

**Harris Park Metropolitan District Regular Meeting.**  
**January 13, 2024 Agenda**  
**2154 Shelton Drive Bailey, CO 80421 @ 9am.**

*· If audience members engage in video recordings of the meeting, the members must be behind the kitchen counter. If audience members engage in audio recordings of the meeting, the recorder must be placed on the table in front of them, for other audience members to see. · Personal conflicts and grievances between community members are to be addressed on personal time and not at Harris Park Board meetings. Sarcasm between community members at board meetings will not be tolerated. Board meetings are for community business only.*

**AGENDA**

- I. Call to Order, Pledge of Allegiance, Moment of Silence, and Declaration of Quorum.
- II. Consider Approval with Changes to the January 13, 2023 Agenda.
- III. Consider Approval with Changes to the December 9, 2023 Meeting Mins.
- IV. Consider Approval with Changes to the December 28, 2023 Meeting Mins.
- V. Legal.
- VI. Consider Approval of paying bills.
- VII. Guests.
- VIII. Water and Sanitation.
  - A. Meter Readings.
    - 1. November..
      - a) Hydrant.
        - (1) CC Hydrant: 1450217.8
        - (2) Last month: 1448456.7
        - (3) Usage: 1761.1
      - b) Well.
        - (1) CC Well: 1018284.5
        - (2) Last month: 1017880.5
        - (3) Usage: 404
      - c) UV: 98
      - d) Lakes.
        - (1) Lakes frozen and snow covered. Previous levels were:
          - (a) Lake 1: 10.3
          - (b) Lake 2: 17.1
  - B. Info.
    - 1. Lakes are frozen.
- IX. Committees.
  - A. Dam Committee.
  - B. Road Committee.
  - C. Rec. Committee.
    - 1. Recap Christmas Party.
  - D. Activities Committee.
- X. Financial.
  - A. Reports.
- XI. Old business.
  - A. Credit Card.
  - B. Budget 2024 (submitted to DOLA)..
  - C. Community Center for instructors/classes form.
  - D. Port-a-potties. .
- XII. New business.
  - A. Game night at CC.
  - B. Rules and Regulations for Fishing.
  - C. Newsletter.
  - D. Update flash drives for 2023.
  - E. Discussing 2 particular properties encroaching on HP land.
  - F. Discuss and reevaluate the 911 address sign order form pricing and verbiage.
- XIII. Communication.
  - A. HASP regarding their interest in storage capacity in Reservoir #1.

- XIV. Public Comment.
- XV. Adjournment.

NEXT REGULAR BOARD MEETING WILL BE HELD ON 2/10/24 AT 9:00 A.M.

**December 9, 2023 Meeting Minutes**

- I. Call to Order, Pledge of Allegiance, Moment of Silence, and Declaration of Quorum (9:11 am).
- II. Attending

- A. Board

Mercedes S	Steve M	Beth B
Chris M	Monique B	

- B. Community

Joan	Daria	Steve E	Connie	

- III. Consider Approval with Changes to the December 9, 2023 Agenda.

- A. Changes.

- 1. Add to agenda.
  - a) Engineer report.
  - b) Performance bond.
  - c) Bond council.

- B. Motion to approve the agenda with changes for December 9, 2023.

- 1. CM motion.
- 2. BB seconded.
- 3. Approved.

- IV. Consider Approval with Changes to the November 11, 2023 Meeting Mins.

- A. Changes.

- B. Motion to approve the November 11, 2023 meeting minutes with changes.

- 1. CM
- 2. BB
- 3. Approved.

- V. Legal.

- A. Updates from Anita.

- 1. Gold's has not served any lawsuit papers and Anita has no updates from Gold's.

- VI. Consider Approval of paying bills.

- A. Accounts

- 1. WS: \$2034.67 Rec \$364.25

- B. Add bill.

- 1. Water delivery bill for \$145.00 (added above in water)..

- C. Motion to pay the bills.

- 1. MB motion.
- 2. CM seconded.
- 3. Approved.

- VII. Water and Sanitation.

- A. Meter Readings.

