

Hamilton Creek Metropolitan District

December 2001

Water Repairs In the last mailing this summer it was reported that the District had constructed a road to drill a well within Hamilton Creek near the existing pump house. The well was drilled in July. Unfortunately, there was no alluvium under the Creek as had been hoped for, and no water was found by the well.

The District then began the second phase of the project to obtain source water directly from the Creek itself. A flow gauge flume was installed and additional samples of the water taken. The water quality of the Creek is good and there is sufficient flow to meet the normal requirements of the District. A surface collection system was designed to flow a portion of the Creek into four underground concrete vaults. One of the vaults would contain equipment to pump the water up to the existing pump station.

Surface water has more treatment requirements than ground water to insure safe water is provided. Several different treatment options were examined and locations with operating treatment equipment toured. The District selected a newer technology called microfiltration to provide treatment of the water. A package filtration system from the Pall Corporation was chosen and a preliminary design developed to house the equipment in a temporary structure next to the existing pump house. The water from the stream meets the fluoride standards and all other current water quality regulations. Following treatment by the microfiltration system, the water that will be provided to residents should be of high quality.

The final step in the completion of the water repairs is to obtain the necessary permitting. Due to the location, access of a surface water source and treatment regulations, there is permitting required by just about every governmental entity. The project has received the authorization to proceed by the Colorado Health Department, the State Engineering Office, and the Colorado Water Conservation Board. Completion of the system this fall was delayed as the necessary permitting is still in process from the Army Corp of Engineers and the Forest Service.

The area disturbed and the streambed channel was restored and the well abandoned late this fall. The Corp of Engineers and the Forest Service approved the restoration. The area of the well and the proposed surface diversion is defined as wetlands and approval is required for any disturbance within this area.

Additional information regarding the Metro District and Association are available at www.hamiltoncreek.org

Legal update The District appeared before the Colorado Court of Appeals on July 31st for oral arguments on the declaratory judgment action. The Colorado District Court had ruled in June 2000 that the correction of the problems with the water supply of the District was a repair and could be paid from operating funds prior to the payment of bondholder interest. Colorado Bondshares had appealed this ruling and the determination of the Court that the interest accrual on bond interest not paid ended with the final payment of principal. On August 9th the Appeals Court issued a ruling that confirmed part of the District Court's determination, reversed a portion of their ruling and returned the case to the District Court for future action. Specifically, the Appeals Court ruled the District Court was correct in its determination that the work would be a repair, not a capital item. However, the Appeals Court indicated that the District Court did not have sufficient evidence that the water problems had occurred since 1990. The District Court was instructed to hear evidence regarding whether there was fluoride in the water in 1990. The Appeals Court also instructed the District Court to hear testimony regarding the intent of the parties in 1990 regarding interest accruing on bond interest not paid following payment of the principal. The actions of the Appeals Court were communicated to the District Court on October 15th. No schedule has been determined by the District Court as of this date.



Hamilton Creek following restoration. The source water will be accessed from this area. The underground storage vaults would be on the right side of the picture.

Driveway Snow Removal

The District provides limited snow removal from owner driveways. The "access" plow is intended to allow you to access your driveway during a heavy snowfall from the main road. Snow near garage doors or in areas not easily accessible by the removal equipment is not plowed. Factors in how the snow is removed from your driveway include slope, design and areas to push the snow into. Driveway designs with limited or no snow storage areas may not be plowed. Snow removal is generally done when 4" or more of snow falls. The equipment used can leave scratches on driveways. Marking of obstructions and landscaped areas can help in minimizing damage. The roads in the District are plowed first with driveway plowing normally around noon.

Collard Excavating is plowing the roads and driveways in the District this year. They are provided with a list of driveways to plow and any special instructions. This plow list is the instructions from the prior year plus any changes. Should you have concerns regarding driveway damage or desire more complete snow removal from your driveway, you should make arrangements with other snow removal services.

Road Signs

The District has had "Private Drive" signs made that will be mounted on all street signs and some driveways off of Hamilton Creek Road. Additional "No Trespassing" signs will be installed. A directional sign for Harvest Moon and Blue Moon Trails is being added to the Crescent Moon Trail sign. The District is waiting for the contractor to mount the signs. New speed limit signs, a "Private Road Maintenance" sign at the entrance and "Slow Curve" signs are currently being made.

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Association News

Snowy Peaks Trash and Recycling is offering owners in Hamilton Creek through the Homeowners Association special rates on trash removal and recycling pick up. They provide curbside pick up on Thursdays (recycling pick up is every other week). Rates are \$55 per quarter or \$47 for seniors over 60. Service can be arranged by calling Snowy Peak directly at (719) 486-5195.

Next year's Annual Meeting will be Saturday, June 22, 2002. The homeowners clean up for 2002 will be the Saturday before, June 15th.

The covenants require any real estate sign or construction sign to be of a specific size, design and color. The sign must be mounted below the property address sign. Security signs are required to be mounted on the address signposts. If you have real estate, construction or security signs at your property, please check them to insure they are conforming to the Covenants.

Storage areas, including firewood stacks, are not allowed unless screened from view. As part of the clean up day in June 2002, there will again be pick up of logs and slash placed on the sides of the road.

The Design Guidelines reflect the policies controlling new construction, remodeling, signs and any change to the outside of ones property. The guidelines (and all other Association documents) are available by request to the Association or at www.hamiltoncreek.org.

Homeowners and their guests are reminded that Summit County leash laws apply in Hamilton Creek. Please keep your pets under your control. When walking your dog, please clean up after it – the neighbors yard is not the restroom.

The current Homeowners address book is included with this mailing.