

**Harris Park Metropolitan District Regular Meeting.**  
**November 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 November 9, 2024 Agenda.
  - III. Consider Approval with Changes to the October 12, 2024 Meeting Mins.
  - IV. The Board Motions to approve: the financial packet (excluding Elise's payment) sent by the bookkeeper, pay the proposed bills, and approve/acknowledge this month's lake and well readings.
  - V. The Board Motions to approve Elise's payment for cleaning the community center.
  - VI. Legal.
    - A. Executive session.
    - B. Update from attorney.
    - C. Service plan.
    - D. Road Agreement.
  - VII. Guests.
    - A. Foothills Architects.
  - VIII. Water and Sanitation.
    - A. Meter Readings.
      - 1. September.
        - a) Hydrant.
          - (1) CC Hydrant: 1470667.3
          - (2) Last month: 1468612.90
          - (3) Usage: 2054.4
        - b) Well.
          - (1) CC Well: 1054971.6
          - (2) Last month: 1054963.90
          - (3) Usage: 7.7
        - c) UV: 172
        - d) Lakes 1: 10.2
        - e) Lake 2: 17.2
- IX. Committees.
  - A. Dam Committee.
  - B. Rec. Committee.
    - 1. Halloween.
    - 2. Thanksgiving reminder.
  - C. Fish Warden.
- X. Financial.
  - A. Reports.
- XI. Old business.
  - A. Mailboxes.
  - B. Emergency awareness.
  - C. Budget.
  - D. Architect for community center.
  - E. STR Rules and Regulations for fishing.
  - F. Selling HP property to HP residents.
- XII. New business.
  - A. Newsletter.
  - B. Master service agreement with RESPEC.
- XIII. Public Comment.
- XIV. Adjournment.

NEXT REGULAR BOARD MEETING WILL BE HELD ON 12/14/24 AT 9:00 A.M.

## October 12, 2024 Meeting Minutes

I. Call to Order, Pledge of Allegiance, Moment of Silence, and Declaration of Quorum (9:05 am).

II. Attending.

A. Board.

Steve M.	Mercedes S.	Chris M.
Beth B.(Zoom)		

B. Community.

Jean	Connie	David	Vrian	Rick
Joan (zoom)	Steve E.	Daria	Don	

III. Consider Approval with Changes to the October 12, 2024 Agenda.

A. Changes.

1. Add Thanksgiving to the agenda under rec.
2. Add motion to approve Mercedes' reimbursement.

B. Motion to approve the October 12, 2024 Agenda.

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

IV. Consider Approval with Changes to the September 14, 2024 Meeting Mins.

A. Changes.

B. Motion to approve the September 14, 2024 Meeting Mins.

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

V. Consider Approval with Changes to the September 30, 2024 Special Meeting Mins.

A. Changes.

B. Motion to approve the September 30, 2024 Special Meeting Mins.

1. CM motion.
2. SM seconded,
3. Approved.

VI. The Board Motions to approve: the financial packet (excluding Elise's payment and Mercedes reimbursement) sent by the bookkeeper, pay the proposed bills, and approve/acknowledge this month's lake and well readings.

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

VII. The Board Motions to approve Elise's payment for cleaning the community center.

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

VIII. The Board Motions to approve Mercedes' reimbursement of \$235.53

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

IX. Legal.

A. Update from attorney.

1. Plaintiff's offer lapsed and the statutory offer of settlement is valid till Tuesday. Attorney did receive an email on Friday that the Plaintiff would like to talk and will call Monday. Plaintiff has not set the trial. It is his obligation to set the trial.
2. MOC is wondering what Gold's believes they are entitled to. Discussion about the work Golds believes they are entitled to get paid for. The attorney is unable to discuss specific details about the case at this time.
3. MOC would like to know if an expert witness was brought in for mediation. An expert was not brought in because it would be expensive for HP. MOC would like to know why he was not brought in as an expert. Fact witnesses were used because they had first hand knowledge of what occurred (events). Discussion about

retained experts costs (\$5 to \$10 K for a report (only) then \$5 to \$10K for deposition then \$5 to \$10K for trial). We have a non retained expert (state engineer) that we can contact for free when needed.. The objective of this case is to get this resolved as cost effective as possible. The board is being as transparent as possible at this time. Unjust enrichment and contract breaches (Who breached first and why).

