
RECORD OF PROCEEDINGS

Lake Creek Metropolitan District February 08, 2018 Meeting Minutes

**Minutes of the Regular Meeting
Of the Board of Directors
Lake Creek Metropolitan District
February 8, 2018**

A Regular Meeting of the Board of Directors of the Lake Creek Metropolitan District, Eagle County, Colorado, was held on February 8, 2018, at 5:00 p.m., at the offices of Marchetti & Weaver, LLC, 28 Second Street, Suite 213, Edwards, Eagle County, Colorado, in accordance with the applicable statutes of the State of Colorado.

Attendance The following Directors were present and acting:

- Dan Barry
- Ann Bourke
- Kathleen Eck
- Gerry Flynn

The following Directors were absent and excused:

- Hatsie Hinmon

Also in attendance were:

- Tony Zancanella, Zancanella & Associates
- Ken Marchetti, Marchetti & Weaver, LLC
- Anne Clarke, Secretary for the meeting

Call To Order

The Regular Meeting of the Board of Directors of Lake Creek Metropolitan District was called to order by Mr. Marchetti noting a quorum was present.

Changes to the Agenda

No changes.

Public Input There was no public input offered at the meeting.

Minutes

The Board reviewed the Minutes of the October 12, 2017 Regular meeting. After discussion of the water operation notes and by motion duly made and seconded it was unanimously

RESOLVED to approve the October 12, 2017 Regular meeting minutes with revisions.

**24 Hour Posting Notice
& Meeting Calendar**

RECORD OF PROCEEDINGS

Lake Creek Metropolitan District February 08, 2018 Meeting Minutes

The Board reviewed the Posting Notice locations and the proposed meeting schedule for the 2018 regular meetings. By motion duly made and seconded it was unanimously

RESOLVED to approve the posting location resolution and the meeting schedule, a copy of which is attached hereto and made a part hereof.

Whittaker Landscaping

Proposal Whittaker Landscaping Services forwarded a 2018 irrigation proposal for maintaining the grounds located above the tank at the top of Eagle Crest Road. The Board discussed the annual proposal and by motion duly made and seconded it was unanimously

RESOLVED to approve the 2018 Whittaker Landscaping contract according to last year's maintenance schedule.

Legal Mr. Geiger sent a message to the Directors that he estimates the work on the Moore's easement will be wrapped up and ready for review soon.

Operations Current water production reports were included in the Board packet for review.

Mr. Zancanella gave an update on the water system. Due to a recent pipe replacement in well #2, air was getting into the system. The operators have turned the well off and have scheduled an adjustment to that pipe before resuming the well operation. Preventative maintenance on Meadow Road is scheduled for work on the Pressure Reduction Valve. Affected homeowners will be contacted in advance.

Mr. Zancanella brought one of the point-of-diversion measuring devices to the meeting. Ten meters are scheduled for installation this summer. His office will coordinate with each homeowner for the installation, the cost of which is to be the responsibility of the homeowner. Usage of the device is mandatory for each property that pumps from the creek. This is part of a phased project to measure all domestic and irrigation diversions as part of the District's long-term strategy.

Financial Report

Mr. Marchetti reviewed the December 31, 2017 preliminary financial statements. The District is in a good cash position. The Directors discussed investment of the cash balances. Two accounts are legacy accounts that currently serve no purpose and generate minimal interest revenue. The Directors decided to close the Colorado State Bank Checking and Centennial Bank Money Market accounts, moving those funds into ColoTrust to receive a higher interest rate.

The Board reviewed the 2017 Application for Exemption from Audit and by motion duly made and seconded it was unanimously

RECORD OF PROCEEDINGS

Lake Creek Metropolitan District February 08, 2018 Meeting Minutes

RESOLVED to approve the 2017 Application for Exemption from an Audit.

**Accounts
Payable**

The Accounts Payable report was included in the board packet for review. The Directors decided to set-up the utility accounts with Comcast and CenturyLink on auto-pay. Ms. Clarke will continue to include those payments in the Accounts Payable report for ratification. Upon review and by motion duly made and seconded it was unanimously

RESOLVED to approve/ratify the accounts payable report as presented.