- 1. October.
  - a) Hydrant.
    - (1) CC Hydrant: 1446477.0
    - (2) Last month: 1444649.4
    - (3) Usage: 1827.6

- b) Well.
  - (1) CC Well: 1017782.1
  - (2) Last month: 1017713.4
  - (3) Usage: 68.7
- c) UV: 158
- d) Lake 1: 13.6
- e) Lake 2: 17.3

2. Info.

VIII. Committees.

A. Dam Committee.

1. Had a meeting last week.
2. Rick W met with the contractor who worked on lake 2 to go over the plan for the dam project and how to adjust the original plans and drawings to accommodate all requirements needed. He also talked with two engineers about the best way to handle the dam.
  - a) Discussion about the requirements for the dam; specifically the rebar.
  - b) Still wall first and leave remaining slabs with a 5" overlay. Osage construction could be utilized for designing the wall. Project could be done by July if everything goes to plan.
  - c) We can still hire an engineer, or submit the plans and designs to the state to approve it.
3. Discussion about hiring a project manager vs. hiring an engineer. The same process and plans would apply for either.
4. Beth is concerned about pushing this project another month for the next meeting before making a decision.
5. JDS has made it clear that they do not want to participate in this project until the legal issues with Gold's are resolved.
6. MOC thinks we should look into different engineers and have them adjust the original designs.
7. Motion to solicit engineer firms.
  - a) BB motion.
  - b) CM seconded.
  - c) Approved.
  - d) Rick W agrees to work on this for HP.
8. Beth is wondering if we can talk with JDS and let them know there are no legal issues as of right now and see if they would be willing to work with us now (Steve M will reach out). Mercedes also recommended if anyone on the board knows any engineers, they should reach out and ask them about the project. Rick will also write down his suggestions as a starting point and will send them to Cami to distribute to the board.
9. MOC is wondering why the lake water is lower.
  - a) The state reached out and requested that the water level be lower due to the dam. Steve reached out previously to notify them that we did not have an ETA on the project yet. They requested that the lake be lowered 3 ft below the spillway. Discussion about whether it was necessary for Steve to inform the state about the project at this time. MOC is concerned about how the lake will be refilled and how it will affect the fishing for next season.
  - b) MOC does not believe that Steve and the board are not being transparent. Discussion about the rules for meeting conduct between board and community.
10. Discussion about the timeline of the dam project while working with Gold's.
11. Dam committee discussed performance bonds and what to expect in the process. Dam committee agrees that HP should pursue Gold's performance bond.
12. Gold's performance bond.
  - a) Steve would like to have a discussion with the attorney first before he votes. Steve has to talk to MOC about the conduct in meetings.
  - b) Discussion about legal counsel for litigation. Board decides they will reach out to a construction attorney for litigation. Beth will reach out to the water attorney to get his opinion on the situation and see if he has any recommendations for a construction litigation specific attorney.
  - c) Discussion with Anita about filing a claim with the performance bond. The board requests that Anita draft a memo about filing the claim and what to expect.
  - d) Mercedes also recommends that Ann from SDA is informed on the situation.
  - e) Anita: the performance bond is like any other insurance. If you think you have a claim, you make the claim. She would just send a letter to the bond and at that point they will have their own procedures to follow. Anita encourages that the board reach out to a construction litigation attorney if HP wants to pursue litigation.
  - f) Motion to have Anita file a claim against Gold's performance bond and have Beth send any and all information to Anita and have her forward it for the claim.
    - (1) BB motion.



- c) 12.23-3 Sums of money
  - (1) MS motion.
  - (2) MB seconded.
  - (3) Approved.

- C. Online bill payment for regular vendors.
  - 1. Nickie has set it up for most of the vendors, so HP will now be paying people online..
- D. Catchment pond and maintenance at the ball field and helipad (need new reflectors).
  - 1. No update. This item can be taken off the agenda.
- E. Community Center for instructors/classes (Info from Ann at the SDA)..
  - 1. Board members cannot be employed by the board. They can act as independent contractors though and teach classes for a profit. .
  - 2. The renters would be responsible for any liability for the classes. They will have to sign a form releasing HP from any liability for their class.
  - 3. The vendor will have to apply with the board and receive approval before they can host the class.
- F. Port-a-potty info.
  - 1. MOC thinks that all the bids are close enough and the board should really consider distancing themselves from Shirley.
  - 2. Discussion about HP needs for port a potty throughout the year.

XI. New business.

XII. Public Comment.

- A. MOC believes the board is doing a decent job, but they feel they do not acknowledge the audience and they feel they do not have ample time to get their views across. They feel that it is causing tension within the community and the board and the community is not receiving the respect they should be. She is disappointed in the treatment of the board to the community. She apologizes for being rude, but feels the board is not being respectful.
- B. MOC agrees with the members' statement above. She feels that certain members of the community take up more time and take it away from other members. She also found it rude to talk about replacing Anita in front of Anita.
- C. MOC wants a brief meeting summary at the end of the meeting and have the board have an open chat for 10 mins or so at the end of the meeting to allow a more relaxed chat session for the community with the board. Beth wants to ensure that everyone in the community is heard, but she wants to ensure it will be professional and everyone leaves their personal feelings at the door.

