

**Harris Park Metropolitan District Regular Meeting.
March 9, 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 March 9, 2024 Agenda.
- III. Consider Approval with Changes to the February 10, 2024 Meeting Mins.
- IV. Consider Approval with Changes to the February 27, 2024 Special Meeting
- V. Consider Approval of paying bills.
- VI. Legal.
- VII. Guests.
- VIII. Water and Sanitation.
 - A. Meter Readings.
 - 1. November.
 - a) Hydrant.
 - (1) CC Hydrant: 1454660.7
 - (2) Last month: 1452227.6
 - (3) Usage: 2433.1
 - b) Well.
 - (1) CC Well: 1054606.5
 - (2) Last month: 1054278.4
 - (3) Usage: 331.1
 - c) UV: 41
 - d) Lakes 1: 13.7
 - e) Lake 2: 17.
- IX. Committees.
 - A. Dam Committee.
 - B. Road Committee.
 - C. Rec. Committee.
- X. Financial.
 - A. Reports.
- XI. Old business.
 - A. Community Center for instructors/classes form.
 - B. Game night at the CC.
 - C. Newsletter.
 - D. Possible encroaching properties.
 - E. 911 signs.
 - F. Fishing violation.
 - G. General council recommendations.
- XII. New business.
 - A. Mtn. View Waste community spot.
 - B. Shirley Septic wanted the opportunity to give HP a quote to try and keep our business.
 - C. Rocks in the porta potty.
- XIII. Public Comment.
- XIV. Adjournment.

NEXT REGULAR BOARD MEETING WILL BE HELD ON 4/13/24 AT 9:00 A.M.

February 10, 2024 Meeting Mins.

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

II. Attending.

A. Board.

Steve M	Mercedes S	Monique B (Z)
Chris M	Beth B	

B. Community.

Jean	Steve E	Daria	Brian	Connie
Jimmy	Don	Casandra	Chris	Joan
Joe	Billy			

III. Consider Approval with Changes to the February 10, 2024 Agenda.

A. Changes.

1. Add an executive session with an attorney under Legal.
2. Add damaged mailboxes under new business.
3. Add burst pipe/plumbing in CC under new business

B. Motion to approve the February 10, 2024 agenda with changes.

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

IV. Consider Approval with Changes to the January 13, 2024 Meeting Mins.

A. Changes.

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

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

V. Legal.

A. John Coaty introduction.

B. Executive session.

1. Executive Session pursuant to 24-6-402(4)(b), C.R.S for the purpose of receiving legal advice regarding CORA and OML. John does believe this constitutes an executive session pursuant to 24-6-402(4)(b), C.R.S for the purpose of receiving legal advice regarding CORA and OML.
 - a) Motion to go into Executive session (9:07 am).
 - b) CM motion.
 - c) BB seconded.
 - d) Approved.
2. The Executive session is concluded. (9:29 am).Motion to return to regular session.
 - a) CM
 - b) BB
 - c) Approved.

VI. Consider Approval of paying bills.

A. Motion to approve paying the bills.

1. MS motion.
2. MB seconded.
3. 4 yes. Beth votes no.

VII. Guests.

A. John Coaty.

VIII. Water and Sanitation.

A. Meter Readings.

1. November..
 - a) Hydrant.
 - (1) CC Hydrant: 1452227.6
 - (2) Last month: 1450217.8

- (3) Usage: 2009.8
- b) Well.
 - (1) CC Well: 1054278.4
 - (2) Last month: 1018284.5
 - (3) Usage: 35993.9
 - (4) Maintenance.
 - (a) Leak under the CC was found and fixed. MOC did the work for free.
 - (b) Recommended that we replace the pipes under the CC.
 - (c) Get a quote that will list out everything that he wants to do with the pipe.
 - (d) Have a plumber come in and fix it.
- c) UV: 68
- 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.

- 1. MOC would like to know where we stand on Gold's Bond. The bond requested more documents from the District which the attorney has since sent out. Discussion between MOC and attorney about the info sent to the bond company and possible outcomes. Discussion about why the bond was sent to the company.
- 2. Discussion about how the interaction with Gold's has gone so far and what the possible outcomes could be with Gold's.
- 3. Discussion about litigation, attorney fees, and the contract that was drafted.
- 4. Discussion about a committee member emailing on behalf of a committee to the state. Discussion about drafting an email etiquette for committee members.
- 5. Discussion about moving forward with the Dam project and some of the issues within the dam committee. Beth would like to dissolve the Dam Committee due to issues within the Dam Committee and not being able to progress at this point. Discussion about the current email etiquette and what would need to change in order to have committees function better. The Dam Committee will stay together as of now. Steve E will present recommendations to the board at the April meeting.
- 6. Discussion about finding a new engineer and who should be able to reach out to possible engineers. It was decided that Steve M would be the single point of contact for the Dam Committee. Coaty recommends setting a timeline for projects within the Dam Committee.
- 7. Discussion about what Steve E is able to do within the Dam Committee. Discussion about what committee members are meant to do within the committee.

