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# RECORD OF PROCEEDINGS

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Chatfield Corners Metropolitan District March 5, 2019, Meeting Minutes

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## Minutes of the Regular Meeting of the Board of Directors Chatfield Corners Metropolitan District March 5, 2019,

The Regular meeting of the Board of Directors of the Chatfield Corners Metropolitan District, Eagle County, Colorado, was held Tuesday, March 5, 2019, at 5:30 p.m. at the Town of Gypsum Council Chambers located at 50 Lundgren Blvd, Gypsum, Eagle County, Colorado in accordance with State regulations.

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

- David Barton
- Grant Murphy
- Joe Schwan
- Mike Woods
- Sherri Wilde-Sisneros

Also in attendance were:

- Chris Huffman, Sagebrush Services
- Ken Marchetti, Marchetti & Weaver LLC
- Beth Johnston, Marchetti & Weaver, LLC, Secretary for the Meeting

**Call to Order** The Regular Meeting of the Board of Directors of Chatfield Corners Metropolitan District was called to order at 5:35 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** There was no public input.

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

**RESOLVED** to approve the October 25, 2018, meeting minutes as presented.

### **Consumer Data**

#### **Privacy**

#### **Policy**

Mr. Marchetti reviewed the Consumer Data Privacy Policy Resolution included in the board packet explaining that a state statute required Districts to adopt a policy

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# RECORD OF PROCEEDINGS

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Chatfield Corners Metropolitan District March 5, 2019, Meeting Minutes

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to handle private data. Following discussion, and by motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Resolution Adopting Procedures for Protecting And Destroying Customer Information Maintained By The District.

## District Manager's

**Reports** The Board reviewed the District Managers Report included in the packet.

## Vendor

**Contracts** Ms. Johnston reviewed the 2019 Landscaping agreement noting it was the final year of the three-year contract that was signed in 2017, if the Board decided to accept. The Board discussed additional mows for the native and wetlands areas along the recreation path and decided to evaluate during the summer if the extra native area mows were necessary. Following review, and upon motion duly made and seconded, it was unanimously

**RESOLVED** to continue with Brush Creek Landscaping for the 2019 landscaping season.

Ms. Johnston presented the tree care proposal for summer 2019. Following review, and upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the tree care proposal dated 10/7/2018 by Brush Creek Landscaping for an amount not to exceed \$3,513.

The Board reviewed the proposal from Mountain Maintenance for crack seal and seal coating of the recreation paths in 2019. Ms. Johnston explained that the areas to be patched were marked directly on the path for review. The Board requested that Ms. Johnston obtain additional bids for the service.

The Board had a general discussion on snow removal for the 2018-2019 season. Overall, the Board was satisfied with the snow removal, however the contractor was leaving snow piles at the end of sidewalks or pushing the snow piles into the streets. The Board requested Ms. Johnston to contact Brush Creek Landscaping and request that the snow be pushed into approved snow storage areas.

## Underground

**Locates** Ms. Johnston gave background on the underground locates reviewing the discussion and action taken to date. Ms. Johnston and Mr. Marchetti reported they had researched an option for the District to hire an employee to do the locates for the District's raw water infrastructure explaining that the District's liability insurance would cover an employee. Mr. Marchetti reviewed the

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# RECORD OF PROCEEDINGS

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## Chatfield Corners Metropolitan District March 5, 2019, Meeting Minutes

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estimate for hiring an employee for completing the locates. The Board reviewed the Utility Locates Specialist position job description and general discussion continued. Mr. Huffman confirmed his willingness to be employed by the District for the position. Following discussion, and upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve hiring a part-time, as needed, employee for the District to complete underground infrastructure locates; and

**FURTHER RESOLVED** to terminate the USIC Agreement effective once a District employee is hired and trained.

### **Irrigation System**

#### **Report**

Mr. Huffman reported that the McBrayer Ditch head gate repairs were completed and had been inspected and approved by Bill McEwen with the Colorado Division of Water Resources. Mr. Huffman reviewed the repairs and new apparatus reporting that everything was working as expected and the water could now be completely shut off. Ms. Johnston reviewed the final project cost reporting that the project came in slightly under budget and refund checks would need to be sent to the contributing ditch owners. General discussion continued on the ditch and water rights for the District and the Board authorized the refund checks to be released.

Mr. Huffman reported that the fall irrigation system shut down had gone smoothly and that the Pond 2 liner repair and replacement was scheduled to be completed in the spring 2019.

