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**RECORD OF PROCEEDINGS**

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**Minutes of the Regular Meeting  
Of the Board of Directors of  
Lake Creek Metropolitan District  
January 24, 2019**

The Regular Meeting of the Board of Directors of the Lake Creek Metropolitan District, Eagle County, Colorado, was held on January 24, 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:

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

The following Director was absent and excused:

- Dan Barry

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 January 24, 2019 noting a quorum was present.

**Agenda**

There were no changes to the meeting agenda.

**Public  
Comment**

There was no public comment.

**Minutes**

The Board reviewed the minutes of the October 11, 2018 Regular Meeting. Upon motion duly made and seconded it was unanimously

**RESOLVED** to approve the October 11, 2018 meeting minutes as presented.

**Financial Matters**

Mr. Marchetti presented the preliminary December 31, 2018 financial statements. The Board reviewed the 2018 Application for Exemption from Audit and by motion duly made and seconded it was unanimously

**RESOLVED** to approve the 2018 Application for Exemption from Audit.

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## Lake Creek Metropolitan District January 24, 2019 Meeting Minutes

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### Accounts

**Payable** The accounts payable report from October 2018 to January 2019 was presented to the Board. Upon motion duly made and seconded it was unanimously

**RESOLVED** to approve the accounts payable report as presented.

### 24 Hour Posting Notice & Meeting Calendar

The Board reviewed the Posting Notice locations and the proposed meeting schedule for the 2019 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.

### Legal Matters

Mr. Geiger reported that subsequent to the execution of the Moores pond easement agreement, his office filed an application seeking to confirm the water rights as absolute. By motion duly made and seconded it was unanimously

**RESOLVED** to ratify the following statement:

The Board of Directors of the Lake Creek Metropolitan District ("District") finds that all conditional water rights decreed to the Lake Creek Meadows Reservoir are necessary and valuable to the District's operations, that these conditional water rights have been diligently developed and should be maintained, and that these conditional water rights have been perfected through construction of storage capacity and storage in priority at the original and certain alternate locations of storage decreed to the Lake Creek Meadows Reservoir water rights, and hereby RESOLVES that the District shall file an application in the District Court, Water Division No. 5, seeking confirmation that the District has been diligent in perfecting the conditional water rights decreed to the Lake Creek Meadows Reservoir and that these water rights have been made absolute through construction of storage capacity and storage in priority, and further that Balcomb & Green P.C. and Zancanella and Associates, Inc. are hereby directed to prepare and file such an application on or before December 31, 2018 or as soon thereafter as possible.

**Operations** Current water production reports were included in the Board packet for review. Mr. Zancanella reported that 28 Eagle Crest had a leak in January due to a PRV failure. A significant amount of water flowed through the property owners' meter. The Directors requested that the fire hydrants be cleared of accumulated snow. The Directors reviewed the revised fire hydrant permit policy and application. They would like to minimize the sale of water to third parties.

New groundwater monitoring equipment will be installed soon, which will produce better data for forecasting the replacement of Well #2. This capital replacement is currently budgeted for 2020 at the estimated cost of \$150,000. Mr. Zancanella will also prepare a plan to add a backup generator for the well sites.

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The Directors discussed fire hydrants within the District. A hydrant was not required at 1952 Lake Creek Road after all, as determined by the Fire Department. The residence currently meets rural ISO requirements. Under the rural classification, the District meets all standards.

The Directors discussed the District's augmentation. Mr. Zancanella reported for Mr. Geiger that increasing the District's authority to have more water would require purchasing junior water rights and then incurring the ongoing expense of maintaining those rights. The Directors determined that the District has sufficient water rights.

**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 24th day of January 2019.

Respectfully submitted,



Anne Clarke  
Secretary for the Meeting