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# RECORD OF PROCEEDINGS

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Chatfield Corners Metropolitan District June 29, 2021, Meeting Minutes

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## Minutes of the Regular Meeting of the Board of Directors Chatfield Corners Metropolitan District June 29, 2021

A meeting of the Board of Directors of the Chatfield Corners Metropolitan District, Eagle County, Colorado, was held Tuesday, June 29, 2021, at 5:30 p.m. at the Eagle Valley Rod and Gun Club, 100 Gun Club Road, Gypsum, Eagle County, Colorado, with an option to attend via remote Zoom meeting, in accordance with the applicable statutes of the State of Colorado.

**Attendance** The following Directors were present and acting:

- David Barton
- Grant Murphy
- Joe Schwan
- Mike Woods
- Patrick Johnson

Also in attendance were:

- Chris Huffman, District employee and Sagebrush Services
- Beth Johnston, Marchetti & Weaver, LLC, Secretary for the Meeting
- Ken Marchetti, District administrator
- Alan Pogue, District counsel (Zoom)
- Johann Marx, Jabulani Services (Zoom)
- Bill Baxter, owner 660 Grundel Way
- Casie and Dan Ward, owner 770 Grundel Way
- Mike Hollinger, owner 65 Stoney Creek St

**Call to Order** The meeting of the Board of Directors of Chatfield Corners Metropolitan District was called to order at 5:31 by Director Murphy noting a quorum was present.

**Conflict of Interest**

Board members were asked to disclose any potential conflicts of interest in accordance with State Statute. There were no potential conflicts disclosed by any of the Board members.

**Changes to Agenda**

There were no changes to the agenda.

**Public Input** 1) 65 Stoney Creek Court Wetlands: Mr. Hollinger gave background on the wetlands designated on their lot. He explained that they would like to install a fence around the lot and also maintain the lot for fire mitigation purposes. The Hollinger's have consulted with Environmental Solutions to prepare a study to redesignate the wetlands so that they can improve on their property and wanted to be sure the Board would be ok with the fence installation. Director Murphy

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explained that the District nor HOA have any jurisdiction to enforce the wetlands and the Hollinger's would need to contact the United States Army Corps of Engineering. Director Murphy advised the Hollinger's to submit a Design Review application for consideration of installing a fence or any other exterior changes to the property.

2) Irrigation work: Mr. Baxter explained the difficulty that some owners experience for working on their irrigation systems during the summer when restrictions are in place. Mr. Baxter requested that the Board designate certain days during the season that the irrigation water is turned on so owners can fine tune and perform maintenance on their systems. Discussion continued as to what days and times would benefit the most owners, monitoring of the water levels to ensure adequate supply, and communication to owners. Following discussion, the Board designated the second weekends of July and August 2021 from 9:00 am to 6:00 pm for irrigation maintenance days and requested that Management send out a communication via email and post notice in the entrance kiosk to inform owners.

3) 770 Grundel Way fence: Mr. and Mrs. Ward approached the Board about the violation notice they received on their fence installation and inquired on the additional fence application that was submitted for the remaining property. Mrs. Ward gave background on the original application and its delay in construction. Ms. Johnston explained that the design review process was on hold for the past couple weeks pending approval of new forms and processes later in the meeting. General discussion continued on the types of fences approved for installation in Chatfield Corners per the guidelines, how variances are approved, and amending the Design Review Guidelines. Discussion moved to ownership and responsibility of the fence that runs along the back of some of the 2-acre lots and that the District nor HOA owns that fence.

**Minutes** Upon review and by motion duly made and seconded it was unanimously

**RESOLVED** to approve the March 2, 2021, meeting minutes as presented.

### **District Manager's**

**Report** The Board reviewed the District Manager's Report included in the packet. Discussion turned to Brush Creek Landscaping (BCL) and several areas of concern including dry areas, lots of weeds, irrigation problems and general lack of service this season. Mr. Huffman explained to the Board that Sagebrush Services had to complete some emergency irrigation repairs on broken irrigation on the Springfield island when BCL did not have adequate coverage to complete the repairs per their agreement. The Board requested that Management notify BCL that the Board was unhappy with service and that the work to repair the irrigation would be billed back to BCL. The Tenderfoot landscaping was also discussed and Mr. Huffman

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explained the difficulties encountered with the Tenderfoot Association manager and landscaping company after their irrigation main had been broken by Comcast.

