We need to remove sludge from the wastewater treatment plant. We have received estimates from Clearwater Cleanup of Breckenridge for sludge removal and grit removal. The final price will depend on the amount of sludge and grit removed.

-Mike Ratliff moved to direct the manager to proceed with the sludge and grit removal with the Clearwater Cleanup Company. Paul Barry 2<sup>nd</sup>. Pass.

- We are still awaiting approval from CDPHE for the screwpress. The design submittal is complete and the engineer is working on details of the conveyor placement.
- Salt Creek Welding will be here next week to install the new tank vent and an additional hatch on the upper tank.
- The SDA conference is 9/13 to 9/15. The manager will make arrangements for anyone who wishes to attend.

#### Attorneys Report

- Mr., Sharp reported on progress on the two Augmentation Plan Decrees. He has updated the plans to address comments from the AG's office, CWCB and Barney White. We are still awaiting the accounting form from HRS water consultants. Mr. Sharp is "cautiously optimistic" that we are close to settlement.
- We have received comments from the District Engineer on the diligence and proposal to take absolute the conditional decrees on wells 2, 2R & 10. There are several issues that need to be resolved.
- The water right application filed on the spring in Highcross has been withdrawn.
- There will be a status conference tomorrow for the Greenridge Ditch due diligence filing.
- The attorney for the proponents of the Greenridge Pond diligence case have proposed restrictions for settlement.

#### Old Business

- There was no old business to consider.

#### New Business

- The request to vacate the utility easements for lot 133, 134 and 135 in Morningside was discussed and considered. The Board declined to consider vacating the easements if the lots were not being consolidated.
- Erin Light was present to discuss new policies of the Division of Water Resources on the issuance of exempt type well permits in the unserved areas of Stagecoach. The 2006 Steamboat RICID resulted in the over appropriation of the Yampa River above the City of Steamboat. Issuance of permits for over 35-acre parcels still allowable. She had been under the assumption that the unserved subdivisions in Stagecoach were exempted from the subdivision regulations. This turns out not to be the case and she may have been incorrectly issuing permits. She cannot assume non-injury from the cumulative effect of the exempt wells. Erin will be meeting with DWR officials in Denver tomorrow to discuss and will not be issuing any exempt permits for now. Once there is a final decision the Division will issue a letter.
- Mr. Sharp recommends to the Morrison Creek District Board that they should place a moratorium on the execution of lot owner agreements and well permits in the unserved Stagecoach subdivisions as a result of the DWR's decision and has prepared a resolution to that effect. Mr. Sharp explains that there will be numerous questions the Board will need to answer once the DWR issues its final decision. These include:
  - 1) What role will the MCMWSD play in resolving issue?
  - 2) Who will challenge any DWR decision?
  - 3) What role will District play in processing a challenge to the decision.
  - 4) How can the work done by HRS and our own augmentation plan be used to find a solution?
  - 5) What role can UYWCD play? Can the UYWCD augmentation plan be expanded?
  - 6) Can existing ponds be used for augmentation sources?
  - 7) Do we wish to continue vault program and if so should we continue to require permitting the wells in the Districts name?
  - 8) Our augmentation plan does not cover these type exempt wells.
- Mike Ratliff made the motion to adopt the attached resolution effectively placing a moratorium on the vault program in the unserved subdivisions of Stagecoach. Leah Wolf Martin 2<sup>nd</sup>. Passed unanimously.

- Their being no further business the meeting was adjourned at 6:00 P.M...