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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 May 9, 2019**

The Regular Meeting of the Board of Directors of the Lake Creek Metropolitan District, Eagle County, Colorado, was held on May 9, 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
- Dan Barry (via phone)

The following Director was absent and excused:

- 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 May 9, 2019 noting a quorum was present.

**Agenda** There were no changes to the meeting agenda.

#### **Public Comment**

There was no public comment.

#### **Consent Agenda**

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

- Regular Meeting minutes October 11, 2018
- Preliminary Financial statements March 31, 2019
- Accounts Payable report
- 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.

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**28 Eagle Crest** The Patriacca residence experienced a significant water leak in January, resulting in 252,000 gallons flowing through their meter into a crawl space. Mr. Patriacca requested a waiver of the excess usage fees. He also sent a request to Zancanella & Associates, requesting reimbursement of his mitigation and repair expenses. The Board discussed the request as well as the need to remain consistent in the application of excess usage fees charged to other property owners. They unanimously declined the waiver request. They also discussed the reimbursement posed to Mr. Zancanella. Mr. Elmore, of Zancanella's firm, replaced a failed meter at the residence in 2013. The meter replacement is a simple threaded connection. There have been no mechanical issues with this meter for five years. January's leak was a failure of the PRV and internal plumbing. The Directors did not feel that Mr. Zancanella's firm was liable for any of the Patriacca repair expenses.

The use of "water cop" devices to protect homeowners from water leak damages was suggested. Mr. Zancanella informed the Directors that the devices can be problematic because they can shut off water service unnecessarily. Property owners need to be aware of how to reset their devices, if they are installed on the property. The District should also consider adding a service fee if the water operator has to make a site visit to a property to reset a water cop device.

**Legal** Balcomb & Green's office circulated documentation updating the Directors on their application for Case No. 18CW3205. The Division Engineer's Office recommends approval upon clarification of two minor issues. The Directors reviewed the draft response addressing the minor issues and agreed to have Mr. Geiger submit the response as drafted. They also thanked Mr. Geiger for preparing a document detailing the District's water supply and plan to use the document in all future discussions of water supplies.

### **Strategic Planning**

The Directors reviewed a summary of 2010-2020 goals and achievements for the District. Ms. Clarke prepared an overview to set 2020-2030 strategies. Director Eck reiterated that a key goal must be to protect and conserve water. The Directors discussed several items and requested a few adjustments to the overview document. They discussed water rates and agreed that the current rate structure is appropriate to their water operation. In the near future, they would like to review water rates and fees from other water districts as well as better understand the cost of maintaining the water system. Director Bourke inquired about the long-range replacement plan necessary to maintain the integrity of the system. She inquired about Buffalo Mountains current project and Mr. Marchetti explained that the project was ten years in the making and they are financing the capital improvements with a low interest rate loan. The Directors requested

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additional analysis on their water system revenues and expenditures for future rate guidance.

Mr. Zancanella reported that the installation of raw water meters has proven that prior usage estimates were higher than actuals. He is preparing a proposal for purchase of a diesel generator to power the well pumps in case of an electrical power outage. The Directors indicated that they wanted the generator proposal to include noise mitigation. The equipment needs to be quiet, except when actually turned on to power the pumps. Existing telecom generators are noisy and intrusive to adjacent property owners.

**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 May 2019.

Respectfully submitted,

Anne Clarke  
Secretary for the Meeting