## Committees

**Discussion** Ms. Johnston reviewed the proposed changes to the Design Review Submittal forms including the new Variance form. There was general discussion on the use of the forms and if variances are approved for the property or for the owner. Following discussion, the Board approved use of the updated and new forms and asked Management to request all pending (not yet approved) and future submittals be submitted on the new forms. Director Schwan reported that a solar conduit was out of compliance and he would send a picture to Management for follow up.

Mr. Marx reported that there has been a good response to the letter that was sent via email and USPS mail regarding common violations. There was general discussion that while there are some issues, most people have been in compliance. There has also been good communication with owners that are in violation.

## Locates Specialist

**Report** Mr. Huffman reported that Comcast was still requesting the majority of locates however there were less than last season. Discussion turned to the time sensitivity of the locates and the need for having a second employee to cover when Mr. Huffman is unavailable. Ms. Johnston explained adding another employee would add minimal expense since everything has already been set up for the one employee. Following discussion and upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve hiring another part-time, on-call Locates Specialist.

## Raw Water System

**Report** Mr. Huffman reported

1. Water levels are anticipated to be exceptionally low this summer with calls put in on the District's water sources. The District currently has 1.8 cfs but that could be cut to 1.0 cfs if mandated.
2. Water is expected to run out around the first week of August and more severe restrictions may need to be implemented.
3. Start-up went smooth. One relay needed to be replaced but all else is running well.
4. Landscapers know that the system is turned on every other Thursday for maintenance.
5. Springfield Island is still being worked on and they are looking for a suspected leak.
6. The main irrigation controller is in good working order since the VFD was replaced. There was discussion on the life and cost of the controller.

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The Board requested that Mr. Huffman review the potential life of the controller and obtain a bid for replacement from Rocky Mountain Pumps.

7. Waterfall cleaning and maintenance would be done next week.

### **Other Business**

The following other business was discussed:

1. Entrance kiosk required immediate weed treatment.
2. Putting out garbage cans the night before pickup.
3. General discussion on variances granted by DR committee.
4. General discussion on the committees, their function and makeup.
5. Lack of parking and parking enforcement, option to allow driveways to be extended past garages to eliminate gravel parking areas.

### **2020 Audited Financial Statements**

Ms. Johnston reported that Directors Barton and Schwan met with the auditors from Haynie to review the 2020 audited financial statements. Director Barton reviewed the meeting saying he was impressed with the auditors, that they were thorough and that an audit was good to have done on a periodic basis. He mentioned that the auditors spoke highly of the cooperation received from Marchetti & Weaver and recommended that the Board approve the audit. Following discussion, and upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the 2020 Audited financial statements as presented.

### **Financial Statements**

The Board reviewed the preliminary financial statements and raw water infrastructure replacement schedule included in the packet.

### **Accounts Payable**

Ms. Johnston reviewed the Accounts Payable list included in the packet noting that it included all payables since the last meeting in March. After discussion and review, by motion duly made and seconded it was unanimously

**RESOLVED** to approve and ratify the accounts payable list distributed in the Board packet.

### **DocuSign Review**

In response to the increasing sophistication of spam requests, Ms. Johnston reviewed the information included when a legitimate DocuSign request is sent to a Board member. Items to be verified include personalized text in the email body,

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proper grammar and spelling, and the email signature. She reiterated that if there was any question on the legitimacy of a request that they should call Management to confirm.

### **Vendor Proposals**

The Board reviewed the proposal to re-vamp the east side Autumn Glen recreation path plant bed from Brush Creek Landscaping included in the packet. Following discussion, the Board tabled the proposal and any landscape projects not yet started until next season and requested that landscaping and tree services be put out to RFP for the 2022 season.

### **Executive Session**

By motion duly made and seconded it was unanimously

**RESOLVED** to enter into Executive Session at 7:30 p.m. pursuant to C.R.S. §24-6-402(4)(b), for the purpose of receiving legal advice related 1) Colorado covenant enforcement litigation and legislation and 2) Design review Board variance request enforcement.

The board adjourned from executive session at 8:28 p.m.

### **Future Meetings**

The Board reviewed the meeting calendar and requested Management explore alternative dates for the October meeting.

**Adjournment** There being no further business to come before the Board, by motion duly made and seconded, it was unanimously

**RESOLVED** to adjourn the meeting of the Chatfield Corners Metropolitan District Board of Directors this 29th day of June, 2021.

Respectfully submitted,



Beth Johnston  
Secretary for the Meeting