B. Road Committee.

- 1. No update.
- 2. MOC is curious if the committee has reached out to the PC yet. Mercedes will get Coaty up to date on the road issues.

C. Rec. Committee.

- 1. Karaoke night (went great).
- 2. Knot class.
 - a) MOC asked that Chris teach a class on how to build a fish trap and if he could demonstrate. Steve thinks that would be fine as long as MOC doesn't try to use it at the lake.
- 3. Easter.
 - a) Schedule for March 23, 2024. Flyers will be made and posted. Will set up info for donations and help needed.

X. Financial.

A. Reports.

XI. Old business.

A. Credit Card.

- 1. Paperwork is completed and they should be mailed out.

B. Community Center for instructors/classes form.

- 1. Still working on the form.

C. Port-a-potties.

- 1. Motion to switch to Mtn View for port-a-potty.
 - a) CM motion.
 - b) SM seconded.
 - c) Approved.

- D. Game night at the CC.
 - 1. Getting a good response from the community and look forward to next month.
 - 2. Will send next month's date this week.
 - 3. Chris wants to schedule a class for that day and maybe people will hang for the game night.
 - E. Rules and Regulations for fishing.
 - 1. Changes.
 - a) Contact changed to HP and changed to Mercedes' phone number.
 - b) Fishing badge changes to \$35
 - c) Lost badge changes to \$30.
 - d) Members must give a minimum of 3 days notice to buy a day badge
 - e) 1 pole per badge. 4 fish per day per person.
 - f) Short term rentals will have a different form to fill out for badges.
 - g) Motion to approve the changes to the fishing rules and regulations.
 - (1) CM motion.
 - (2) BB seconded.
 - (3) Approved.
 - 2. Vacation homes.
 - a) Removed this section from the original doc.
 - b) Don compiled a list of the homes and will send a letter to the owners/managers to talk about how they can get a badge.
 - (1) They have to pay the \$50 annual fee.
 - (2) The guest will have to sign our form and pay \$75 per badge. They can order this off the rental site.
 - (3) The rentals have to pay HP every month for the reservation with fishing badges. If they do not want to do this, they have to post on their rental that guests cannot fish.
 - c) The board agrees with this change.
 - 3. Warning about violations.
 - a) Steve has a ticket that he can give them for a warning.
 - 4. Remove Plague fund and newsletter from donations..
 - 5. Motion to approve all the fishing amendments listed above.
 - a) CM motion.
 - b) BB seconded.
 - c) Approved.
 - F. Possible encroaching properties.
 - 1. Beth is still working on it.
 - G. 911 signs.
 - 1. Beth is working on updating the form.
- XII. New business.
- A. Fishing violation.
 - 1. An airbnb listed that fishing is allowed and they only bought regular passes.
 - 2. Discussion about which violation to go with off the form and how to handle this situation.
 - a) MOC recommends that HP takes away the person's right to buy badges.
 - b) Monique thinks we should either charge a fine or suspend their right to buy a badge.
 - c) Discussion about possible options to address this violation and what precedent HP should set for violators.
 - 3. Send the \$250 fee to the owner and the violation.
 - B. General council recommendations.
 - 1. Will discuss the next meeting.
 - C. Easement request.
 - 1. Discussion about them wanting to put a trailer on HP property to help boost natural gas on Shelton.
 - 2. Discussion about possible negotiations with Natural Gas and what could be required. We will have Coaty reach out and get all the info and review the easement.
 - 3. Discussion about rights utility companies have to easements and adverse possession.
 - 4. MOC is against the easement. We have a sealed line under the ground now. He is worried about the pollution that this would cause and what the benefit would be for this easement. Discussion about what they want to do on the land and how this affects HP. This was just the Natural Gas Company reaching out to see if HP would be willing to negotiate.
 - a) The board will have Coaty review the easement first.
 - D. Mailbox damage.
 - 1. 2017 post office regulations changed. Now HP is being told we are responsible for the fix.
 - 2. Discussion about quotes/recommendations for the fix.