### **Financial**

#### **Statements**

Mr. Marchetti reviewed the Financial statements ending December 31, 2018, that were included in the board packet. Mr. Marchetti reported that the Town of Gypsum approved the de-Gallagerization of the mill levy increase and that the additional funds collected would be used to supplement the water fund. Mr. Marchetti explained that the residential assessment rate was previously projected by the Colorado Division of Property Taxation to decline significantly in 2019 but their more recent projections show the assessment rate staying approximately the same for 2019. A final rate will be introduced into the General Assembly in mid-April. The Board entered into general discussion on the Gallagher Amendment and residential assessment rate.

### **Audit**

#### **Exemption**

Mr. Marchetti reviewed the 2018 Application for Exemption from Audit noting that it contained the same information as the financial statements but in a different format. The Board, after discussion, and upon motion duly made and seconded, unanimously

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# RECORD OF PROCEEDINGS

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## Chatfield Corners Metropolitan District March 5, 2019, Meeting Minutes

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**RESOLVED** to approve the 2018 Application for Exemption from Audit; and

**FURTHER RESOLVED** to approve the Resolution Approving an Exemption from Audit for the Fiscal Year 2018.

**Accounts Payable**

Ms. Johnston reviewed the Accounts Payable list included in the packet. 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.

**Investment of Funds**

Mr. Marchetti recommended that a portion of the District's cash be invested in certificates of deposit to get higher returns. Mr. Marchetti and the Board discussed potential investment options. Following discussion, the Board requested that a brokerage account be opened with Multi-Bank Securities (MBS) and approximately half of the cash reserves be invested in brokered CDs with differing maturity dated of no longer than 5 years.

**Direct Deposit**

The Board discussed direct deposit of payroll checks. Following discussion, the Board requested that direct deposit be set up for Directors and employees.

**CCOA**

Ms. Johnston updated the Board on the Accounts Receivable for Chatfield Corners Owners Association.

**Future Meetings**

The Board reviewed the 2019 meeting calendar and tentatively confirmed the June 18, 2019 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 Regular meeting of the Chatfield Corners Metropolitan District Board of Directors this 5th day of March 2019.

Respectfully submitted,



Beth Johnston  
Secretary for the Meeting

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# RECORD OF PROCEEDINGS

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Chatfield Corners Metropolitan District June 18, 2019, Meeting Minutes

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## Minutes of the Regular Meeting of the Board of Directors Chatfield Corners Metropolitan District June 18, 2019,

The Regular meeting of the Board of Directors of the Chatfield Corners Metropolitan District, Eagle County, Colorado, was held Tuesday, June 18, 2019, at 5:30 p.m. at the Town of Gypsum Council Chambers located at 50 Lundgren Blvd, Gypsum, Eagle County, Colorado in accordance with State regulations.

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

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

Also in attendance were:

- Chris Huffman, Sagebrush Services
- Beth Johnston, Marchetti & Weaver, LLC, Secretary for the Meeting
- Patrick Johnson, resident 775 Grundel Way
- Valaurie Tatro, owner 160 Springfield
- Jamie and Mike Humphrey, owners 30 Autumn Glen St

**Call to Order** The Regular Meeting of the Board of Directors of Chatfield Corners Metropolitan District was called to order at 5:33 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**

Director Murphy opened the floor for public input. Ms. Humphrey stated that there were lots of new neighbors that did not seem to know the rules of the community and inquired how the Board was distributing information to new owners. Ms. Johnston reviewed the procedures taken when a property changed ownership including that new owners were sent a welcome letter that included information about the community, introduced the website, and asked them to sign up for emailed newsletters. Discussion continued on the common area landscaping including the native areas next to the step pond, weeds in the common areas, and potential encroachment in the common area.

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# RECORD OF PROCEEDINGS

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## Chatfield Corners Metropolitan District June 18, 2019, Meeting Minutes

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

**RESOLVED** to approve the March 5, 2019, meeting minutes as presented.

### Online Meeting

**Notice** Ms. Johnston reviewed the changes to public meeting notice posting requirements for special districts that go into effect August 2, 2019. Ms. Johnston also reviewed District counsel Mr. Pogue's recommendation for the District to post in the District and online until 2020. The Board requested that the next meeting be posted as recommended by Mr. Pogue and that the topic be added to the next meeting's agenda for consideration.

