
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors Catamount Metropolitan District August 8, 2011

A Regular Meeting of the Board of Directors of the Catamount Metropolitan District, Routt County, Colorado, was held August 8, 2011 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
- Darlinda Baldinger
- Gary Ertl
- Eric Wilson (via phone)
- Suzanne Turner

Also in attendance were:

- John Smith, property owner
- Mimi McRoberts, property owner

Staff Personnel:

- Eric Weaver, Robertson & Marchetti, P.C. (via phone)
- April Heredia, Robertson & Marchetti, P.C. (via phone)
- 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 8, 2011 at 3:00 p.m. noting a quorum was present.

Agenda Changes The Board reviewed the agenda and no changes were made.

Minutes The Board reviewed the Regular Meeting minutes of the May 9, 2011 meeting. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the Meeting minutes of May 9, 2011 as stated.

**Dam and Hydro
Project Update**

Director Holloway stated that the grant proposal to the Colorado Water Conservation Board (CWCB) was not looking promising as they are primarily looking to fund water supply projects rather than hydro projects.

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The streamlined FERC application procedure is going well with only a few more agency approvals needed with no major issues foreseen at this time. Routt County will require that the District allow for a public comment period, hold a hearing, and provide a dam tour where the public will be invited to attend and learn more about the project.

The next step would be for the Board to continue working on the Power Purchase Agreement (PPA) with Xcel Energy to purchase power from the District and continue investigation of a potential third-party investor who could take advantage of tax credits potentially amounting to 30% of the cost of construction.

The Board discussed how to proceed as they do not want to continue pursuit of hydro if it is not a financially feasible solution. Mr. Anderson stated that only a portion of the \$20,000 approved for investigation (\$10,000 to be funded by a grant received) has been spent to date. Since the FERC application is near completion, the Board decided to continue moving forward with the permit so that they would be able to continue negotiating with the power company. Xcel normally does 10 year agreements so the hope is that the cost of the project, which could be as much as \$2.3 million, could be recouped in the same timeframe.

The Board also directed Mr. Anderson to draft a letter to be sent to Catamount owners to update them on the process and hopefully generate some feedback from the community.

Security

Mr. Anderson reported that Steamboat Investigators has 9 hours remaining on their contract and it was determined that the best use of this time will be to patrol during the road biking event that will be in the area in late August. The Board also discussed whether guests of owners should be able to use the community when not accompanied by the property owners. The Board directed Mr. Anderson to ask Medora to use the phone message system of CROA to request that owners refrain from allowing guests to access their property when they are not accompanying them and to inform them of the security that will be in place during the bike event.

Ranch Lot 24 Water Feature

A small spring was discovered on Ranch lot 24 while an addition was being built and the homeowner would like to use it to create a small water feature that will drain to the wetlands owned by the club. The Board decided that they did not see a problem with this but that the homeowner

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should contact CROA and the Club to see if the project needed DRB approval or if either entity had an issue with the proposal before commencing with the project.

Frazil Channel Road

Mr. Anderson stated that a proposal from a hydrologist is needed to submit to the Army Core of Engineers to rebuild the dirt road which was badly damaged in the spring flooding. The plan is to spend \$3,000 this year on planning and build the repair costs into the 2012 budget.

Seitz Gate

The owner of Ranch lots 21 & 22 would like to install a gate into their property, which could affect a District easement used to access a fire hydrant. The Board determined that as long as the gate codes are given to the district for entry they have no objection to the gate as long as it is approved through the DRB process.

Water Rights Update

The item was tabled as no action was required.

Yampa Valley Land Trust Agreement

After speaking with the Land Trust it does not appear that they have any large events planned on the property this year and so that parking issues encountered last year should not be an issue this year.

Fishing on District Owned Properties

After having Mr. Dalton review the documents, it appears that the Club may have rights to use Parcel 4 below the dam but does not have rights to use Parcel 6 near the inlet to the lake. The Club would like to receive a proposal from the District on what usage would be allowed by the Club and Catamount owners on the properties as the Club would like to continue to offer Nordic skiing on Parcel 6. After discussion, it was decided to propose to make Parcel 6 for owner use only for fishing purposes and to offer to allow the Club to use the parcel for cross country skiing in exchange for them not allowing outfitters to use Parcel 4. This would be accomplished through an annually renewable lease for \$1 per year.

Fireworks at Club Weddings

John Smith expressed his concern about the use of fireworks for a wedding hosted by the Club at the lake earlier in the summer due to the

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risk of fire. Mr. Anderson reported that the fire department, CROA and the District approved the event but some homeowners were not notified. Apologies were made for not notifying the homeowners and it was recommended that fireworks should be discouraged but could be allowed under certain circumstances.

June 30, 2011 Financial Report

Mr. Weaver reviewed the financial report for the period ending June 30, 2011 noting that the District is on track with budget with no new concerns at this time. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the June 30, 2011 financials as presented.

Accounts Payable

The accounts payable listing for April, May and June 2011 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 2011 as presented.

Accounts Receivable

The Board reviewed the accounts receivable listing as of July 28, 2011, noting that all but a few owners are now current. The Board asked that Mr. Weaver follow up with the delinquent owners to ensure that they are not mistaking the new billings for junk mail. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the accounts receivable listing as of July 28, 2011.

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 8th day of August, 2011.

Respectfully submitted,



Eric Weaver
Secretary for the meeting