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# RECORD OF PROCEEDINGS

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## Chatfield Corners Metropolitan District June 7, 2022, Meeting Minutes

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### Minutes of the Regular Meeting of the Board of Directors Chatfield Corners Metropolitan District June 7, 2022

A meeting of the Board of Directors of the Chatfield Corners Metropolitan District, Eagle County, Colorado, was held Tuesday, June 7, 2022, at 5:30 p.m. at Eagle Valley Rod and Gun Club, 100 Gun Club Rd, Gypsum, Eagle County, Colorado, with an option to attend via electronic Zoom meeting <https://us02zoom.us/j/87205825355>, Phone Only US 1 253 215 8782, Meeting ID: 87205825355, in accordance with the applicable statutes of the State of Colorado.

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

- Grant Murphy
- Mike Woods (resigned during meeting)
- David Barton
- Dean Callis
- James Werkmeister

Also in attendance were:

- Chris Huffman, District employee and Sagebrush Services
- Ken Marchetti, Marchetti & Weaver, District Administrator
- Beth Johnston, Marchetti & Weaver, LLC, Secretary for the Meeting
- Mike Humphrey, President of Chatfield Corners Owners Association
- Mark & Terri Bolduc, owner
- Adele Wilson, owner
- Charlie & Jordon Almquist, owner
- Robert & Dee Kelly, owner
- Ben Montoya, owner
- Ismenia Interiano, owner
- Ben and Lanette McGuffin, public
- Tsering Norbu, owner

**Call to Order** The meeting of the Board of Directors of Chatfield Corners Metropolitan District was called to order at 6:00 pm 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.

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**Public Input** Mr. Almquist introduced himself and commented that the community was not being maintained with too much trash and not enough attention to the common areas. Mr. Bolduc introduced himself and raised two issues for the Board. The first is that the entrance and common areas are in bad shape with dead sod, weeds, and lack of mowing. The second issue was Pond 2 and Mr. Bolduc distributed a packet of pictures and timeline showing about one inch of water loss per hour. He then detailed the research he'd done on the District budget and meeting minutes for fixing the pond over the past five years reviewing the timeline and attempts to fix the pond the Board has taken to date. Mr. Huffman explained that the Pond 2 repairs included fixing several holes in the bentonite liner and trying to determine why the holes keep opening up. Speculation on the cause of the holes included rodents such as muskrats and an underground water source creating sinkholes. Mr. Huffman gave history of the Pond 2 explaining that it was not part of the original community plan nor a component of the irrigation system but constructed for purely aesthetic purposes. General discussion ensued on the cause of the leaking and what the Board was going to do to fix it and the cost of lining the different ponds. Discussion continued on landscaping, Springfield Island remediation, the irrigation system and general state of the community. Director Woods detailed last year's irrigation fix and substandard remediation to the Springfield St island. Some owners, including Mr. Bolduc, offered to use their expertise in irrigation and landscaping to assist the Board with determining the cause of the holes in Pond 2. The Board welcomed his involvement and asked Mr. Huffman to include Mr. Bolduc on any meetings with contractors.

Bolduc, Wilson, Almquist, Kelly, Montoya, McGuffin, and Norbu left the meeting at 6:49 p.m.

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

**RESOLVED** to approve the June 7, 2022 meeting minutes as presented.

**Board** Mr. Marchetti explained the different offices for the Board noting that the President, Secretary and Treasurer positions needed to be filled. During discussion, Director Woods announced he was resigning from the Board effective immediately and left the meeting. The Board discussed the new vacancy, the procedure for filling it, and potential candidates. Following discussion, and upon motion duly made and seconded, it was unanimously

**RESOLVED** to elect the following officers

President	Grant Murphy
Secretary	David Barton
Treasurer	James Werkmeister
Assistant Secretary / Assistant Treasurer	Dean Callis

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The Board requested that Management update all bank accounts with all current Board members as signers. The Board also requested that Management update the Accounts Payable approvers in Bill.com to the District President and Treasurer.

Ms. Johnston recommended that all Board members attend the Special District Association Workshop being held the morning of June 15 and asked that any Board members available to attend should let her know so she could submit the registration.

### **District Manager's**

#### **Report**

The Board reviewed the Manager's Report included in the packet. There was discussion on the landscaping and irrigation with Ms. Johnston reporting that Mr. Fitz was preparing estimates for overhauling the planting beds and Mr. Huffman reporting that some of the irrigation zones still needed some work to get them running properly. Ms. Johnston also reported that the McBrayer Ditch Lining Project grant application for Congressional District Spending submitted to Senator Hickenlooper's office was forwarded to subcommittee for further consideration.

### **Committees**

#### **Discussion**

Ms. Johnston reviewed the Design Review and Covenant Enforcement subcommittees, their members, and explained their functions. Following discussion, the Board requested that Director Callis be added as a member of the Design Review committee and Director Werkmeister be added as a member of the Covenant Enforcement committee.

