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# RECORD OF PROCEEDINGS

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## Minutes of the Regular Meeting Of the Board of Directors Catamount Metropolitan District August 13, 2012

A Regular Meeting of the Board of Directors of the Catamount Metropolitan District, Routt County, Colorado, was held August 13, 2012 at 3:00 p.m., at the Catamount Metro Ranch Shop, 34035 East Highway 40, Steamboat Springs, Routt County, Colorado, in accordance with the applicable statutes of the State of Colorado.

### Attendance

The following Directors were present and acting:

- John Holloway
- Gary Ertl
- Eric Wilson (via conference call)
- Darlinda Baldinger
- Suzanne Turner

Also in attendance were:

- Michael Burke
- Bruce Allbright
- Cari Hermacinski from AT&T

Staff Personnel:

- Eric Weaver & Beth Ruark Bucks, Robertson & Marchetti, P.C. (via conference call)
- Joel Anderson, District Manager
- Kevin Collier, District Staff

### Call to Order

The Regular Meeting of the Board of Directors of Catamount Metropolitan District was called to order by Chairman Holloway on August 13, 2012 at 3:00 p.m. noting a quorum was present.

### Agenda Changes

The Board requested to move the presentation by Cari Hermancinski for AT&T to the top of the agenda and to add fishing discussion to the agenda.

### Minutes

The Board reviewed the Regular Meeting minutes of the May 14, 2012 meeting. Upon motion duly made and seconded it was unanimously

**RESOLVED** to approve the Meeting minutes of May 14, 2012 subject to minor revisions.

### Cell Tower

Cari Hermancinski made a presentation about the possibility of installing an AT&T cell tower near the water tank at the lake and then left the meeting. After discussion, the Board determined that although the installation would both produce monthly revenue to the District and bring

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power to the tank, the visual impacts and possible health concerns to neighboring homeowners outweighed the benefits. Mr. Anderson will inform Ms. Hermancinski of the decision to not proceed.

### **Dam Update**

Mr. Anderson stated that the dam received a clean bill of health when inspected by the state this year. A survey monument on the dam has moved slightly, however Mr. Anderson believes that this is likely due to being hit by construction equipment instead of actual movement of the dam and will work with the District engineer to be certain.

### **Hydro Update**

The Board discussed the current status of the Hydro project, which is still awaiting notification on whether the \$500,000 USDA grant will be approved. As the District feels it has a good chance of receiving the grant, upon motion duly made and seconded it was unanimously

**RESOLVED** to move forward with negotiating a Power Purchase Agreement (PPA) with YVEA.

### **GIS Update**

Mr. Collier presented a GIS program which would allow the District to map out the infrastructure and other physical attributes of the District and community. The cost of this system is \$1,975 to get setup as compared to much more expensive options previously discussed. This system will be very beneficial to District staff and could be valuable to community members as well in the future. Upon motion duly made and seconded it was unanimously

**RESOLVED** to approve the GIS program under the condition that all information ownership is retained by Catamount Metropolitan District.

### **Gates Update**

Ms. Baldinger requested that each homeowner be given an individual entry code at the gate in order to track usage and suggested installing an entry for pedestrian traffic. Mr. Anderson agreed on both matters and estimated the cost of the entry to be approximately \$700. The Board authorized Mr. Anderson to move forward on both matters.

### **Non Potable Water Agreement**

Mr. Anderson has consulted with the water rights specialists and is proposing to allow approximately 6 homeowners with current or future homes near the lake to obtain non-potable irrigation water directly from the lake. This would reduce the amount of demand on the treated water

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system and is in the long-term best interest of both the District and these homeowners. The owners will be responsible for all costs to install, maintain, and operate their system and will pay an annual fee to the District for the use. Mr. Anderson reviewed the draft agreement, noting a few recommended revisions and upon motion duly made and seconded it was unanimously

**RESOLVED** to approve the form of the Non-Potable Water Agreement with mentioned changes and to authorize Mr. Anderson to work with owners who may be interested in installing such a system.

### **Paving Update**

Mr. Anderson updated the Board on the revised paving plan which defers some of the overlays at Lake and reviewed the paving plan for 2012 through 2015 which will allow the majority of the roads at the Lake to be paved to be consistent with the Ranch over the next several years. The work for 2012 is scheduled to begin September 4.

### **Legal**

There were no legal matters for discussion.

### **June 30, 2012**

#### **Financial Report**

Mr. Weaver reviewed the financial report for the period ending June 30, 2012 . Upon motion duly made and seconded it was unanimously

**RESOLVED** to approve the June 30, 2012 financials as presented.

#### **Accounts Payable**

The accounts payable listing for April, May and June 2012 was reviewed by the Board. Upon motion duly made and seconded it was unanimously

**RESOLVED** to ratify the payables listing for April, May and June 2012.

#### **Accounts Receivable**

The Board reviewed the accounts receivable listing as of July 31, 2012. It was noted that four accounts are at least 90 days past due. The four will be sent intent to lien letters and liens will be filed if the accounts are not brought current. Upon motion duly made and seconded it was unanimously

**RESOLVED** to approve the accounts receivable listing as of July 31, 2012.

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**Fishing Update** Director Ertl and Mr. Allbright expressed continuing concern about the use of the fishing facilities and will continue to monitor activity.

**Adjournment** With business concluded, and upon motion duly made and seconded it was unanimously

**RESOLVED** to adjourn the Regular Meeting of Catamount Metropolitan District Board of Directors this 13<sup>th</sup> day of August, 2012.

Respectfully submitted,



Eric Weaver