
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors of Lake Creek Metropolitan District August 8, 2019

The Regular Meeting of the Board of Directors of the Lake Creek Metropolitan District, Eagle County, Colorado, was held on August 8, 2019 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:

- Kathleen Eck (via phone)
- Gerry Flynn
- Dan Barry (via phone)

The following Directors were absent and excused:

- Anne Bourke
- Hatsie Hinmon

Also in attendance were:

- Marie Minnick, owner
- Tony Zancanella, Zancanella & Associates
- Ken Marchetti, Marchetti & Weaver, LLC
- Beth Johnston, 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 8, 2019 noting a quorum was present.

Agenda There were no changes to the meeting agenda.

Public Comment

Director Flynn introduced Ms. Minnick. Ms. Minnick expressed her concerns on the water rate structure for the District saying that the District's base rate for 10,000 gallons of water encouraged waste and penalized low water users. Ms. Minnick then presented research on other water rates within the area. Director Flynn addressed Ms. Minnick's concerns explaining that most water districts set a base fee with a tiered usage fee for excess usage. Mr. Zancanella explained how the District's base rate was determined and general discussion continued on water use, rates, and how to encourage conservation. Ms. Minnick explained that when she approached the Board several years ago about her concerns over water use in the District, a director on the Board was dismissive and condescending. Director Flynn apologized for her previous experience. Following the discussion, the Board expressed that they would take Ms. Minnick's concerns into consideration when setting future water rate structures for the District.

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The Board discussed the email from Ms. Milbery and the mosquito control information included in the packet. Mr. Marchetti noted that the primary control was at the larvae stage with spraying done in a controlled manner as a secondary measure when needed. Following discussion, the Board decided to forgo any further mosquito control for the remainder of 2019 and to revisit the issue before next spring.

Consent Agenda

The following documents were included in the board packet for review and approval under the consent agenda:

- Regular Meeting minutes May 9, 2019
- Preliminary Financial statements ending June 30, 2019
- Accounts Payable report (updated report distributed by Ms. Johnston at meeting)
- Water Consumption and Production reports
- Tap Fee reports

Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the consent agenda items as presented.

Water

Mr. Zancanella reviewed the operations report. Mr. Zancanella reported that CenturyLink was not willing to mitigate the noise from the generator. Mr. Kelly inquired if the District would be willing to tie into their generator to help with the pump house which could potentially help with the noise level of the generators. The Board requested more information to be presented at the next meeting.

Legal

The Board reviewed the Decree for case 2018CW3205 noting that the absolute water rights meant there was no further due diligence required. Ms. Johnston gave an overview of the Moores' winter plan for augmentation included in the packet and Mr. Zancanella recommended that the District extend the deadline for two years. The Board asked Mr. Zancanella to follow up with Mr. Geiger with Balcomb and Green to determine the best course of action and report back at the next meeting. The Board reviewed the resolutions included in the packet and, upon motion duly made and seconded, it was unanimously

RESOLVED to approve the Consumer Data Privacy Policy Resolution and;

FURTHER RESOLVED to approve the resolution Authorizing Online Notice of Public Meetings.

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Future Meetings

The next meeting has been scheduled for October 10, 2019 starting at 5:00 p.m. and the 2020 budget would be considered.

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 8th day of August 2019.

Respectfully submitted,



Beth Johnston
Secretary for the Meeting