

HAMILTON CREEK METROPOLITAN DISTRICT

BOARD OF DIRECTORS MEETING Monday, December 11, 2000 Schmidt Room, Silverthorne Town Hall

Attending board members:

Kolbjorn Tenfjord
Lowell Graves
Ray Stokes

Eddie O'Brien
Vern Lindholm

Others attending:

Bob Polich
Jeff Cohen

Mountain Systems, Inc.
Cohen and Associates

President Kolbjorn Tenfjord called the meeting to order at 2:15 PM.

Water system repairs. Bob Polich presented to the Board a summary of five options for a source of water to repair the water quality problems with the system. There was a lengthy discussion of the five options that included continued investigation of the Hankins well area, wells near the Blue River, connection to the Town of Silverthorne, drilling of wells in other areas of the District, and the access of surface or ground water from Hamilton Creek near the existing pump house. The pros and cons of each approach were detailed along with projected costs. *A motion was made to use the water source option of ground or surface water from Hamilton Creek near the existing pump house to meet State and Federal water standards. (Graves/Strokes,5-0).* The Board felt this was the only realistic source available at this time to meet the imposed water standards and enforcement order deadline. Kolbjorn reviewed the financing options. Eddie indicated he was discussing the connection with Silverthorne and this remained a future option. There was a discussion of water quality regulations and how these continued to become more stringent.

Legal. Attorney Jeff Cohen reported to the Board that the declaratory judgment case was now appealed to the Colorado Court of Appeals. Bondshares had appealed all of the rulings by the District Court and the Hamilton Creek had cross appealed on the decision that the accrued interest did not cease to be payable following the payment of the principal. Briefs would be prepared in January 2001 through March 2001 and Jeff would request oral arguments. He expected the case would be heard six to nine months following the filing of the briefs. The request for a stay on the June 2000 ruling of the District Court was rejected allowing the District to continue with the water repair. Jeff suggested the repair should be done as soon as practically possible to show the intent of the District to comply with the enforcement order.

The Board asked for Jeff's opinion regarding whether the Metro District or the

Homeowners Association was responsible for the signage along the roads. Jeff felt any road directory sign, road information sign, and information sign that were part of the service scope of the District including water, road, forest maintenance and recreation was the responsibility of the Metro District. *A motion was made that the Metro District was responsible for street signs, speed limit signs, all road information and control signs and trail signs. The District was not responsible for individual owner address signs. (Tenfjord/Lindholm,5-0).*

Jeff Cohen left the meeting following his presentation.

Budget. Notice regarding the public hearing to consider an amendment to the year 2000 budget and the 2001 budget had been posted and published in the local newspaper. No members of the public attended. Detailed information regarding both budgets was included in the budget notes. The year 2000 budget was amended due to the unanticipated legal fees for the continuing work on the declaratory judgment. *The motion prepared for the adoption of the year 2000 budget amendment, the year 2001 budget, and the 40-mill levy property tax assessment were approved by Board. (Tenfjord/Lindholm,5-0).* There was a discussion regarding user rates for 2001. *The user fee for 2001 would remain at \$125 per quarter plus \$3 per 1,000 gallons of water used over 15,000 gallons per quarter. Water tap fees would increase \$200 to \$4,400 per single-family unit or accessory apartment.*

District information. For any request from potential purchasers of property in the District, the District would provide copies of the latest budget and the most recent financial audit.

Emergency road. The developers of the proposed Buffalo Mountain subdivision on the southern border with Hamilton Creek had informally met with a few homeowners regarding an emergency road connection between the two developments. Connections at the end of Hamilton Creek Road, the hairpin turn below Eagles Wing Trail, and at the end of Harvest Moon Trail were looked at. Harvest Moon Trail appeared to be the most logical connection area. There was a discussion of a no build area set back for Buffalo Mountain and a gate located on their property. The Board took no further action. Any action regarding the road would require the involvement and agreement of the homeowners.

Swimming Pool. *The Board approved a new policy regarding swimming pools. (Graves/Stokes,5-0).* The new policy becomes part of the rules and regulations of the District.

The Hamilton Creek Metropolitan District discourages owners from constructing private swimming pools on their property. Each pool constructed in the District must conform to all Summit County Building and Planning regulations. The District may withhold approval of a building permit should they believe a swimming pool would not be in the best interest of the water and sanitation needs of the District and its residents. Should the pool be allowed, the owner is required to obtain District approval prior to a complete fill or a complete drain of the pool. A minimum of two working days notice is required and the owner agrees to select an alternate date if the resources of the District would be effected by the fill or drain dates selected.

Snow removal. The snow removal provided by Collard Excavation was satisfactory.

Guard rails. Additional guard rails on the corner just below Heather's Way and an extension on the rail following the bottom hair pin turn were discussed. *A motion was approved by the Board to have the District coordinate with the developer when work was done in the Benches, to consider the two additional areas and to repair damaged areas on the existing rails. (O'Brien/Lindholm,5-0).*

Water operations. Matt Willitts was out of town on his honeymoon and unable to attend the meeting. Overall, the water production to users had been good. The maintenance of correct chlorination levels had limited problems with the sulfur taste and smell. Both of the PRV's had been rebuilt. A portion of the system had been flow tested for the fire department ISO determination. The tank controls were approximately 95% installed and operational. Matt had located two water leaks within homes based on the observation of excessive flows from the water tank.

There was a discussion on what additional action could be taken to monitor broken pipes in resident homes. Options included alarms as part of the security system, alarms that call a telephone number, and checks by the water operator.

The water contract with Matt Willitts, Water Solutions, for the year 2001 was approved. The based rate is \$1,000 per month for routine water operations and sampling. Additional services including special testing, maintenance, reporting and inspection would be at \$45 per hour.

Other. *In recognition of Matt Willitts efforts to find and isolate water leaks in two residences, a bonus of \$500 was awarded. (O'Brien/Stokes,5-0).*

There was a Board discussion on absorbing the Hankin's property into the District, the DeLorimier hydrant added in 1999, and the consideration of new reports on the safety of fluoride in the water at a future meeting.

The meeting was adjourned at 5:10 PM.