- B. Service plan.
    - 1. Discussion about what can be allowed for the hydrant. He does not think the service plan needs to be changed at this time. He is going to talk with water counsel regarding the state regulation.
    - 2. Beth would like to know if we have to abide by the 25 user rule and if so, can we deny anyone else and still keep our original service plan (John will do more research with water counsel).
  - C. Road Agreement.
    - 1. Unable to contact PC attorney (Smith). Will continue to reach out.
  - X. Guests.
  - XI. Water and Sanitation.
    - A. Meter Readings.
      - 1. September.
        - a) Hydrant.
          - (1) CC Hydrant: 1468612.90
          - (2) Last month: 1466943.6
          - (3) Usage: 1669.3
        - b) Well.
          - (1) CC Well: 1054963.90
          - (2) Last month: 1054945.9
          - (3) Usage: 18
        - c) UV: 204
        - d) Lakes 1:10.1
        - e) Lake 2: 17.3
- XII. Committees.
  - A. Dam Committee.
    - 1. No updates.
  - B. Rec. Committee.
    - 1. Halloween.
      - a) Mercedes will bring a bag of candy to donate.
      - b) Volunteers are being given Beth's number to set up.
      - c) Food truck would like to know if HP would buy the remainder of food if he does not sell out after the event.
      - d) Need someone at the door to sign people in.
      - e) 2 Deputies have agreed to work both nights. Need two checks ready to pay them at the end of the night. MOC would like to know how much each officer will cost (\$200 a night). MOC is wondering what the value of the haunted house is.
    - 2. Thanksgiving.
      - a) Scheduled for November 23 this year at 3pm.
      - b) Discussion about what is needed for the dinner and assigning who will do what.
  - C. Fish Warden.
    - 1. Couple violations but everyone is behaving.
- XIII. Financial.
  - A. Reports.
- XIV. Old business.
  - A. Mailboxes.
    - 1. Hopefully done by the end of this month with Dave and Steve M.
  - B. Emergency awareness.
    - 1. Had the meeting and delayed the burn. Done for this year.
    - 2. Fire ban in PC.
    - 3. Discussion about the firing range and what to do if people are back there shooting.
  - C. Budget.
    - 1. A percentage of the available money from taxes needs to go into rec (15% to 20%) That would allow for the rec events and updates on the CC building.
    - 2. Mercedes will forward the budget out to the community and share it on the drive so the board can make updates.
    - 3. Need final numbers by November. Will do the public notices for budget hearings.
    - 4. MOC would like to know how much money was transferred to the rec account. \$5000 to cover bills. That is why it is proposed to take a certain percentage out every year from taxes automatically to cover the bills and repair the community center.

5. To accommodate rec needs, we need to transfer money from the property taxes. \$60,000 was budgeted for the CC update. The money was not taken out. MOC is wondering what happened to that money (still in account).. Steve is wondering if any funds have been allocated to CC repair.
  6. Will forward the budget out to the community today. MOC is wondering if we should set up a separate account for the CC improvements. Discussion about how the bank accounts are set up.
  7. Discussion about how the numbers in the budget are figured and what sections should take priority (stilling wall, community center, etc.).
- D. Truck parked at CC community center.
1. Truck was moved.
- E. Architect for community center
1. Received 3 proposals.
    - a) Foothills \$10-12K total.
    - b) G squared \$25K total.
    - c) True home \$1,800 for phase one.
  2. Discussion about who would pull the permits. How that process would look.
  3. Discussion about how the meeting went with each company and who would be a good fit for this project..
- XV. New business.
- A. STR Rules and Regulations for fishing.
1. Working on a process for the rules and regulations for next season.
  2. MOC thinks the board should decide how aggressive the board would like to be with violations. Steve thinks we need a set of rules and then enforce the rules. This would include sending out letters and updating signs. Steve will make something for the next meeting about the new rules and regulations.
  3. Discussion about how to figure out which residents are STR and that we need to start planning now for the next season.
  4. Beth reached out to Bailey Graphic works and they said they are able to provide these signs. Can reach out once the board figures out the verbiage.
- B. Helicopter landing zone maintenance.
1. The maintenance has been finished. The fire department will take a look and let us know if there are any concerns.
- C. Sell HP property to HP resident.
1. MOC has two lots split by a 10ft strip of property that HP owns. Steve thinks the board needs to decide if this is appropriate and then start the next step.
  2. Beth wants to make sure that the property is owned by HP first. Steve did send out a pic from PC assessors and it shows that HP does own that land.
  3. MOC is wondering if HP has thought about line lot adjustment. He is concerned about HP setting a precedent with selling HP property.
  4. MOC is concerned about setting a precedent with selling HP land. He does not think that the board has the right to sell land.
  5. The community is opposed to selling or line swapping the property.
  6. Discussion about possibly doing a utility easement as an option. Steve will look more into it.
- XVI. Public Comment.
- XVII. Adjournment (10:33 am).
- A. CM motion.
  - B. MS seconded.
  - C. Approved.