Adjournment

There being no further business to come before the Board and by motion duly made and seconded it was unanimously

RESOLVED to adjourn the Regular Meeting of the Lake Creek Metropolitan District Board of Directors this 8th day of February, 2018.

Respectfully submitted,



Secretary for the Meeting

RECORD OF PROCEEDINGS

**Minutes of the Regular Meeting
Of the Board of Directors of
Lake Creek Metropolitan District
May 10, 2018**

The Regular Meeting of the Board of Directors of the Lake Creek Metropolitan District, Eagle County, Colorado, was held May 10, 2018 at 5:00 p.m., at the offices of Marchetti & Weaver, LLC, 28 Second Street, Suite 213, Edwards, Eagle County, Colorado, in accordance with the applicable statutes of the State of Colorado.

Attendance The following Directors were present and acting:

- Gerry Flynn
- Ann Bourke
- Dan Barry
- Hatsie Hinmon

The following Director was absent and excused:

- Kathleen Eck

Also in attendance were:

- Tony Zancanella, Zancanella & Associates
- Ken Marchetti, Marchetti & Weaver, LLC
- Anne Clarke, Secretary to the Meeting

**Call To
Order**

The Meeting of the Board of Directors of Lake Creek Metropolitan District was called to order by Director Flynn noting a quorum was present.

Agenda

There were no changes to the meeting agenda.

**Public
Comment**

Mr. Zancanella reported that he had been contacted by the owner of 37 Elk Place regarding a new connection to the pressure system. The Directors discussed the project and the impacts of construction. They directed Mr. Zancanella to let the owner know that the project is likely to be \$30,000, with all costs to be borne by the owner. He should formally petition the Board in writing if he would like to move forward with the project. Mr. Zancanella will provide additional information regarding the project scope and expense details.

Minutes

The Board reviewed the minutes of the February 8, 2018 Regular meeting. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the February 8, 2018 meeting minutes as presented.

RECORD OF PROCEEDINGS

Lake Creek Metropolitan District May 10, 2018 Meeting Minutes

Oath of Office

The May 8, 2018 Election was cancelled and Directors Hinmon, Barry, and Eck were elected by acclamation. The oaths of office were executed to Directors Hinmon and Barry. Ms. Clarke will administer the oath of office to Director Eck in the following week.

By motion duly made and seconded, it was unanimously

RESOLVED to maintain the current officers as follows:

Gerry Flynn, President
Ann Bourke, Treasurer
Kathleen Eck, Secretary
Hatsie Hinmon, VP and Assistant Secretary/Treasurer
Dan Barry, VP and Assistant Secretary/Treasurer

Operations

Current water production reports were included in the Board packet for review.

Mr. Zancanella reviewed water operations and the irrigation meters. Two have been installed, three are scheduled for installation, and five additional meters have been ordered.

The Moore's Pond has been filled in priority, so Mr. Geiger will file the absolute status for 2018 water rights. A draft of the Moore's easement and agreement for the water system was included in the Board packet for review. In a memo, Mr. Geiger asked the Directors to review the agreement for any discussion before it is issued in final form. Mr. Zancanella answered initial questions from the Directors. After discussion and by motion duly made and seconded, it was unanimously

RESOLVED to approve the easement as presented today, and further

RESOLVED to authorize any officer to sign the final document upon recommendation by Mr. Geiger.

Financial Matters

Mr. Marchetti presented the preliminary March 31, 2018 financial statements. He discussed the impact of an estimated reduction in the Residential Assessment rate, which will likely reduce the District's assessed value by 14%. This isn't fatal but needs to be monitored to ensure that the District is able to collect enough revenues to operate and maintain the water system.

Accounts Payable

The Board reviewed the accounts payable report and by motion duly made and seconded it was unanimously

RECORD OF PROCEEDINGS

Lake Creek Metropolitan District May 10, 2018 Meeting Minutes

RESOLVED to approve the accounts payable report as presented.

Adjournment There being no further business to come before the Board, upon motion duly made and seconded it was unanimously

RESOLVED to adjourn the Regular Meeting of the Lake Creek Metropolitan District Board of Directors this 10th day of May 2018.

