

## History of water taps 501 W. Main

The following dates and actions are taken directly from the Board of Trustees minutes from 1972 to 2019

Spring 1972. Marvin Motes purchases Riverbend MHP from Mr Fulton.

April 17th 1972. Mr Motes presents plans for enlarging Riverbend MHP. Requests zoning change from R1 to R2

June 5th 1972. Board votes to grant zoning change at RBMHP from R1 to R2

June 5th 1972. Board votes to increase water tap fee from \$250. To \$350. (ordinance 260)

June 19th 1972. Mr Motes AGAIN present to discuss water tap charge. Mr Motes instructed to decide what his needs are and something can be worked out. Matter tabled.

August 7th 1972. Further discussion on Mr Motes water tap for RBMHP. Referred to water committee for answer by next meeting. Meeting of committee to be held Thursday at 7:30

August 21st 1972. Water tap charge for RBMHP referred to water committee.

May 7th 1973. Letter from Mr Motes of RBMHP asking for information about costs of connecting to town water. Mayor recommends referral to water committee for study. Wm Brackett set May 14th 1973 for water committee to meet with Mr. Motes.

NOTE. On two occasions the Board referred this tap matter to the water committee. I have seen no minutes or records of what transpired at these meetings. We only know that the Town Clerk ultimately placed a page in the water tap book representing 31 taps.

August 20 1973. S. Bohn report from electrical committee that work being done at RBMHP.

July 12th 1973. At meeting of Board of Directors of Lyons Sanitation District board accepted plans for installation and check for 30 sewer taps at RBMHP

July 13th 1973. Page placed in tap book for 30 sewer taps.

Sept 17th 1973. Bohn of electric committee reported that 3 electricians from Longmont working Saturday and weekends at RBMHP.

Oct 15th 1973. Bohn reports that RBMHP electric project now ready for use.

Nov 5th 1973. First reading of ordinance 283 increasing water tap rates from \$350. To \$700. Effective Dec 8th 1973.

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Nov 19th 1973. 2nd reading of ordinance 283 increasing water taps from \$350. To \$700.

NOTE. In Administrator Cinnamons letter to Longmont dated Oct 31 2006. He stated that the page for 31 taps was placed in the tap book in 1973. We don't know the exact date because this page can no longer be located, but it is probably fair to assume it was before Dec 8th 1973 because Mr. Motes having seen the tap rate go from \$250. To \$350 in June of 1972. Wanted to make his purchase before the next increase to take effect Dec 8th. Increasing the rate to \$700. The town selling taps for future use before a rate increase even to areas not currently serviced by town water has been a common practice for many years. In our research we have found several cases where this has happened just prior to rate increases, twice by former Mayors. Administrator Cinnamon also said that it was the town clerk that made the mistake. We don't know how he knew this, maybe comparing handwriting.

June 3rd 1974. Ordinance 288. Water taps are \$700. This ordinance states that in the event of multiple taps, additional taps shall be \$467.

NOTE. This practice of discounting multiple taps has been around for a long time and I believe is still available today.

Sept 15th 1980. Ordinance 366 stating that upon annexation water must be dedicated to the town.

May 7th 1984. Ordinance 434 deals with water dedication for annexation and development of new land.

April 18th 1994. Ordinance 558. Taps purchased after April 18th, 1994 shall have 18 months from date of purchase to install tap. If not installed within that time period, tap owner must pay monthly minimum rate. Ordinance 558 also increased the tap rate from \$3000. To \$4,500. Effective May 6th 1994.

May 5th 1994. Mr Nick Angelo purchased a tap for 4089 Ute Highway for \$3000. (one day before the tap rate increased to \$4,500.)

NOTE. There was no water available to 4089 Ute Hwy at this time. Water only became available with the development of Stone Canyon several years later. When he was able to hook up to town water the town had lost the record of his tap and he was required to prove its existence. Which he did.

June 15th 1998. Richard Hinshaw entered into a contract for purchase / trade of 12 water taps.

To be used at 427 5th ave.

Note. These taps were not used until 2007.

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Feb 18th 2003. Administrator Cinnamons's fact sheet reads as follows "For many years the towns records were neglected and in disarray. Mayor Hinshaw made the cleanup and re-organization of the files his number one priority. Today the town has an excellent filling system and files. Nancy Hofmeister was hired to 'clean up and re-organize' and she has done an excellent job."

June 18th 2003. Resolution no. 2003-19 IGA with Longmont for Longmont to provide treated water to Lyons. Lyons stated that they currently have 736 service connections.

NOTE. This number (736) includes the 31 water taps that Mr. Motes purchased in 1973.

June 20th 2006. Lyons Properties closes on 501 West Main.

July 2006. Jacque Watson confirms that 501 W Main has 31 water taps.

July 2006. One to two days later. Jacque indicates that there are a couple inconsistencies with our tap page in the tap book. One being that the book only says taps. Not water taps. The other being that the amount recorded as purchase price was different than the tap rate at that time. Jacque and I spent some time looking over the page in the tap book. I don't remember the meeting well but I am sure that I also met with Administrator Cinnamon about this time.

NOTE. After my research, it becomes clear that these are not inconsistencies. Since at the time of purchase the town did not sell sewer taps. Lyons Sanction Distract sold sewer taps. It was common for the town to just say taps for water taps because that was the only type of taps that the town sold. As for the tap fee, as stated earlier the town discounts the purchase of multiple taps. Which made the purchase price consistent with that policy. As I recall the tap rate was \$235. ( This is my recollection. I have no written evidence)

Oct 31 2006. Administrator Cinnamon wrote a letter to Longmont stating that while doing the annual audit that it was discovered that the town had made a mistake and that 501 West Main didn't have taps after all. The reason he gave was because there was no water line to the property so we couldn't have taps. He also stated that they were sewer taps.

NOTE. As stated earlier it was common practice for the town to sell taps for future use. It was also common practice for people to buy taps just prior to a rate increase. We can find several examples of this. This leaves us with no stated reason that these taps were a mistake. His statement that they were sewer taps makes no sense. There is a page in the tap book representing 30 sewer taps. If these were also sewer taps then we would have 61 sewer taps. Administrator Cinnamon attempted to take our taps with no credible evidence and we feel with no authority to do so. At the very least this should take evidence, Board action and notification to the tap owner. His action should be ignored and Longmont should be notified that this action was taken without Board authorization.

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Sept. 20th 2018. Submitted a CORA request to town for copies from tap book, minutes and other info to do my research.

NOTE. The information that we gathered thru this CORA was when it became clear that we had a problem that needed to be resolved.

Dec. 12th 2018 Met with Mayor Sullivan and Trustee Dreistadt to discuss our findings.

Late January 2019. Met with Mayor Sullivan and Trustee Dreistadt and town staff to discuss findings.

March 2019. Met with Trustee Browning to discuss findings.

March 2019. Went before the Board to request a workshop with Town Board and staff.