### Appointment of

**Director** Ms. Johnston reported that Director Wilde-Sisneros resigned from the Board in May as she was not eligible to serve due to moving from the District. Ms. Johnston reported that two eligible candidates submitted letters of interest and reviewed the candidate summary included in the Board packet. Mr. Johnson introduced himself and gave a brief overview of his background and his interest in serving on the board. Discussion continued and Ms. Johnston reviewed the options available to the Board regarding the vacant seat. Following discussion, and upon motion duly made and seconded, it was unanimously

**RESOLVED** to appoint Patrick Johnson to the vacant seat until the next regular election in May 2020.

Ms. Johnston explained that Mr. Johnson would have 30 days to take his Oath of Office.

### District Manager's

**Report** The Board reviewed the District Managers Report included in the packet noting that Mountain Maintenance was expecting to complete the crack fill and seal coat of the recreation paths in mid-July. Ms. Johnston also reported an email received from an owner regarding the lack of compliance to the rules and guidelines of the community. General discussion was had on the covenant enforcement and design review committees explaining the procedures and that anyone could serve on the committees, not just board members.

### Locates Specialist

**Report** Mr. Huffman reported that locates were going smoothly so far and that there have been more requests received than initially anticipated based on the past few years. Director Murphy gave a background of the difficulty finding a locate company that would be cost effective for the District and the benefits of the District hiring an employee to do the locates.

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# RECORD OF PROCEEDINGS

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Chatfield Corners Metropolitan District June 18, 2019, Meeting Minutes

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## Raw Water System

**Report** Mr. Huffman reported that there were no issues during startup of the raw water main system. Sagebrush Services responded to several calls from owners not receiving water that ended up being issues with the owner's irrigation systems and would be billed to the owners. There was also a repair from an owner's fence hitting their irrigation lines. Mr. Huffman also reported that the spring rains and snowpack runoff has caused high ground water throughout Gypsum and is causing flooding to several homes in Chatfield Corners. The Town of Gypsum is responsible for the underdrain in Chatfield Corners and is pumping water out of the underdrain in an attempt to mitigate the flooding, explaining the background of the underdrain system and how it works.

Mr. Huffman gave the background on the Pond 2 repair and relining project for meeting participants. Mr. Huffman reported that the Pond 2 project was started during a brief dry spell in the spring but is now on hold due to the wet conditions and high-water levels. The project will resume once the area dries out sufficiently to allow the equipment into the area.

There was a general discussion on watering and irrigation and restrictions. The Board requested that Ms. Johnston send out a reminder to owners to check sump pumps and crawl spaces as well as an update on the Pond Project

## Financial Statements

Ms. Johnston reviewed the financial statements included in the packet. There was general discussion on the different funds, budget line items and fund balances.

## Accounts Payable

Ms. Johnston reviewed the Accounts Payable list included in the packet and the accounts payable process. 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.

## CCOA

Ms. Johnston updated the Board on the Accounts Receivable for Chatfield Corners Owners Association.

## Future Meetings

The Board reviewed the 2019 meeting calendar and tentatively confirmed the October 15, 2019 meeting.

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# RECORD OF PROCEEDINGS

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Chatfield Corners Metropolitan District June 18, 2019, Meeting Minutes

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

**RESOLVED** to adjourn the Regular meeting of the Chatfield Corners Metropolitan District Board of Directors this 18th day of June 2019.

Respectfully submitted,



Beth Johnston  
Secretary for the Meeting

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# RECORD OF PROCEEDINGS

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Chatfield Corners Metropolitan District October 15, 2019, Meeting Minutes

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## Minutes of the Regular Meeting of the Board of Directors Chatfield Corners Metropolitan District October 15, 2019

The Regular meeting of the Board of Directors of the Chatfield Corners Metropolitan District, Eagle County, Colorado, was held Tuesday, October 15, 2019, at 5:30 p.m. at the Eagle Valley Rod and Gun Club located at 100 Gun Club Road, Gypsum, Eagle County, Colorado in accordance with State regulations.

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

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

Also in attendance were:

- Chris Huffman, Sagebrush Services
- Beth Johnston, Marchetti & Weaver, LLC, Secretary for the Meeting
- Joe Klosterman, owner 211 Autumn Glen St
- Kristen Klosterman, owner 211 Autumn Glen St
- Tina Lamb, owner 20 Autumn Glen St
- Johann Marx, owner 115 Stoney Creek St
- Laura Jensen, owner 845 Grundel Rd
- Nancy Willson, 879 Grundel Rd
- Elizabeth Wood, Rocky Mountain Custom Landscapes

**Call to Order** The Regular Meeting of the Board of Directors of Chatfield Corners Metropolitan District was called to order at 5:33 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**

Due to conflict of scheduling with a Town of Gypsum meeting, agenda items 4 and 5 were moved to the end.