Respectfully submitted,



Anne Clarke
Secretary for the Meeting

RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors of Lake Creek Metropolitan District August 9, 2018

The Regular Meeting of the Board of Directors of the Lake Creek Metropolitan District, Eagle County, Colorado, was held on August 9, 2018 at 5:00 p.m., at the offices of Marchetti & Weaver, LLC, 28 Second Street, Suite 213, Edwards, Eagle County, Colorado, in accordance with the applicable statutes of the State of Colorado.

Attendance The following Directors were present and acting:

- Ann Bourke
- Kathleen Eck
- Gerry Flynn
- Hatsie Hinmon

The following Director was absent and excused:

- Dan Barry

Also in attendance were:

- Jack Eck, Homeowner
- Tony Zancanella, Zancanella & Associates
- Ken Marchetti, Marchetti & Weaver, LLC
- Anne Clarke, Secretary to the Meeting

Call To Order

The Meeting of the Board of Directors of the Lake Creek Metropolitan District was called to order by Director Flynn on August 9, 2018 at 5:04 p.m. noting a quorum was present.

Agenda

There were no changes to the meeting agenda.

Public Comment

There was no public comment. However, Director Flynn reported that the owner of 37 Elk Place was not interested in pursuing a new connection to the pressure system.

Minutes

The Board reviewed the minutes of the May 10, 2018 Regular Meeting. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the May 10, 2018 meeting minutes as presented.

CORA Resolution

The District adopted a Colorado Open Records Act in 2014. The statute recently changed, so Mr. Marchetti presented a revised Resolution. Upon motion duly made and seconded it was unanimously

RECORD OF PROCEEDINGS

Lake Creek Metropolitan District August 9, 2018 Meeting Minutes

RESOLVED to approve and adopt the Resolution designating the official custodian of records and adopting a policy on responding to open records requests, as presented.

Ballot Question

Mr. Marchetti explained that several local Districts are participating in the November election to “De-Gallagherize” their mill levy. In 2014, this District successfully converted the debt service mill to an operating mill, so Mr. Marchetti recommended that the District not participate in the 2018 election.

Legal Matters

Mr. Geiger provided a memo, requesting any final comments or questions regarding the Moores Trust Project agreement. Execution is expected in the next month. After discussion and by motion duly made and seconded, it was unanimously

RESOLVED to approve the agreement, subject to holding open until August 15th for final comments from the Directors.

In July, Mr. Geiger received complaints from other water rights owners in the Creamery Ditch regarding operation of the head gate that delivers the District Water Rights into the main lateral. It was determined that the head gate had been improperly adjusted by the property manager. A certified letter was mailed on July 9th to the property owner, relating the complaint and the District’s obligations. The letter and subsequent email correspondence will be distributed to the Directors for review.

Operations

Current water production reports and an operations memo were included in the Board packet for review. Mr. Zancanella remarked the unaccountable consumption figures looked great. Six of the raw water irrigation meters were operational. One owner installed the meter, but had not connected it to electricity yet. Mr. Zancanella will draft a letter to the owner, indicating a deadline to make the meter fully functional. If the deadline isn’t met, the meter will be removed and the owner will not be able to divert raw water on the property. The meters installed to-date have provided excellent data to quantify raw water usage.

Mr. Zancanella explained that the meters are giving such good data that he requested an acceleration of the phased capital purchase. Mr. Marchetti and the Directors determined that appropriations allowed for the 2019 \$25,000 phased purchase to be made 2018. After discussion and by motion duly made and seconded, it was unanimously

RECORD OF PROCEEDINGS

Lake Creek Metropolitan District August 9, 2018 Meeting Minutes

RESOLVED to authorize Mr. Zancanella to purchase an additional \$25,000 in irrigation meters, reducing the 2019 Budget by the same amount.

Director Eck requested additional information and cost estimates for the District to obtain a blanket augmentation plan, which would allow for wall-to-wall irrigation. She wanted to understand the process as well as the resulting impact to the District. By motion duly made and seconded, it was unanimously

RESOLVED to authorize Mr. Zancanella and Mr. Marchetti to investigate the cost and process of a Blanket Augmentation Plan. Results of the investigation are to be circulated to the Board for review before the next meeting.

