

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 February 15, 2018 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 (Electronically)
Leah Wolf Martin, Director
Paul Barry, Director
Tavis Rogers, Director (2/26 continuation only)

Also Present: Steve Colby, District Manager
Tom Sharp, Counsel
Melinda Sherman, DEO
Bryan Ayer, SPOA
Tom Watt, SPOA

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

Meeting Minutes

-Bob Woodmansee noted that his daughter does not work for Denver water it is the County.
-Leah Wolf Martin made a motion to accept the January meeting minutes as prepared and emailed to the Board but with the correction above. Paul Barry 2nd. Pass.

Financial Report

-Leah Wolf Martin commented that the expense numbers on the budget comparison do not seem to be consistent with the checks written for January. The manager will investigate.
-Paul Barry made the motion to ratify check #'s 14653 to 14718 inclusive. Leah Wolf Martin 2nd. Pass.

Managers Report

-The Screwpress is installed and was operating successfully by the end of last week. District personnel have been trained on its operation. Operation has been suspended for now. We will wait until warmer weather to begin processing biosolids again as work remains on the door opening.
-The manger made the recommendation that the District join the Employers Council. The manager believes they offer a lot of services which will benefit the District such as salary surveys and assist with the search for the General Manager position. The cost for us to join is \$850 and includes 30 hours of consultation. The Board voiced its support for joining the Employers Council.

- We mistakenly payed the workers comp invoice twice in December. The overpayment has been refunded. This explains the over budget number in the budget comparison at year end.
- Well 1 has been repaired by Aztec. The pump and motor were seized. The pump and motor have been sent to the factory for evaluation.

Attorneys Report

- The two Greenridge cases are settled and decrees issued by the court.
- We have received markups from the AG's office on the 09 and 14 augmentation decrees. Mr. Sharp is optimistic that the issues remaining can be resolved quickly.
- Well 5 diligence: We will propose to the Stahls that we acknowledge we have no easement for well 5 and we agree to never operate the well until we get an easement. We will need to get the actual well and decreed location surveyed to show the locations on the Stahl property.
- Melinda Sherman, Designated Election Official, reported that the call for nominations for the 2018 regular election appeared in the February 4th Pilot.

Old Business

- Erin Light is present to explain the recently issued letter from Kevin Rein, State Engineer DWR, concerning issuance of exempt well permits in Routt County. Erin explains that issuance of these type permits is governed by the 602-3B regulations for over appropriated areas. Subdivisions typically have water supply plans which have been referred to the state Engineer for approval. Routt County did not submit plans for approval until the late 90's. The DWR is taking the position that the opinion would have been that individual wells on lots in the subdivisions would have been OK. The letter indicates that the DWR would have issued exempt well permits. The DWR is still awaiting the chart from the County which indicates the date of approval of the Routt County subdivisions. Once they receive it they will review for acceptance.
- Mr. Sharp commented that the chart should become an addendum to the letter.
- The District has proposed to the County to change the provision that wells in Stagecoach are permitted in the name of the District.
- One of the provisions of the new DWR policy is that water districts must approve the issuance of exempt well permits within their boundary. Erin says that it is assumed that if the application is in the name of the District that the District approves.
- Tom Watt commented that the Stagecoach covenants forbid individual wells.
- Which stream do the Southern Stagecoach subdivisions return to? Assume Yampa River.
- Bob Woodmansee asks about the status of the moratorium. What happens if a well permit is not issued ?
- Mr. Sharp suggests a Consent and Acknowledgement agreement which would ensure that a well permit is issued before the LOA is filed and building approval is given. This new agreement and procedure would be a condition of ending the moratorium. Mr. Sharp will prepare the agreement for consideration by the Board.
- The Board proposes a special meeting for Monday February 26th to consider such a document and to consider lifting the moratorium.

New Business

- Request by the Owner of Lot 140 in Horseback for refund of Vault Fee: The well permit has not been issued for this lot at this time. The owner no longer wants to proceed with construction of a home on this lot. The LOA was recorded.
- Mr. Sharp recommends that a LOA Termination Document be signed by the owner and recorded before returning any funds.
- The manger advised that \$500 of the fee paid is an admin fee.
- Paul Barry made the motion to return the Vault Impact fee minus \$240 for the attorney to prepare the Termination document. The District shall also retain the admin fee. This will result in a refund check to Mr. Berkley of \$14,578 to Mr. Berkley. Leah Wolf Martin 2nd. Pass.

-Paul Barry made the motion to temporarily adjourn and continue this meeting on Monday February 26th at 11 A.M. at the same location. Leah Wolf Martin 2nd. Pass.

-The meeting is called back to order on Monday February 26th by President Woodmansee. Present are Bob Woodmansee, Leah Wolf Martin, Paul Barry, Mike Ratliff (phone), Tavis Rogers (Phone), Steve Colby, Tom Sharp.

-Mr. Sharp has prepared and forwarded to the Board a proposed Acknowledgement & Consent agreement. The agreement also calls for other documents which he will prepare. The Agreement is Exhibit A to the resolution which rescinds the moratorium resolution passed last summer. The Agreement and procedures are conditions of lifting the moratorium on building in the unserved Stagecoach subdivisions.

-Mike Ratliff made the motion to pass the Resolution and Exhibit A attached to these minutes to lift the moratorium with the conditions. Leah Wolf Martin 2nd. Pass

-Their being no further business the meeting was adjourned at 11:30 A.M...