### **Locates Specialist**

#### **Report**

Mr. Huffman gave an update saying that there was not as many locate requests as the previous year. Ms. Johnston explained that Mr. Huffman and Mr. Moran were employees of the District with very specific duties outlined to avoid conflict with the subcontractor status of Sagebrush Services. She also gave background of the previous locates company and why the District decided to hire specialized employees instead of renew the contract with USIC.

### **Raw Water System**

#### **Report**

Mr. Huffman reported the following to the Board

- The irrigation system was started May 6 to pressurize the system and check for leaks. So far, all reported leaks have been on homeowners property. There were no issues experienced during start up and water was available to owners on May 9.
- As discussed earlier during Public Input, Pond 2 had filled and last year's repairs were holding through part of May. At the end of May, another hole was found at the bottom of the pond and it was leaking again. The holes seem to be forming in a line suggesting a possible water source such as an underground stream was causing the holes. The Board requested that a water

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engineer or other expert be consulted to try to determine the cause of the holes and provide a viable solution for repair.

- An overview of the water sources for the District including the ditches and other ditch users.
- Once the irrigation pumps had been started, Sagebrush Services walked the District property with Fitz Landscaping showing them the timeclocks and pointing out the problem areas. He also explained that weeds were a problem.
- Pump one will be rebuilt.
- The motorized butterfly valve that is used to switch irrigation between Phase 1 and Phase 2 went bad and needs to be replaced. The valve is on order and will hopefully be replaced by next week. The estimated cost is \$2,000. Once the valve is replaced, watering restrictions will be started.

### **Readable Meters**

Mr. Huffman explained that water was getting tighter and the District would need to think ahead for tracking its water use. Mr. Huffman showed the Board a sample remote readable meter that is used by Town of Gypsum. Discussion continued on different meter types, cost of the meters, responsibility for replacement, partnering with Town of Gypsum, and reporting requirements. Currently, water use is measured from the pump house and reported to Zancanella and Associates.

### **Pond 2**

Pond 2 discussion continued from earlier public comment. The Board identified that the District wants to keep the pond but needs to have a contingency plan in case it will not hold water. One idea is to reroute the water from Pond 2 to the ditch to dry out the pond and have an engineer or hydrologist identify what is causing the holes that keep opening up along the bottom. Another idea is to shallow up the pond then line it. The Board requested that Mr. Huffman write up a plan with the steps needed to move forward with finding out what is under the pond and then obtain at least three bids to line the pond.

### **Financial Statements and Audit**

#### **Exemption**

Mr. Marchetti reviewed the financial statements in the packet explaining the revenue sources and the different funds. He reported that items were trending as expected. The capital forecast would need to be revised to include the costs for lining Pond 2 once the bids were in.

### **Accounts Payable**

Mr. Marchetti reviewed the Accounts Payable process and the Accounts Payable list included in the packet. The Board decided that the President and Treasurer should serve as the primary invoice approvers. After discussion and review, by motion duly made and seconded it was unanimously

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

### **Vendor**

**Agreement** Ms. Johnston explained that the Proposal submitted by Fitz Landscaping for restoration of the Springfield St island had been emailed to the Board in May for preliminary approval. By motion duly made and seconded, it was unanimously

**RESOLVED** to ratify the Fitz Landscaping Proposal dated May 19, 2022 to restore the Springfield Street Island in an amount not to exceed \$3,405.

### **Amendment to Covenant Enforcement**

**Policy** Ms. Johnston reviewed the Resolution included in the packet explaining that it amended the covenant enforcement policy to clarify that the District may not and will not enforce the Covenants in a manner to infringe upon constitutional rights or enforce Covenants that have been determined to be unenforceable as a matter of law or as contrary to public policy. General discussion continued on newly passed State laws that conflicted with the Chatfield Corners Declaration and Rules and Regulations and how they may affect the community and enforcement. Following discussion and upon motion duly made and seconded it was unanimously

**RESOLVED** to approve the Resolution Adopting Amended Covenant Enforcement Policy for enforcement of covenants and provision of design review services.

### **Future Meetings**

The next meeting was confirmed for August 2, 2022 at 5:30 pm.

### **Executive Session**

By motion duly made and seconded it was unanimously

**RESOLVED** to enter into Executive Session pursuant to C.R.S. §24-6-402(4)(e), Determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and instructing negotiators related to Eisenhart Litigation.

The Board entered into executive session at 8:31 p.m.

The Board adjourned from executive session at 8:39 p.m.

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

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**RESOLVED** to adjourn the meeting of the Chatfield Corners Metropolitan District Board of Directors this 7th day of June, 2022.

Respectfully submitted,



Beth Johnston  
Secretary for the Meeting