Director Bourke and Director Eck requested additional information on third party purchases of District water. After discussion of the general process, it was agreed that Mr. Marchetti will draft a formal policy and application to be used for all future purchases. Director Flynn would like to see this revenue separated from the in-District water sales on future financial reports.

Ms. Clarke left the meeting at approximately 7:05 pm.

Financial Matters

Mr. Marchetti presented the preliminary June 30, 2018 financial statements and a preliminary 2019 Budget.

Accounts

Payments

The accounts payable report from May 2018 to August 2018 was presented to the Board. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the accounts payable report as presented.

Adjournment There being no further business to come before the Board, upon motion duly made and seconded it was unanimously

RESOLVED to adjourn the Regular Meeting of the Lake Creek Metropolitan District Board of Directors this 9th day of August 2018.

Respectfully submitted,



Secretary for the Meeting

RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors of Lake Creek Metropolitan District October 11, 2018

The Regular Meeting of the Board of Directors of the Lake Creek Metropolitan District, Eagle County, Colorado, was held on October 11, 2018 at 5:00 p.m., at the offices of Marchetti & Weaver, LLC, 28 Second Street, Suite 213, Edwards, Eagle County, Colorado, in accordance with the applicable statutes of the State of Colorado.

Attendance The following Directors were present and acting:

- Dan Barry
- Ann Bourke
- Kathleen Eck
- Gerry Flynn
- Hatsie Hinmon

Also in attendance were:

- Tony Zancanella, Zancanella & Associates
- Ken Marchetti, Marchetti & Weaver, LLC
- Anne Clarke, Secretary to the Meeting

Call To Order

The Meeting of the Board of Directors of the Lake Creek Metropolitan District was called to order by Director Flynn on October 11, 2018 at 5:02 p.m. noting a quorum was present.

Agenda There were no changes to the meeting agenda.

Public Comment

There was no public comment. Director Hinmon discussed the November election proposition 1A to extend the Eagle County open space tax. She is a Director for Eagle Valley Land Trust. After discussion, she recommended a Yes vote for the ballot issue.

Minutes The Board reviewed the minutes of the August 9, 2018 Regular Meeting and suggested grammatical edits. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the August 9, 2018 meeting minutes with revisions.

Legal Matters

Mr. Geiger reported that he is in contact with the Moore's attorney for the execution of the easement and water system operation agreement.

Budget

RECORD OF PROCEEDINGS

Lake Creek Metropolitan District October 11, 2018 Meeting Minutes

Hearing Mr. Marchetti reviewed the 2019 budget with the Board. Mr. Marchetti opened the meeting for public comment on the 2019 budget. There being no public input, the public hearing was closed.
Mr. Marchetti reviewed the September 30, 2018 preliminary financial statements and the long-range financial plan through 2020. Replacement distribution lines are a significant expense and the District's goal is to build the reserves to \$3,000,000 for this replacement. By motion duly made and seconded it was unanimously

RESOLVED to approve the resolution to adopt the 2019 budget, to certify the mill levy at 10.458 mills and to appropriate funds for spending in 2019, subject to adjustment for the final assessed valuation. The formal resolution to adopt the budget, certify the mill levy, and appropriate funds for expenditure in 2019 are incorporated herein by this reference.

Accounts Payments The accounts payable report from August 2018 to September 2018 was presented to the Board. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the accounts payable report as presented.

Operations Current water production reports were included in the Board packet for review. Mr. Zancanella reported that all of the raw water irrigation meters are operational. Well #2 has suffered from corrosion and might need replacement in approximately two years, at a cost estimate of \$150,000.

At a previous meeting, the Directors requested an update regarding blanket augmentation. Zancanella & Associates provided a memo reviewing water usage and augmentation for existing and future scenarios within the District. Projected use at full buildout and costs for additional augmentation capacity were also estimated in the memo. Mr. Zancanella reviewed the memo assumptions with the Directors. No action was taken.

Ms. Clarke and Mr. Zancanella presented a policy to formalize the process of selling water to a third-party. The Directors reviewed the policy and requested several changes. The revised policy will be presented at a subsequent meeting.

2019 Meetings

The Directors reviewed the proposed 2019 meeting calendar and requested that the next meeting be scheduled for 1/24/19.

