

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE

HARRIS PARK METROPOLITAN DISTRICT

A regular meeting of the Board of Directors of the Harris Park Metropolitan District was scheduled in compliance with the laws of the State of Colorado and held on Saturday, October 8, 2022, at 9:00 a.m. at the District's Community Center located at 2154 Shelton Drive, Bailey, Colorado 80421. A searchable notice advising members of the public about the meeting was posted on the District's website.

Attendance: The following directors were in attendance: Name Position Term

Chris Martin President May 2025
Beth Bratz Vice President May 2025
Mercedes Sorsunwan Secretary/Treasurer May 2023
Jimmy Graham Director May 2023
Monique Bright Director May 2025

Also present were:

Ted Laves, District Manager (via Zoom)
Anita Marchant, District Counsel (via Zoom)

and residents – among others - including:

- Deb Watson
- Steve Eddleman
- Daria Eddleman
- Ray Mahoney
- Amy Maniatis
- Steve Martin
- Chris Keene

1. Call to Order / Declaration or Quorum: 9:02 and noted a quorum. The attendees said the Pledge of Allegiance and observed a minute of silence.
Director Martin called the meeting to order at

2. Approval of Agenda The Directors reviewed the Draft Notice and Agenda. No changes were suggested:

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Upon the motion of Director Sornsuwan, seconded by Director Bright, the Agenda was unanimously approved.

3. Conflict of Interest

Ms. Marchant advised the Board that pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board then reviewed the agenda for the meeting, following which each Board member confirmed the contents of any written disclosure previously made, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting. No conflicts were reported.

4. Public Comments 5. Minutes

- Director Martin stated that per Gail Stokes, mailed VISA bills were delivered to the District's mailbox.
- Mr. Eddleman said that he did not call the Sheriff but did call the State Police about the family fishing without a permit.

Upon the motion of Director Graham and second of Director Bratz, the Board unanimously approved the minutes of the September 10, 2022 regular meeting of the Board of Directors, as amended.

The Board reviewed and discussed the Draft Minutes for the September 23, 2022 Special Board meeting. No changes were suggested.

Upon the motion of Director Graham and second of Director Bratz, the Board unanimously approved the minutes of the September 23, 2022 special meeting of the Board of Directors.

6. Financials

The following public comments were made:

- A member of the audience asked about potholes in the roads. Director Graham responded that roads are the responsibility of Park County.

The Board reviewed and discussed the Draft Minutes for the September 10, 2022 Regular Board meeting. The following changes were suggested.

In accordance with Director Martin's earlier email request to spend less time on reviewing the District's financials. Mr. Laves briefly reviewed the District's financials for the Board.

- Claims: Mr. Laves reviewed the claims to be paid of \$4,815.39 from the Recreation Fund and \$3,311.22 from the Water and

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Sanitation Fund.

- Director Sornsuwan, stated that the six checks for Foothills Water should be from the Water and Sanitation fund and asked Mr. Laves to reissue them.
- Director Bratz stated that she had additional receipts for the Halloween event. She will send them to Mr. Laves
 - Director Graham stated that he had filed a mileage reimbursement request from the Water and Sanitation fund.

Mr. Laves will issue new checks and mail them to Director Bratz.

• Mr. Laves reviewed the Treasurer's report and noted that and noted that the District on September 30, 2022 had \$211,465.42 in cash with the WS fund having \$165,472.92, which was a decrease of \$2,814.48 from August 31st and REC, including the Conservation Trust funds at the end of September had \$36,941.49, which was a decrease of \$6,236.93 from August 31st.

Overall, the District at the end of September had \$202,414.01 in available funds which was a decrease from the end of August of \$9,051.41. Mr. Laves noted that almost all tax receipts for 2022 had been received.

Mr. Laves noted that the WS fund as a governmental body required a minimum balance of \$10,000 to avoid a monthly service charge of \$15.00. Mr. Laves had transferred \$15,000 from ColoTrust to avoid paying the service charge.

Upon the motion of Director Sornsuwan, seconded by Director Graham, the Board unanimously approved the financials and claims as corrected.

Graham, seconded by Director Martin, the Board unanimously approved this work.

7. Water

The Board reviewed the water situation.

Director Martin orally reviewed his readings.

Director Martin stated that Living Water needs to change the well filters and the infrared bulbs. Upon motion of Director

Director Bratz asked about filling the propane tanks. Director Graham responded that the tank at the Community Center is on auto fill as shown in the claims list but that the tank at the Rec Center will

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need to be monitored as usage increases in the colder months.

Director Graham suggested putting pallets held down with Rocks in the pond to protect the minnows against algae.