XIII. Adjournment (11:05 am)

- A. MS motion
- B. CM seconded.
- C. Approved.

**December 28, 2023 Meeting Mins.**

I. Call to Order, Pledge of Allegiance, Moment of Silence, and Declaration of Quorum (6:31pm).

II. Attending.

A. Board.

Steve M	Mercedes S
Chris M	Beth B

B. Community

Jean	Brian G	Steve E	Daria
Connie	Shawn	David	

III. Consider Approval with Changes to the December 28, 2023 Agenda.

A. Changes.

B. Motion to approve the December 28, 2023 Agenda with changes.

1. MS Motion.
2. BB Seconded.
3. Approved.

IV. New Business.

A. Legal Representation for 2024.

1. Anita is leaving her current firm to start her own firm. Harris Park needs to decide if they want to follow her to her new firm, stay at the current firm and get a new attorney, or go to a new firm with a new attorney. HP received a memo on Dec 22, 2023.
2. Beth sent an email with legal recommendation from Mr Hayes. Beth thinks the board should look more into the recommendation and see if they would be a better representation for the board. She does not think Anita is a good fit and the water attorney has done well for HP and we should consider his recommendation for our own research.
3. Mercedes thinks we need to keep legal representation while we research. We can then switch legal representation later on.
4. Discussion about the board leaving tonight keeping legal recommendation either way whether it be Anita or the old firm and then researching other firms.
5. Mercedes is worried about the old firm being more expensive and she is curious if they would charge HP for catching up on where HP is currently. Beth points out that this would just be the general council for the district. Not bond council. We need to get a construction attorney for the bond issue.
6. Discussion about the attorney only being for general council right now. Discussion that HP could change at any point in time if they chose to.
7. Discussion about the cost of the Coaty firm and the pros and cons.
8. Motion to continue with Coaty and Woods
  - a) BB motion.
  - b) CM seconded.
  - c) 3 yes, 1 no (Steve M)

V. Public Comment.

VI. Adjournment (6:48 pm).

- A. CM motion.
- B. BB seconded.
- C. Approved.

**January 13, 2024 Meeting Minutes**

XVI. Call to Order, Pledge of Allegiance, Moment of Silence, and Declaration of Quorum (9:04 am).

XVII. Attending.

A. Board.

Mercedes S	Beth B	Steve M
Monique B	Chris M	

B. Community.

Jean	Brian	Jimmy	Shawn	David
Don	Joan (Z)	Steve (Z)	Mary (Z)	Deb (Z)

XVIII. Consider Approval with Changes to the January 13, 2023 Agenda.

A. Changes.

B. Motion to approve the January 13, 2024 Agenda with changes.

1. BB motion.
2. MB seconded.
3. Approved.

XIX. Consider Approval with Changes to the December 9, 2023 Meeting Mins.

A. Changes.

B. Motion to approve the December 9, 2023 Meeting Mins. with changes.

1. MS motion.
2. BB seconded.
3. Approved.

XX. Consider Approval with Changes to the December 28, 2023 Meeting Mins.

A. Changes.

B. Motion to approve the December 28, 2023 Meeting Mins with changes.

1. BB motion.
2. CM seconded.
3. Approved.

XXI. Legal.

A. Discussion about who is the new Legal Representation at Coaty and Woods..

XXII. Consider Approval of paying bills.

A. Add Respec \$292.50

B. Motion to approve the bills.

1. MS motion.
2. MB seconded.
3. Approved. MS and BB did not vote on their own bills.

C. Motion to approve MS reimbursement.

1. BB motion.
2. MB seconded.
3. Approved.

D. Motion to approve BB reimbursement

1. MS motion.
2. CM seconded.
3. Approved.

XXIII. Guests.

XXIV. Water and Sanitation.

A. Meter Readings.

1. November.
  - a) Hydrant.
    - (1) CC Hydrant: 1450217.8
    - (2) Last month: 1448456.7
    - (3) Usage: 1761.1
  - b) Well.

- (1) CC Well: 1018284.5
- (2) Last month: 1017880.5
- (3) Usage: 404
- c) UV: 98
- d) Lakes.
  - (1) Lakes frozen and snow covered. Previous levels were:
    - (a) Lake 1: 10.3
    - (b) Lake 2: 17.1

B. Info.

- 1. Lakes are frozen.