Adjournment There being no further business to come before the Board, upon motion duly made and seconded it was unanimously

RECORD OF PROCEEDINGS

Lake Creek Metropolitan District October 11, 2018 Meeting Minutes

RESOLVED to adjourn the Regular Meeting of the Lake Creek Metropolitan District Board of Directors this 11th day of October 2018.

Respectfully submitted,

A handwritten signature in black ink that reads "Anne D Clarke". The signature is written in a cursive style with a large, looped initial "A".

Anne Clarke
Secretary for the Meeting

RESOLUTION

REGARDING POSTING NOTICES FOR MEETINGS

WHEREAS, Special Districts are required by Subsection 32-1-903(3), C.R.S., to designate annually at the District's Board of Directors' first regular meeting of each calendar year, the place at which notice will be posted at least 24 hours prior to each meeting.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LAKE CREEK METROPOLITAN DISTRICT AS FOLLOWS:


1. Notices of meetings of the District's Board of Directors required pursuant to Section 24-6-401, et. Seq., C.R.S., shall be posted within the boundaries of the District at least 24 hours prior to each meeting at the following location:

Pump House at 119 Brook Place

2. Notices of regular or special meetings required to be posted at three public places within the District and at the office of the County Clerk and Recorder at least 3 days prior to said meeting shall continue to be made pursuant to Section 32-1-903(2), C.R.S.

ADOPTED this 8th day of February, 2018.

LAKE CREEK METROPOLITAN DISTRICT



Gerry Flynn, Chairman

(S E A L)

Lake Creek Metropolitan District 2018 Meeting Schedule

The Regular Meetings will be held on the 2nd Tuesday of specific months at 5:00 p.m.

28 Second St, Suite 213, Edwards, CO 81658

Month	Meeting	Date
February	Regular Meeting -Audit Exemption	February 8, 2018
May	Regular Meeting -Director Election	May 10, 2018
August	Regular Meeting -Regular Biz	August 9, 2018
October	Regular Meeting - Budget Proposal	October 11, 2018

Jan-18						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Feb-18						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

Mar-18						
S	M	T	W	T	F	S
				1	2	3
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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Apr-18						
S	M	T	W	T	F	S
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22	23	24	25	26	27	28
29	30					

May-18						
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27	28	29	30	31		

Jun-18						
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24	25	26	27	28	29	30

Jul-18						
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29	30	31				

Aug-18						
S	M	T	W	T	F	S
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Sep-18						
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30						

Oct-18						
S	M	T	W	T	F	S
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21	22	23	24	25	26	27
28	29	30	31			

Nov-18						
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25	26	27	28	29	30	

Dec-18						
S	M	T	W	T	F	S
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Meeting Dates

Holidays

LAKE CREEK METROPOLITAN DISTRICT

**RESOLUTION DESIGNATING THE
OFFICIAL CUSTODIAN OF RECORDS AND ADOPTING A
POLICY ON RESPONDING TO OPEN RECORDS REQUESTS**

WHEREAS, pursuant to §32-1-1001(1)(h), C.R.S., the Board of Directors of the Lake Creek Metropolitan District (“District”) is responsible for the management, control and supervision of all of the business and affairs of the District; and

WHEREAS, pursuant to §32-1-1001(1)(i), C.R.S., the Board of Directors of the District has the authority to appoint an agent; and

WHEREAS, the Board of Directors of the District has determined that it is appropriate to designate an official custodian of the District’s records for the protection of such records and in order to permit their inspection by persons entitled to examine and copy such records in an orderly fashion; and

WHEREAS, the Board of Directors of the District has determined that it is appropriate to adopt a policy on responding to open records requests; and

WHEREAS, the Board of Directors fully supports, and complies with, all Federal and State laws relating to the retention, protection and disclosure of District records including, but not limited to, the Colorado Open Records Act, Title 24, Article 72, Part 2, C.R.S. (“CORA”), the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), and the Privacy Rule promulgated by the U.S. Department of Health and Human Services which interprets and implements HIPAA; and

WHEREAS, it is the policy of the District that all public records shall be open for inspection by any person at reasonable times, except as otherwise provided by law; and

WHEREAS, public records are defined by CORA as all writings made or maintained by the District, regardless of the format or medium of the records, subject to certain exceptions and public records expressly include e-mail communications.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Lake Creek Metropolitan District that:

1. Official Custodian.

(a) Marchetti & Weaver, LLC, the Administrator of the District, is hereby designated as the Official Custodian responsible for the maintenance, care and keeping of all records of the District, except as provided herein.