Director Graham introduced Chris Keene who will be monitoring lake levels and operating the gate. Mr. Keene has been trained and is approved by the Water Commissioner, Tim Buckley

Dave ___?___ in the audience asked to also be trained and Director Graham agreed. Director Graham will have two new keys made and will give one to Mr. Keene and one will be locked in the cabinet.

8. Old Business:

Website: The Board briefly discussed the website. Director Martin stated that he was hopeful that retaining the existing website would cost less money. A member of the audience said he was able to use Word Press. Director Sornsuwan expressed concern about using the Ninja function for collection of Rec fund fees. Director Graham noted that SIPA had a slick revenue collection function as he had observed in their demonstration.

New Mailbox: Director Bratz reported on her interactions with the post office.

Old Playground: Director Sornsuwan reported that she and her children had used her forklift to remove the old merry-go-round to her scrap pile. A member of the audience commented that Director Sornsuwan would

make money from the sale of the scrap. Director Graham stated that the old playground's table also needs to be removed.

Horse Corral: Ms. Watson reported that the electrician won't start work until December because he will be out of town. Director Martin asked about how the horses will survive the cold weather.

New Manager: Director Sornsuwan reported as follows: • Ms. Marchant has recommended a bookkeeper who charges \$55/Hour or \$3,000 to \$5,000 per month. They will invite her to the next meeting.

• Director Sornsuwan sent emails to everyone on the mailing list and posted the opening on Facebook. Admin resumes have been received from Ray Mahoney and Amy Maniatis.

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• The Board discussed advertising in the Flume. Cost would be

\$120.

- A Special Meeting on the search will be held on November 5, 2022.

2023 Budget:

- Director Sornsuwan mentioned that the draft budget had recently been emailed to the Directors.
 - Director Graham requested bumping up money for repairs to the Community Center to make it ADA compliant.
 - Director Graham requested \$60,000 to repair the lake spillway and its wing walls.
- Ms. Marchant stated that the mill levy must be submitted to the Park County Assessor by December 7th or the amount would be reduced by 10%.

9. New Business:

Trash by Rec Center: In preparation for the Halloween event, Director Bratz asked to rent a dumpster for trash (fencing, old mailbox, etc.) by the Rec Center. Volunteers will be needed to fill the dumpster.

they needed a way to track water draws because 2,700 gallons were used this last month. Excess usage may result in CDPHE actions.

Dave ?? stated that he has a flatbed truck and he offered to haul the trash to the scrap yard.

Director Bratz said they needed a keypad instead of keys. A member of the audience suggested linking the keypad to the amount of water drawn. Director Bratz will investigate.

Slash Pile: Director Graham suggested getting rid of the trash pile in coordination with the fire department by burning when there is snow on the ground. A member of the audience suggested getting a chipper to grind it up instead.

Thanksgiving: Director Bratz said it will be held on December 19th, starting at 4 PM. Discussion of who would bring what.

Newsletter: Agreed that planning should begin in January.

Hydrant: Director Graham commented that

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Discussion of how to distribute: Mail, Online and copies in a box at the Community Center.

10. Recreation: 11. Legal:

Director Sornsuwan reported that the next fish stocking would be in March 2023.

Ms. Marchant discussed various legal questions:

TABOR: Whether funds received for Recreational activities might trigger a TABOR refund situation depends on the percentage of tax revenues contributed by recreational fees and contributions. Budgeted revenues were as follows. Note that in 2022, Recreational Revenues included a \$67,000 grant from Park County for a new playground. Net of that grant budgeted Recreational revenues in 2022 were \$46,117.

Budget Revenues by Fund

Fund
Water & Sanitation
Recreation

enforcement of covenants. HOAs are governed by Article 38 of the Revised Colorado statutes (“CCIOA”) which limits their formation, governance and operation. On the surface it appears that the Harris Park HOA has no reason to exist because it does not collect assessments and does not have covenants. A member of the audience stated that the HOA was retained because of fear that someone might try and establish an organization with the same name.

FAMLI: Ms. Marchant described the new FAMLI legislation and noted that HPMD must decide on its participation by January 1, 2023 and register with the State of Colorado.

There are three options for governmental bodies with less than 9 employees:

1. Only the employees contribute.
2. Both the organization and the employees contribute.
3. Opt out and visit the issue every eight years.

HOA Status: Ms. Marchant commented that HOAs were typically established by developers and had two functions – the collection of assessments and the

Director Sornsuwan commented that the District will have employees.

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Intergovernmental Agreements (IGAs): Ms. Marchant stated that there are new reporting requirements for IGAs A.M.

12. Adjournment:

Upon the motion of Director Graham, seconded by Director Bratz, the Board unanimously adjourned the meeting at 11:07

Signed:
Board Secretary

Minutes of the Regular Meeting of the
Board of Directors of
Harris Park Metropolitan District
October 8, 2022