- 3. MOC is concerned how long this will take due to having issues getting more boxes from the post office. HP is not making any ground with the postmaster on the new boxes. Beth got a letter from the post office that said HP could fix the boxes on their own. The post office is fighting on adding more boxes in HP due to low staff to deliver mail.
 - 4. Discussion about putting a barrier in front of the mail boxes to protect it.
- XIII. Communication.
- A. HASP regarding their interest in storage capacity in Reservoir #1.
 - 1. Motion to have Hayes reach out to HASP and tell them they are not interested in negotiating.
- XIV. Public Comment.
- A. MOC would like this type of info available on the Facebook group.
 - B. Set up snow plow service.
- XV. Adjournment (11:30 am)
- A. CM motion.
 - B. MS approved.
 - C. Approved.

February 27, 2024 Meeting Minutes

- I. Call to Order, Pledge of Allegiance, Moment of Silence, and Declaration of Quorum (5:36pm).
- II. Attending.
 - A. Board.

Mercedes S	Steve M	Monique B
Chris M	Beth B	

- B. Community.

Steve E.	Rick	Brian		

- III. Consider Approval with Changes to the February 27, 2024 Agenda.
 - A. Changes.
 - B. Motion to approve the February 27, 2024 Agenda with changes.
 - 1. CM motion.
 - 2. BB seconded.
 - 3. Approved.
- IV. Guests.
 - A. John Coaty.
- V. Legal.
 - A. Executive session.
 - 1. Executive Session pursuant to 24-6-402(4)(b), C.R.S for the purpose of receiving legal advice regarding Gold's Concrete. John does believe this constitutes an executive session pursuant to 24-6-402(4)(b), C.R.S for the purpose of receiving legal advice regarding Gold's Concrete.
 - a) Motion to go into Executive session (5:38 pm).
 - b) SM motion.
 - c) BB seconded.
 - d) Approved.
 - 2. The Executive session is concluded. Motion to return to regular session (7:15 pm).
 - a) CM motion.
 - b) MB seconded.
 - c) Approved.
- VI. Public Comment.

- A. Discussion about the fact that Gold's Concrete has served HP with lawsuit paperwork.
- B. Discussion about the bond that was filed. HP did receive correspondence from the bond that has denied our claim at this time. Discussion about possible options for pursuing the claim with the bond.
- C. Discussion about the attorney's opinion on the bond and future actions regarding this bond.

VII. Adjournment (7:22 pm).

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

March 9, 2024 Meeting Minutes

- I. Call to Order, Pledge of Allegiance, Moment of Silence, and Declaration of Quorum (9:01 am).
- II. Consider Approval with Changes to the March 9, 2024 Agenda.
 - A. Changes.
 1. Beth adds cameras in the cabinet and rocks in port-a-potty.
 - B. Motion to approve the March 9, 2024 Agenda with changes.
 1. CM motions.
 2. MB seconds.
 3. Approved.
- III. Consider Approval with Changes to the February 10, 2024 Meeting Mins.
 - A. Changes.
 - B. Motion to approve the February 10, 2024 Meeting Mins with changes.
 1. CM motion.
 2. BB seconded.
 3. Approved.
- IV. Consider Approval with Changes to the February 27, 2024 Special Meeting.
 - A. Changes.
 - B. Motion to approve
 1. MB motion.
 2. CM seconded.
 3. Approved.
- V. Consider Approval of paying bills.
 - A. Motion to approve the bills for this month.
 1. MS motion.
 2. CM seconded.
 3. Approved.
- VI. Legal.
 - A. Utility easement.
 1. John says the language is appropriate.
 2. SM is wondering if this would cause any problems for HP and if it is something HP should enter into.
 - B. Gold's Concrete.
 1. John.
 - a) Counterclaim for breach of contract was filed March 6, 2024. Usually takes 35 days after "at issue" is filed to move forward. Case will probably go into Mediation within this year.
 2. Questions.
 - a) MOC is wondering why we are going into mediation instead of litigation. John explains that the court orders it. He also thinks we have a better chance of settling if we do discovery prior to the mediation, but it can be an expensive process.
 - b) MS is wondering how the Mediator is picked. John explains that both parties agree to a mediator and if they can't agree, the judge will pick one for them.
 - c) BB is wondering why the bond insurance is not a part of this claim. John explains that bond insurance does not cover breach of contract claims. It is more for negligence for higher amounts due. He does not think it is a good idea to also spend money arguing with the bond insurance at this time.
 - d) BB is wondering if there is a way to handle this without HP losing money. John believes that HP has a legitimate claim for the counterclaim, but does not want to discuss tactics for litigation outside of an executive session.
- VII. Guests.
- VIII. Water and Sanitation.
 - A. Meter Readings.
 1. November..
 - a) Hydrant.
 - (1) CC Hydrant: 1454660.7
 - (2) Last month: 1452227.6
 - (3) Usage: 2433.1
 - b) Well.
 - (1) CC Well: 1054606.5
 - (2) Last month: 1054278.4

(3) Usage: 331.1

- c) UV: 41
- d) Lakes 1: 13.7
- e) Lake 2: 17.