(b) The Official Custodians shall have the authority to designate such agents as they shall determine appropriate to perform any and all acts necessary to enforce and execute the provisions of this Resolution.

2. Policy on Responding to Open Records Request. The following are general policies concerning the release of records:

(a) All public records of the District shall be open for inspection at the times designated herein, unless prohibited by the provisions of CORA or policies adopted by the Board of Directors in conformance with CORA.

(b) Every request to inspect and/or copy any District record (a "Records Request") shall be submitted to the District's Official Custodian in writing and be specific as to the information desired. If not submitted to the Official Custodian, any District employee or Board Member that receives the Records Request shall immediately send the Records Request to the Official Custodian. To assist the Official Custodian in responding to requests in a timely and complete manner, the Official Custodian may require records requests to be submitted on a form developed by the Official Custodian.

(c) If any question arises as to the propriety of fully complying with a Records Request, the Official Custodian shall immediately forward it to the District's legal counsel.

(d) The District's legal counsel shall determine the District's obligations under the applicable Federal and/or State law(s). If the District is permitted to make records available for inspection in whole or in part, the District's legal counsel will so notify the District's Official Custodian, who will assemble the disclosable requested documents for inspection and/or copying in accordance with applicable Federal or State law.

(e) If the District's legal counsel determines the District is not permitted by Federal or State law to make records available for inspection in whole or in part, legal counsel shall provide a written response to the party submitting the Records Request stating the legal basis upon which the Records Request in whole or in part is being denied.

(f) Following the denial of a request for record, upon receipt of the required written notice from the requesting individual that he or she will seek relief from the District Court, the Official Custodian will attempt to meet in-person or speak by

telephone with the requesting individual. District personnel are encouraged to utilize all possible means to attempt to resolve the dispute during this time period and will provide a written summary of the District's position at the end of that period to the requestor and to the District's Board of Directors. No phone or in-person conference is required if the written notice indicates that the requestor needs access to the record on an expedited basis.

(g) Pursuant to CORA, all records must be made available for inspection within three (3) working days from the Official Custodian's receipt of the request, unless extenuating circumstances exist. The deadline may be extended by seven (7) working days if extenuating circumstances exist and the requesting party is notified of the delay within three (3) working days of the Official Custodian's receipt of the request. The Official Custodian may set the time during normal office hours and the place for records to be inspected, and require that the Official Custodian or a delegated employee be present while the records are examined.

(h) A public record stored in a digital format that is neither searchable nor sortable will be provided in a digital format. A public record stored in a digital format that is searchable and/or sortable will be provided in such digital format, unless (1) the public record is in a searchable or sortable format and producing the record in the requested format would violate the terms of any copyright or licensing agreement between the District and a third party; (2) producing the record would result in the release of a third party's proprietary information; (3) after making reasonable inquiries, it is not technologically or practically feasible to provide a copy of the record in a searchable or sortable format, or (4) if the Official Custodian would be required to purchase software or create additional programming functionality in its existing software to remove the information. Altering an existing digital public record, or excising fields of information that the Official Custodian is either required or permitted to withhold under this subsection, does not constitute the creation of a new public record under Section (2)(i)(iv) of this Resolution.

(i) The Custodian may charge the following fees (collectively, the "Fees") for responding to a Records Request:

(i) Printouts, photographs, and copies, when requested, will be provided at a cost of twenty-five cents (\$0.25) per standard page, and at the actual costs of production for any non-standard page (the "Copying Fee"). A standard page shall mean an 8.5-inch by 11-inch black and white copy.

(ii) When it is impractical to make the copy, printout, or photograph of the requested record at the place where the record is kept, the Official Custodian may allow arrangements to be made for the copy, printout, or photograph to be made at other facilities and the cost of providing the requested records will be paid by the person making the request (the "Outside Copying Fee").

