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# RECORD OF PROCEEDINGS

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**Minutes of the Special Meeting  
Of the Board of Directors  
Catamount Metropolitan District  
September 12, 2013**

A Special Meeting of the Board of Directors of the Catamount Metropolitan District, Routt County, Colorado, was held September 12, 2013 at 1:00 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
- Darlinda Baldinger
- Gary Ertl
- Eric Wilson (via phone)
- Suzanne Turner

Also in attendance were:

- Staff Personnel:
  - Eric Weaver, Robertson & Marchetti, P.C. (via phone)
  - Beth Ruark Bucks, Robertson & Marchetti, P.C. (via phone)
  - Joel Anderson, District Manager
  - Gates Gooding, hydro engineer
- Public:
  - Bob & Karen Wolters , property owner
  - Jim McRoberts, property owner
  - Bruce Allbright, property owner
  - Donna Kerr, property woner

**Call to Order**

The Special Meeting of the Board of Directors of Catamount Metropolitan District was called to order by Chairman Holloway on September 12, 2013 at 1:00 p.m. noting a quorum was present.

**Agenda Changes**

The Board reviewed the agenda and made no changes.

**Hydro FERC  
Exemption Order  
And Related  
Updates**

Director Holloway reported that Catamount has received the FERC exemption order, which enables to the District to continue moving forward to analyze, secure funding, and eventually begin construction of the project. He and others on the project team, including the water rights attorney, have reviewed the order in detail. There appears to be an error related to the section related to the draw-down of water in the lake and Mr.

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Holloway recommended that the District ask for a re-hearing. There is a 30-60 day estimated wait for the hearing. Upon a motion was duly made and seconded and was unanimously

**RESOLVED** to request a hearing with FERC to amend the order.

The District has not entered into any agreements with Windwalker Ranch regarding the concerns they have presented because it is believed that their concerns have been addressed in the FERC permit process and Windwalker has also indicated it will participate during the County planning process.

The District does not yet have a power purchase agreement with Yampa Valley Electric, but they have shown significant interest and the two parties will be meeting in the coming weeks to continue discussions.

Director Wilson had to leave the meeting for another appointment.

The District is once again at a critical time where outside expertise is needed to continue to the next phase of the planning and feasibility process. After discussion, Director Ertl made a motion to allow the expenditure of up to an additional \$5000 to proceed. The motion was not seconded and died.

Directors Baldinger and Turner expressed concern with spending more District money until additional information can be distributed to Catamount property owners. Concerns of allowing additional governmental control were also discussed. It was agreed that information should be provided to property owners by a mailing once the group has a good grasp on the feasibility and structure of the project. Director Holloway reported that the District can, at any time, file a form with FERC and the project is ended immediately. If the project does continue to move forward, he stated that there are potential investors that have expressed interest in investing in the project and the District also has remaining bond funds it can draw upon. It was also discussed that the letter to the owners should invite other owners to consider investing in the project.

Several members in the attendance stated that they feel the study of the project should continue and that they would offer to personally provide funding to CREP to cover the related expense, noting that they would not

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funding to CREP to cover the related expense, noting that they would not expect to receive any of this money back as reimbursement from the District. Upon a motion duly made and seconded it was unanimously

**RESOLVED** to allow individuals to provide funding to CREP, which will not be reimbursed by the District, and for CREP to be allowed to continue with the efforts of the District to investigate bringing hydro power to the dam.

Director Holloway requested that Eric Weaver help provide information on how the District could lease the dam to CREP to determine if this would be a viable structure.

**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 12<sup>th</sup> day of September, 2013.

Respectfully submitted,



Eric Weaver  
Secretary for the meeting