## AGENDA

- I. Call to Order, Pledge of Allegiance, Moment of Silence, and Declaration of Quorum (9:05 am).
- II. Attending.
  - A. Board.

Steve M.	Mercedes S.	Monique B.
Chris M.		

- B. Community.

Billy	Teresa	Rick	Don	Jean	Brian	Steve E	Joan	Daria	

- III. Consider Approval with Changes to the November 9, 2024 Agenda.
  - A. Changes.
    - 1. Move Foothills Architect to the beginning of the meeting.
    - 2. Add mountain mutual bill to invoices.
    - 3. Add Katlyn reimbursement for Halloween.
  - B. Motion to approve the November 9, 2024 Agenda with changes.
    - 1. CM motion.
    - 2. MB seconded.
    - 3. Approved.
- IV. Consider Approval with Changes to the October 12, 2024 Meeting Mins.
  - A. Changes.
  - B. Motion to approve the October 12, 2024 Meeting Mins with changes.
    - 1. CM motion.
    - 2. SM seconded.
    - 3. Approved.
- V. The Board Motions to approve: the financial packet (excluding Elise's payment) sent by the bookkeeper, pay the proposed bills, and approve/acknowledge this month's lake and well readings.
  - A. MS motion.
  - B. MB seconded.
  - C. Approved.
- VI. The Board Motions to approve Elise's payment for cleaning the community center.
  - A. MB motion.
  - B. MS seconded.
  - C. Approved. Chris abstains due to conflict of interest.
- VII. Legal.
  - A. Executive session (No longer needed).
  - B. Update from attorney.
    - 1. The attorney is working on the settlement does now with the other council.
    - 2. Discussion about the settlement coming to a close and that the board just has to vote to finalize everything.
    - 3. Discussion about transparency when it comes to the settlement and how much the public will be able to know about the settlement.
    - 4. Motion to allow the attorney to continue with the settlement documents/negotiations and execute the documents to resolve the litigation with Gold's Concrete.
      - a) CM motion.
      - b) MS seconded.
      - c) Approved.
  - C. Service plan.
    - 1. Spoke with the Water Council and reviewed the memo that was sent previously.
    - 2. Will redistribute the memo from the water council.
    - 3. The service plan does state the HP provides water for 25 users. You can amend the service plan to no longer provide public water to avoid the public water requirement.
      - a) If you do amend the service plan. It would not affect the mill levy. You would have to go to the commissioners for approval to amend the service plan with them. They could require you to have a max mill levy in your plan, but that is a maybe.
      - b) Discussion about the porta potties because of the sanitation side in the service plan.
  - D. Road Agreement.
    - 1. In discussion with PC commissioners for the issue. Still working on it.
- VIII. Guests.
  - A. Foothills Architects.
    - 1. The first step would be to measure building and existing conditions to base plans off of.
    - 2. Potentially three different phases for the full renovation.
    - 3. Construction drawings for each phase. Can do separate phases or just one full plan to work off of.