(iii) If a copy, printout or photograph of a public record is necessary or requested to be provided in a format other than a standard page, the costs will be assessed at the actual cost of production (the "Production Fee").

(iv) If data must be manipulated in order to generate a record in a form not otherwise used by the District, such data manipulation will be assessed at the actual costs to the District (the "Manipulation Fee"); however, the District is in no way obligated to generate a record that is not otherwise kept, made, or maintained by the District.

(v) The cost for transmitting the requested records will be charged at the actual cost of such delivery (the "Transmission Fee"). Transmission Fees will not be charged for transmitting any record via electronic mail, when requested.

(vi) When the location or existence of specific documents must be researched and the documents must be retrieved, sorted or reviewed for applicability to the request, and such process requires more than one (1) hour of staff time, the Custodian may charge a research and retrieval fee not to exceed thirty dollars (\$30.00) per hour (the "Research and Retrieval Fee").

(vii) If any requested records are protected by a privilege (for example, but not limited to, the work product or attorney-client privileges) the District may charge the actual costs of creating a privilege log identifying the privileged records (the "Privilege Fee"). If legal assistance or review is necessary to create the privilege log, the Privilege Fee may include the actual costs for such legal assistance.

(j) If the estimated Fees to produce the records will exceed \$25.00, the District may require a deposit of the estimated Fees prior to commencing work to produce the records. Payment of the remainder of the Fees, including all actual costs exceeding the estimated amount, must be made prior to the time of inspection or release of the final work product or copies.

(k) No person shall be permitted to inspect or copy any records of the District if, in the opinion of the Official Custodian after consultation with the District's legal counsel, such inspection or copying would come within the prohibition of one or more exemptions set forth in CORA.

3. Severability. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

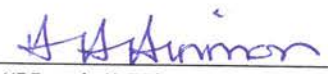
4. Effective Date. This Resolution shall take effect and be enforced immediately upon its approval by the Board of Directors of the District.

The foregoing Resolution was approved and adopted this 9th day of August, 2018.

LAKE CREEK METROPOLITAN DISTRICT

By: 
Gerald Flynn, Chairman

Attest:


Harriett "Hatsie" Hinmon,
Assistant Secretary

LAKE CREEK METROPOLITAN DISTRICT

RESOLUTION NO. 20 ____

**A RESOLUTION APPROVING AN EXEMPTION FROM AUDIT
FOR FISCAL YEAR 2017**

WHEREAS, the Lake Creek Metropolitan District (“District”) is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Title 32, Colorado Revised Statutes; and

WHEREAS, the Board of Directors of wishes to claim exemption from the audit requirements of Section 29-1-603, C.R.S.; and

WHEREAS, Section 29-1-604, C.R.S., states that any local government where neither revenues nor expenditures exceed seven hundred fifty thousand dollars may, with the approval of the State Auditor, be exempt from the provision of Section 29-1-603, C.R.S.; and


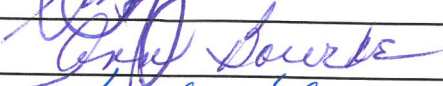


WHEREAS, neither revenues nor expenditures for Lake Creek Metropolitan District exceeded \$750,000 for Fiscal Year 2017; and

WHEREAS, an application for exemption from audit for Lake Creek Metropolitan District has been prepared by Kenneth J. Marchetti, an independent accountant with knowledge of governmental accounting; and

WHEREAS, said application for exemption from audit has been completed in accordance with regulations, issued by the State Auditor.

NOW THEREFORE, be it resolved by the Board of Directors of the Lake Creek Metropolitan District that the application for exemption from audit for 2017 for the Fiscal Year ended December 31, 2017, has been personally reviewed and is hereby approved by a majority of the Board of Directors of the District; that those members of the Board of Directors have signified their approval by signing below; and that this resolution shall be attached to, and shall become a part of, the application for exemption from audit of the Lake Creek Metropolitan District for the fiscal year ended December 31, 2017.

ADOPTED THIS 8th day of February, 2018.

Type or Print Names of Members of Governing Body	Date Term Expires	Signature
Gerald Flynn	May 2020	
Ann Bourke	May 2020	
Kathleen Eck	May 2018	
Hatsie Hinmon	May 2018	
Daniel Barry	May 2018	