IX. Committees.

A. Dam Committee.

- 1. MOC is wondering what the attorney's opinion is for HP in Gold's lawsuit. SM answers that the attorney still has more information to gather before he can give that opinion. The attorney also recommended that we do not pursue the bond issue at this time because it is a contract breach not a negligence issue.
- 2. MOC feels that using the wrong material could be considered negligent.
- 3. MB is wondering why we have to go through JDS for engineering instead of looking for another company that could start the work now. MOC thinks every company will be hesitant to get mixed in before it is resolved. JDS is also very familiar with HP and has a good working relationship with Dam safety.

B. Road Committee.

- 1. MS sent an email to Matt and is waiting for a reply.

C. Rec. Committee.

- 1. Beth.
 - a) Easter and Karaoke are on the 23rd.
 - b) BB is wondering if we could share events outside of HP and MS does not see an issue with it.
 - c) Committee is bringing back the hat contest.
- 2. Game night is on the 16th.
- 3. Beth verified that all volunteer forms are signed.
- 4. MOC is wondering if non residents come to events (SM: sometimes they do).

X. Financial.

A. Reports.

B. Bookkeeper is out due to surgery but sent the invoices..

C. Motion to approve the invoices.

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

XI. Old business.

- A. Community Center for instructors/classes form (no updates).
- B. Game night at the CC (scheduled).
- C. Newsletter. (will be working on this month)
- D. Possible encroaching properties (BB wants to wait for the snow to melt, so remove from agenda for now).
- E. 911 signs (BB is working on renewing).
- F. Fishing violation (Will write something up and send it to board).
- G. General council recommendations (remove from agenda).

XII. New business.

A. Mtn. View Waste community spot.

- 1. Mtn. View is concerned about some of the roads in HP, so they have a set spot for trash pickup. MOC is concerned about it getting in the creek. This is just for the winter time, so the board will keep an eye out and see if it becomes an issue.

B. Shirley Septic wanted the opportunity to give HP a quote to try and keep our business.

- 1. Allow them to send a bid.

C. Rocks in the porta potty.

- 1. BB is concerned the rocks will prevent Mtn. View from continuing service for HP. We should install the cameras that are in the cabinet for them.
- 2. The Porta Potties are a benefit to the community.
- 3. MOC.
 - a) MOC does not think it is our responsibility to project their equipment. Mtn. View did send a warning about stopping service if there continues to be rocks. BB points out that we do have a bid coming in from Shirley if Mtn View cuts service.
 - b) MOC is concerned about starting business with Shirley again. SM points out that the only problem with Shirley was the price, so we should see what they bid.
 - c) MOC states that this problem happened a couple years ago and then stopped, so it is not a common occurrence. MS said she will work on the cameras and put a sign on the Porta potty doors.

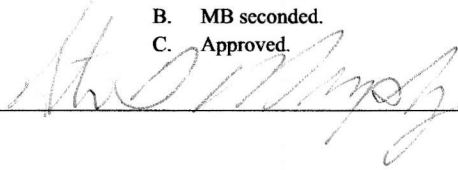
XIII. Public Comment.

- A. MOC is concerned with the willows on Shelton and Smith Rd. He spoke with the traffic and engineering guy and they are going to take a look in about 2 weeks.
- B. MOC is wondering what the decision is for the easement.
 - 1. SM states that they wanted the attorney to review it and now the board has to decide what they want to do next.
 - 2. Discussion about the easement and that elk creek refused it.
 - 3. SM recommends we put it on the agenda for next month and have BB gather more info about it (barriers, any issues with spills, compensation, placement, etc.) The main concerns of the board are for the horses.
- C. MOC is wondering what the update is for the mailboxes.
 - 1. SM got the pedestal and they need help installing it.
 - 2. MOC is wondering where that leaves us for new mailboxes.
 - a) SM answers that based off the broken mailboxes, HP should be able to solve the new mailbox problem.
 - (1) \$1700 for the cluster box.
 - (2) Would need to build a base that can hold 2 cluster boxes.
 - b) MOC is wondering what the process would be to get the mailboxes added through the post office.
 - (1) HP would have to get everything set up and then go to the office with the new info for the boxes.
 - (2) HP should be able to handle the whole project based on the plans.

XIV. Adjournment.

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

Signature



Date

4-13-2024

NEXT REGULAR BOARD MEETING WILL BE HELD ON 4/13/24 AT 9:00 A.M.