4. 3D designs for the drawings.
  5. Foothills can help with finding contractors or the board can find the contractors.
  6. The contractor can assess the wiring and bring an electrician in if needed. The contractor will probably be the one pulling the permits. Foothills can pull the permits if needed.
  7. Discussion about the process and what to expect for each step. Discussion about ADA compliance and how it plays into this build.
  8. Motion to hire Foothills Architect to go forward with the Community Center project.
    - a) MS motion.
    - b) CM second.
    - c) Approved.
  9. The board will forward the agreement to John Coaty to review.
- IX. Water and Sanitation.
- A. Meter Readings.
    1. September.
      - a) Hydrant.
        - (1) CC Hydrant: 1470667.3
        - (2) Last month: 1468612.90
        - (3) Usage: 2054.4
      - b) Well.
        - (1) CC Well: 1054971.6
        - (2) Last month: 1054963.90
        - (3) Usage: 7.7
      - c) UV: 172
      - d) Lakes 1: 10.2
      - e) Lake 2: 17.2
- X. Committees.
- A. Dam Committee.
    1. Have a proposal from RESPEC.
    2. MOC wants to make sure that RESPEC will be responsible for oversight on the project (yes) and the board is budgeting accordingly.
    3. Discussion about applying for more grants through LWTF. Steve will reach out.
  - B. Rec. Committee.
    1. Halloween.
    2. Thanksgiving reminder (11/23/2024).
  - C. Fish Warden (no updates).
- XI. Financial.
- A. Reports.
- XII. Old business.
- A. Mailboxes.
    1. Framed in but then the weather hit. May have to wait till the spring to finish the project.
    2. Discussion about other options for concrete that can be poured in colder weather.
    3. Still waiting for locks from the post office.
  - B. Emergency awareness (no updates).
  - C. Budget.
    1. Updated the budget document to add \$60,000 to the rec budget to account for the repairs and make it more clear on the budget. Should have about \$75,000 for improvements to the rec center.
    2. Discussion about the different categories for the budget and the current numbers on the budget.
    3. Election in 2025 so budgeted for that.
    4. Legal will be in regards to the roads and service plan mostly. Also the usual business for contracts.
    5. Budgeted for the Dam at \$200,000.
    6. Reserves should fall at \$85,000 at this time.
    7. All budget numbers can be adjusted if unforeseen issues arise. The budget will be finalized at the next meeting.
  - D. Architect for community center (moved to guest section above).
  - E. STR Rules and Regulations for fishing.
    1. Steve reviewed the regulations and thinks they are adequate.
    2. If there is a violation, the fish warden presents it to the board and then the board can take the appropriate actions.
      - a) First a letter is sent.
      - b) Second violation results in a loss of fishing privileges.
    3. MOC thinks that if someone has a STR, then they should not be able to buy regular badges. He recommends that the fishing application should have a box that residents check that state they do not own a STR.
    4. Steve will update the STR doc. Mercedes would like MOC to send her a list of STR and she can start sending warnings for STR that advertise fishing that have not properly signed up with HP. Need to change their advertising by January 1, 2025 or they will be reported to the platforms and county. Their fishing license privileges will also be revoked.
  - F. Selling HP property to HP residents.
    1. MOC was unable to attend the meeting so they requested that this not be discussed at this time.
    2. Steve did research and could not find anything preventing the board from selling HP property or giving easements if necessary. If anyone knows otherwise, please forward to the board.
    3. Discussion about how the community feels about if HP sells property.

4. Discussion about what was discussed at the previous meeting and that the board is not comfortable discussing this issue without the property owner present.
- XIII. New business.
- A. Newsletter.
  - B. Master service agreement with RESPEC.
    1. First agreement for water accounting for water calendar year.
      - a) Motion to approve the 2025 water account agreement with RESPEC.
        - (1) CM
        - (2) MS
        - (3) Approved.
    2. Second agreement for engineering and oversight of the stilling wall project.
      - a) Not to exceed \$49,820 for their services.
      - b) Estimated 6 months for the project.
        - (1) Should be after the plans are submitted. Then 6 months for the project.
        - (2) Steve will get some clarification on what they mean by oversight of the project.
      - c) Discussion about who would be preparing the document. Steve M. is going to get clarification from RESPEC on their proposal.
        - (1) Discussion about who should draft the RFP and the best route. Steve M. believes that RESPEC was going to be responsible for everything, but Steve is going to get clarification on that as well.
        - (2) Discussion about timeframes and how it will affect the project.
        - (3) RESPEC would need to do a sight visit. We would need an agreement first.
      - d) Motion to approve RESPEC's master service scope of work agreement regarding the stilling wall.
        - (1) CM motion.
        - (2) MB seconded.
        - (3) Approved.
- XIV. Public Comment.
- A. Monique would like to talk about plowing for the community center.
    1. Discussion about possible options. There is a MOC that could do the plowing as a volunteer.
    2. Discussion about what each option would entail for plowing.
    3. Discussion about what the county does plow and what roads they are unable to
- XV. Adjournment (10:49 am).
- A. MB motion.
  - B. SM. seconded.
  - C. Approved.

Signatures: Steve Murphy Date: 12/14/2024