XXV. Committees.

A. Dam Committee.

- 1. Attorney has requested some documents for the bond attorney. Email will be forwarded to members of the dam committee. Discussion about what is being requested via email and how best to ensure all the info is sent and correct.
- 2. Beth contacted Hayes and he sent recommendations for attorneys including construction specific attorneys. Beth also met with an engineer that might be interested in taking the project on. McCormick stated he is willing to work with the district on the dam project.

B. Road Committee.

- 1. No updates.

C. Rec. Committee.

- 1. Recap Christmas Party (went great).
- 2. Karaoke and knot class on 27.

XXVI. Financial.

A. Reports.

XXVII. Old business.

A. Credit Card.

- 1. Need the name of the signees (Mercedes and Beth).
- 2. Credit limit for the cards
  - a) Steve recommends \$2,000 to \$2,500 would be a good limit.
  - b) MOC points out that maybe you do a higher limit in case of emergency. Mercedes states we would just do an ACH payment if needed.
  - c) MOC was wondering if we can still use tax exemption with the CC. He believes the bank can set it up for HP. Steve will talk with the bank.
- 3. Motion to approve Beth and Mercedes as the signees on the cards
  - a) MB motion.
  - b) CM seconded.
  - c) Approved.
- 4. Motion to approve the \$2,000 credit limit on the card.
  - a) BB motion.
  - b) CM seconded.
  - c) Approved.

B. Budget 2024 (submitted to DOLA and PC).

C. Community Center for instructors/classes form.

- 1. Still working on a form for HP.
- 2. There is an instructor that would like to start teaching a seed class at the CC. Discussion about if the board can start approving instructors now and then send the form over when it is ready.
  - a) Discussion about board liability and best way to allow them to start classes and what forms they would need to sign.
  - b) Board approves the seed class.

D. Port-a-potties.

- 1. Discussion about Mtn View prices and using them in the past.
- 2. Get a formal quote from Mtn View and ensure it matches the quote we were given.

XXVIII. New business.

A. Game night at CC.

- 1. There was a discussion on FB about maybe doing a game night once or twice a month at the CC. Maybe an adult night and then a family night.
- 2. Board will talk with the MOC about what they were thinking and maybe start planning.

B. Rules and Regulations for Fishing.

- 1. Badge \$30 to \$35 a year.
- 2. Lake 1.



- a) Letting an outside person come in to fish the lake. He recommends \$500 per badge to accommodate the mill price. We could also do deals for multiple badges. This could help with maintenance costs for the lake too. He recommends the badge be a different color and find ways to encourage some outsiders to come in a fish.
  - 3. Short term rental for day price.
    - a) Day fee for \$75/day/badge.
    - b) MOC is willing to help check STR against the fishing badge list to ensure people are not cheating the system and giving fishing badges to renters.
  - 4. Day badge
    - a) \$20 a day.
    - b) Get rid of the three day past.
  - 5. Wardens.
    - a) Some issues with wardens not showing up to check badges.
    - b) Recommends doing a younger person as the warden instead of adults. People are usually less confrontational. Maybe HP can offer a scholarship or something to college kids.
  - 6. Add the rules down at the lake to help reinforce the rules to the point of taking badges away if they are not following the rules. Maybe have a sheriff on the holidays.
  - 7. Adjust the stocking amount and type. Maybe stock smaller fish, but stock more often.
  - 8. Discussion about opening up the lake to the public and that Lake 1 is already open to PC residents due to the grant.
  - 9. Mercedes likes the fee adjustments due to the inflation of pricing. Do bigger and brighter badges for non-resident badges. Will add a signature line for the rules and regulations side of the fishing application. Steve agrees with all the changes that have been presented. MOC is willing to reach out to outfitters and see what the interest would be for Lake 1.
  - 10. MOC would like it to be noted as warden, the community has been great about showing their badges and ensuring they are complying with all the rules.
  - 11. MOC is worried about trying to enforce the rules and points out the struggles the district has now.
  - 12. MOC points out there are a few repeat offenders that are usually not following the rules. She does think that adding the rules to the lake would be beneficial. You could also add a QR code that leads back to the rules on the site.
  - 13. MOC feels that the community can handle the enforcement and that the sheriff does not need to be involved.
- C. Newsletter.
  - 1. Articles.
    - a) MOC recommends changes to fishing and a standing fishing article to remind people.
    - b) MOC recommends historical background might be fun to add.
    - c) Widow's pantry.
    - d) New activities.
    - e) Classes at CC.
    - f) Calendar for the year.
  - 2. Discussion about how the newsletter is being distributed.
- D. Update flash drives for 2023.
- E. Discussing 2 particular properties encroaching on HP land.
  - 1. MOC reached out to Beth about possible encroaching properties.
  - 2. Discussion about the board being more vigilant about HP property and requesting a survey from possible encroachment from neighboring properties. Maybe send a letter to open communication.
  - 3. MOC recommends checking our property lines first. PC will have the records if there are records.
- F. Discuss and reevaluate the 911 address sign order form pricing and verbiage.
  - 1. HP does not do the install. Beth recommends we review the application and update the process.
  - 2. Beth would like to order more numbers for the signs.