**Public Input** Ms. Jensen gave background on her residency in Chatfield Corners and the desire to have horses near her home. Ms. Jensen explained that she had researched the option to allow horses on the 2 acre lots in Chatfield Corners with the Town of

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# RECORD OF PROCEEDINGS

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Chatfield Corners Metropolitan District October 15, 2019, Meeting Minutes

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Gypsum and also polled her neighbors to see if they would be opposed. Following the presentation, there was general discussion on the impacts of allowing horses in Chatfield Corners and the requirements to change the Declaration, Design Review Guidelines, Rules and Regulations, and other organizing documents. Following discussion, the Board tasked Ms. Jensen with polling the community to determine support and preparing a plan and suggested guidelines for allowing horses to present to the Board for consideration.

Ms. Lamb reviewed the current water and flooding problems in some areas of Chatfield Corners. General discussion continued on who was responsible for the underdrain system, actions taken by Town of Gypsum to alleviate the flooding, and possible support from the District to assist homeowners on reaching a solution with the Town. The Board agreed to assist in owner efforts by sending communications from the Town to the District email distribution list to assist with keeping owners updated. The Board also offered suggestions on working with the Town and researching historical land and water records.

## **District Manager's**

**Report** The Board reviewed the District Manager's Report.

## **Covenant Enforcement**

**Report** Ms. Johnston reviewed the report with the Board. Director Woods resigned from the Covenant Enforcement committee and Mr. Marx volunteered to take his place. There was general discussion on what constitutes a violation, who determines a violation, and covenant enforcement procedures. Ms. Johnston explained that the procedures were currently being reviewed by the District's attorney so there may be changes in procedures based on the recommendations.

Mr. Huffman noted that during his locates and inspection rounds that several owners seemed to be encroaching on District property for mowing and improvements such as fences and firepits. The Board requested that Management send letters to the properties in question.

## **Locates Specialist**

**Report** Mr. Huffman reported that there were more locate requests than previously anticipated but despite that, he was able to keep up. Mr. Huffman explained his process for locates to the Board and Ms. Johnston reviewed the forecast for locates.

## **Raw Water System**

**Report** Mr. Huffman reported that more water was used this year, 59,948,000 gallons versus 41,610,000 gallons in 2018, but that the District was still below its allocated usage. Mr. Huffman also reported

1. The pumps were good and the time clocks working as expected

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# RECORD OF PROCEEDINGS

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## Chatfield Corners Metropolitan District October 15, 2019, Meeting Minutes

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2. The butterfly valve motor was replaced
3. The new head gate seems to be in good condition however it was not opened due to the ample water at the beginning of the season
4. The pond #2 did not have the liner replaced as originally planned but the clay liner was patched and seems to be holding
5. For 2019, there is nothing projected to be rebuilt but the main pond and step pond would be dredged. Ewing Trucking is going to provide estimates in January.

### **Landscape Proposals**

Ms. Johnston gave background of the landscape request for proposals, site visit, and submission of proposals. The Board reviewed the summary of proposals included in the packet and discussion continued on expectations of the landscapers and if the District should take a more compartmentalized approach for the various aspects such as tree care, weed mitigation and general maintenance and irrigation. Following discussion, the Board requested that the contractors be invited to attend the next Board meeting to discuss their bids in more detail.

### **Vendor Contracts**

Ms. Johnston gave background of the irrigation issues due to unknown persons making adjustments to irrigation valves and clocks. Ms. Johnston noted that the one remaining unlockable irrigation clock had been replaced with a lockable clock and reviewed the estimate for installing lockable irrigation valve boxes to address the problems. The Board reviewed the proposal and requested that the boxes be changed out this year, if possible. Following discussion and upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Proposal from Brush Creek Landscaping to purchase and install 21 lockable irrigation valve boxes.

The board reviewed the holiday lights proposal from Jabulani Services and upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Proposal from Jabulani Services to install the holiday lights for 2019 and 2020.

The board reviewed the snow removal proposal from Brush Creek Landscaping and upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Proposal from Brush Creek Landscaping for snow removal for the 2019-2020 season.

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# RECORD OF PROCEEDINGS

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## Chatfield Corners Metropolitan District October 15, 2019, Meeting Minutes

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There was a general discussion on having an on-site property manager for the summer season and also using specialized contractors. The Board requested that management obtain bids for tree care, weed mitigation, and on-site management for presentation at the next District meeting.

