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# RECORD OF PROCEEDINGS

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**Minutes of the Special Meeting  
Of the Board of Directors  
Catamount Metropolitan District  
July 3, 2009**

A Special Meeting of the Board of Directors of the Catamount Metropolitan District, Routt County, Colorado, was held July 3, 2009 at 8:00 a.m., at the Catamount Lake Clubhouse, 30215 Waters Edge Trail, 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
- Eric Wilson
- Darlinda Baldinger
- Gary Ertl

Also in attendance were:

- Staff Personnel:
  - Joel Anderson, District Manager
  - Kevin Collier, District Staff
- Guests
  - Doug Dombey
  - Deb Holloway
  - Jim McRoberts

**Call to Order**            The Special Meeting of the Board of Directors of Catamount Metropolitan District was called to order by Chairman Holloway on July 3, 2009 at 8:00 a.m. noting a quorum was present.

**Agenda Changes**        The Board reviewed the agenda and added the following item for discussion:

- Rehder letter
- Lugon Trail Tree Removal

**Lodge Pole Pine  
Removal**

Director Baldinger stated she was asked by the Whaley's that she present information to the Boards in lieu of their presence. Director Baldinger provided the reasons for the Whaley's opposition to a road being cut through their property to enable removal of dead Lodge Pole pines. Those reasons were given as follows:

- The road would disrupt a large standing live aspen grove located on their property
- The dead trees are not located on their property, but the access road would be built there

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- Logging trucks would cause noise and other distractions
- Installing a trail to a proposed cabin by their home would give unauthorized access to their property

The Whaley's had been involved in discussions with Director Holloway, Mr. Anderson and Mr. Collier regarding the specific route the logging trucks would be taking to remove the felled trees. Mr. Whaley is prepared to hire legal counsel if the District determines it will proceed with the access road. Mr. Dombey, adjacent property owner, also expressed opposition to building the access from his property due to the steepness of the land in that area. He is also unsure that he is prepared to invest \$15,000 towards the cost of removing the dead trees that are on his property.

Director Holloway discussed the District's interest in having the trees removed.

Director Wilson stated he believes the District has the authority to build the road through the Whaley's property and that a judgment could be easily obtained, however, did not feel the Board's best interest would be served without the full support of property owners.

Discussion then moved to removal of trees on Lot 7. The trees on Lot 7 are an isolated stand on Lugon Trail. Approximately 20% of the dead trees have the potential to fall on the Metro District roadway. On motion duly made and seconded it was unanimously

**RESOLVED** that the Metro District will pay for 20% of the cost to remove the dead trees on Lot 7.

Director Wilson asked that Director Holloway write a letter to property owners Whaley, McNeary, Gambro, Thuet and Dombey informing them of the Board's decision not to proceed with tree removal adjacent to their property as a result of discussion at the meeting. Director Baldinger expressed her appreciation for Director Holloway's hard work, time and dedication to the Metro District Board and how his contribution and leadership were responsible for the District's smooth operation.

### Maintenance Facility

Director Holloway discussed communication received from Mr. Behan and his attorney. Reasons for working with Mr. Behan include continuing

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to foster neighborly relations. Mr. Holloway stepped down on the matter. The building application will go before the County Planning Commission on July 16. Mr. Anderson stated that Parcel 9 where the facility will be located is not part of the conservation easement. The Board requested that Director Wilson take the lead on negotiations with Mr. Behan's attorney.

### **Lone Pine Trail Paving**

Mr. Anderson gave a report on the Lone Pine Trail paving and the private drive for Lots 17 and 18. The cost to pave the road is estimated at \$18,000 for the District and \$15,000 for the Caldwell's Lot 18. The owners of Lot 17 were not in favor of vacating the drive. Mr. Anderson requested that the Board proceed with the paving and negotiation with the owners of Lot 18.

### **Rehder Property**

The District has been plowing the road to the Rehder property. Ownership of that property was recently transferred to the Yampa Valley Land Trust. On motion duly made and seconded it was unanimously

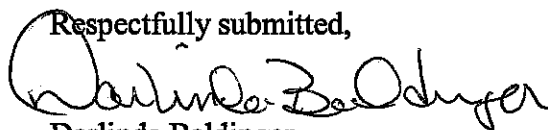
**RESOLVED** to discontinue snow plowing by the District on the property previously owned by the Rehders.

### **Adjournment**

With business concluded, and on motion duly made and seconded it was unanimously

**RESOLVED** to adjourn the Special Meeting of Catamount Metropolitan District Board of Directors this 3rd day of July, 2009.

Respectfully submitted,



Darlinda Baldinger  
Secretary for the meeting