XXIX. Communication.

- A. HASP regarding their interest in storage capacity in Reservoir #1.
  - 1. Steve opens up the discussion to the community and requests that people speak in a precise and professional way. He thinks it is important for the community to speak first and then the board can discuss.
  - 2. They are wanting to come in and dredge the lake in order to bring their own water into the lake for storage purposes. They would be able to put their water in and take it out when they want in order to fill people who need water. Beth spoke with our attorney about the request.
    - a) Could affect consistency of water levels in the reservoir.
    - b) Could put more scrutiny from the state and water users.
  - 3. The conversation today is to decide if we want to negotiate with them or not. Not deciding yes or no on allowing them to store the water.
  - 4. Community members..

- a) MOC thinks the lake needs to be dredged and could be a benefit. Concerns: how much water is taken out a day and need to protect the fish. What happens in 5 years when the silt moves in. They need to maintain the depth on their dime.
  - b) MOC does not want to bring in outsiders.
  - c) MOC thinks the board should look into it. Talk to Brian about the impact to the dam. The district should charge for the storage. Ensure the fish are not impacted.
  - d) MOC: believes this is a water grab. He also thinks it will take our fishing away. He is concerned about if we lose water and they will expect to use our water to accommodate.
  - e) MOC does not think it is a good idea.
  - f) MOC is against it. They recommend proceeding very carefully. How long is the contract for? He thinks it is a bad idea.
  - g) MOC votes no.
  - h) MOC wants the board to consider the water rights that are available. The lake is not at max capacity for the water rights available. This could compromise the water rights if we offer up the storage space. The state can come in to claim the extra acres due to abandonment.
  - i) MOC is concerned about the permanent nature of the letter and the “if” sections within the fine print. This is for the new homestead subdivision that is being set up. Real estate companies are advertising for the homestead and the fishing up here.
  - j) MOC thinks the input is great. She recommends doing more research before we say yes or no about negotiating. A pros and cons list might be beneficial. A real concern is the impact on the dam and silt build up that would/could occur.
  - k) MOC would like to clarify that water rights and water storage rights are the same.
  - l) MOC is concerned if the dam would be able to hold that much water. The hazard class was changed on the dam recently. If the district takes on more water, we would have to reclassify the dam again and do inundation mapping which is expensive.
5. Board.
- a) MOC contacted Hayes and then Hayes reached out to Beth. Beth would like to have Hayes and Buckley involved if the board does decide to get more information in this matter.
  - b) Mercedes would like to get a pros and cons list. Then clarify on storage capacity from Buckley.
  - c) Beth noted that Allison stated HP would be able to set the stipulations in a contract and determine fees and an end date. They would have no rights to our water rights. Beth recommends we do a pros cons list and determine what would benefit the community the best, right now she does not want to allow this to happen.
  - d) Chris points out that every couple of years we have something about wanting our water and that we should constantly refuse.
  - e) Monique thinks this would mean more work than it's worth. She does not think they would be interested in our best interest and thinks we should probably not.
  - f) Steve is wondering if we should evaluate their proposal before we say if it is good or bad. He thinks we could have our water attorney apply and get the proposal in detail and evaluate the proposal and lay out the pros and cons. Is it even worth investigating and getting more details about the pros and cons of the proposal?
  - g) Chris thinks this is a foot in the door that will open HP up for them to take more and more from HP.
  - h) Beth thinks we should do our projects first and then we can visit this later if we chose to.
  - i) Mercedes thinks we should talk with Buckley anyways and get some HP questions answered either way and then go from there. She thinks we should have the attorney do any correspondence.
6. MOC is talking about how valuable water rights are and what will happen to the lake and fishing when they dredge the lake. This could ruin the fishing.
7. MOC wanted to remind everyone that HASP is a money making organization not a public service organization. Discussion about other factors that could affect the lake level normally. This would be affecting the levels even more than the natural effects as well.
8. MOC points out that the general consensus of the audience was no and that the board should look at the input from the community.
9. Beth researched HASP and printed out a lot of info. Admin will scan and get a pdf with the info.

XXX. Public Comment.

XXXI. Adjournment (11:15).

- A. BB motion.
- B. CM seconded.
- C. Approved.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_