### **Owner**

#### **Education**

Ms. Johnston explained that the State requires the Chatfield Corners Owners Association to provide at least one owner education opportunity per year. Ms. Johnston reviewed the information on noxious weeds included in the packet for owner education given the proliferation of and complaints received about noxious weeds within the community

### **Financial**

#### **Statements**

Ms. Johnston reviewed the financial statements included in the packet. There was general discussion on the forecast for 2019 and the different budgets prepared for 2020.

### **Water Rate**

#### **Increase**

Ms. Johnston stated that the notice of meeting to consider a rate increase had been posted on the District's website as required by State statute. The Board reviewed the water rates and the amounts projected to be needed in the future for capital improvements per the Reserve Study. After discussion, and upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve a \$0.91 per month irrigation water rate increase from \$28.84 to \$29.75 beginning January 1, 2020.

### **Budget**

Ms. Johnston stated the meeting had been published as the public hearing to adopt the 2020 Budget. The public hearing was opened to take comments on the proposed budget. Ms. Johnston explained that there were two proposed budgets prepared, one based on the landscaping proposal received from Brush Creek Landscaping, labeled BCL, and the other based on the middle landscaping proposal received, labeled Fitz, and that all other expenses were the same for both budgets. Ms. Johnston reported that there was a slight increase to the assessed valuation and operating mill levy increased slightly to 12.729 mills and the debt service mill levy decreased slightly to 24.498 mills. Ms. Johnston explained that funds were budgeted for the capital projects from the reserve study, weed mitigation, and an on-site manager. Following review and discussion, the public hearing was closed. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Resolutions to Adopt the 2020 Budget labeled Fitz, subject to minor adjustments; and

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# RECORD OF PROCEEDINGS

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## Chatfield Corners Metropolitan District October 15, 2019, Meeting Minutes

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**FURTHER RESOLVED** to approve the Resolution to Set the Mill Levies at 12.729 mills for operations and 24.498 mills for debt service, and

**FURTHER RESOLVED** to approve the Resolution to Appropriate Sums of Money for spending in 2020.

Ms. Johnston explained the funds were included on the District's 2020 budget to cover the Chatfield Corners Owners Association administration and upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Chatfield Corners Owners Association budget for \$0 in 2020, and

**FURTHER RESOLVED** to set assessments for 2020 to \$0.

### **Audit**

#### **Exemption**

After reviewing the 2019 forecast, Ms. Johnston noted that the District was projected to qualify to submit an Application of Exemption from Audit for 2019. The Board requested that Marchetti and Weaver, LLC, prepare an Application for Exemption from Audit for 2019.

### **Accounts**

#### **Payable**

Ms. Johnston reviewed the Accounts Payable list included in the packet and the accounts payable process. 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.

### **CCOA**

Director Murphy updated the Board on the Accounts Receivable for Chatfield Corners Owners Association.

### **Minutes**

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

**RESOLVED** to approve the June 18, 2019, meeting minutes as presented.

### **Online Meeting**

#### **Notice**

The Board reviewed the Resolution included in the meeting packet and following discussion, and by motion duly made and seconded it was unanimously

**RESOLVED** to approve the Amended and Restated Meeting Resolution approving online notice of meetings.

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# RECORD OF PROCEEDINGS

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Chatfield Corners Metropolitan District October 15, 2019, Meeting Minutes

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**Investment  
Policy**

The Board reviewed the Resolution included in the meeting packet and following discussion, and by motion duly made and seconded it was unanimously

**RESOLVED** to approve the Resolution Establishing a District Investment Policy.

**Annual Administrative**

**Resolution** The Board reviewed the Resolution included in the meeting packet and following discussion, and by motion duly made and seconded it was unanimously

**RESOLVED** to approve the 2020 Annual Administrative Matters Resolution as presented.

**Election**

**Resolution** Ms. Johnston explained that a regular election to elect directors would be held in May 5, 2020 and that State statutes were changing district elections from even to odd years. Ms. Johnston reviewed the 2020 election resolution included in the meeting packet noting that 3 director seats were up for election. Following discussion, and by motion duly made and seconded, it was unanimously

**RESOLVED** to approve the 2020 Regular Special District Election Resolution as presented.

**Future  
Meetings**

The Board reviewed and approved the proposed 2020 meeting calendar, confirming that the next meeting would be held on March 3, 2020.

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

**RESOLVED** to adjourn the Regular meeting of the Chatfield Corners Metropolitan District Board of Directors this 15th day of October 2019.

Respectfully submitted,



Beth Johnston  
Secretary for the Meeting