

HAMILTON CREEK METROPOLITAN DISTRICT

BOARD OF DIRECTORS REGULAR MEETING MINUTES

Tuesday, September 7th, 2021

The Board of Directors held a regular meeting at the Silverthorne Library on Tuesday, September 7, 2021. Present were Directors Bob Bruno, Ruth Carroll, John Jones, and Chip Harris. District staff members present were Administrator Tom Oberheide, Bookkeeper Kelly Baldwin, and Operator Matt Willitts.

1. CALL TO ORDER. President Bob Bruno called the meeting to order at 12:04 pm after verifying that a quorum was present and notice of the meeting had been properly posted.

2. APPROVAL OF JUNE 8, 2021 MEETING MINUTES. Ruth asked if it is important to note that the meeting was held via zoom and not in person. Bob B said it wouldn't hurt to add that note. The minutes were approved with the addition of the note that the meeting was a remote meeting (JJ/CH, 4-0).

3. OPERATION REPORT. Matt provided the following operations report to the board:

Hamilton Creek Metro District WSI Operations Report 09/07/2021 Board Meeting

- The district has engaged Plummer Engineering to design and get CDPHE approval for replacement of membrane modules in water filter #2 at the water treatment plant. The engineers have discussed our system with CDPHE and it is understood that this will be a paper process to document the replacement as the engineering aspect has already been completed during the replacement of the membranes on filter #1. WSI is in the process of reviewing Plummer's proposal for the flocculation rack replacement project. Once we have worked through this Agreement language it will be forwarded to the district for approval.
- RKR, Inc. completed the installation of a four inch "insert" valve in the intersection of Eagle Wing Trail and Hamilton Creek Road. This is the last of 3 valves recommended to be installed by WSI to better isolate the distribution system. These new valves will enable more customers to have water if areas of the distribution need to be shut down for maintenance or emergencies.
- All district fire hydrants have been maintained and operated this summer as part of our annual maintenance program. WSI has also exercised the district main line valves to confirm operation and to maintain their integrity. WSI will be tuning both PRV vaults this

summer. This is also part of our annual maintenance program for the district.

- WSI staff have been responding to daily locates for the electric underground project and staying ahead of their progress.
- WSI continues to work with Tom O. as needed in the evaluation of the sludge in the backwash holding tanks. WSI accessed the tank lids for a contractor to evaluate the project.
- Remaining projects to complete quote for generator hook-up, get information on SCADA system cyber security, intrusion hatch for tank ladder access, engineer storage tank valve replacement.

Tom summarized the progress he has made regarding disposal of the TENORM material at the water plant. He said he has been working with Clean Harbors, the group that operates the Deer Trail facility located east of Denver and is one of the few facilities permitted to accept waste with the levels of Uranium present in the material produced as a byproduct of the water treatment. Tom said he and Matt met with a representative from Clean Harbors to try and find ways to reduce the volume of material and dewater to cut down on disposal and transportation costs. Tom said he had just received an estimate before the meeting of \$110,000 to transport and dispose of the material. Tom said he will follow up to better understand what the quote entails and continue to search for other dewatering and disposal options.

There was additional discussion regarding the importance of cyber security. Bob B said he would contact the Special District Association insurance pool provider to discuss the cyber security grant application, and Ruth said she would be happy to help Bob in that endeavor.

Bob B also discussed the new home to be built at 2331 Hamilton Creek Road near the entrance to Angler Mountain. Matt confirmed that they would need to connect to the main up above the house, and depending on the elevation of the house relative to the pressure reducing valve at Lakeview Circle and Hamilton Creek Road, they may need to install a pressure pump in the house.

4. FINANCIAL REPORT. Ruth noted that Bob P reports that everything looks to be in order in his independent review of the financial reports.

The board reviewed the Accounts Receivables report provided by Kelly, and noted that the Zupan property is for sale and Kelly has reported the amount owed to the title company to bring that account up to date. Tom reported that he has received payment for the Schlipf account as well.

Chip asked about what the total cost of the road project was projected to be, and Tom reported that the contract amount was for \$475,445.25, and that the contract number included contingencies so the expectation is that the total project cost will be less. Tom reminded the BOD that the budgeted amount for roads in 2021 is \$400,000 and the budget will need to be amended at the November meeting.

Bob B asked about what Other Admin expenses were, and Tom he would like to have all those items reclassified to other existing expense items. Tom said he would send Kelly an email detailing how to classify the expenses in the Other Admin expense account.

5. DELINQUENT ACCOUNTS PROCEDURES. Tom and Kelly summarized the current procedure for delinquent accounts which is that a late fee of \$25 is added to an account if payment is not received prior to the next billing (3 months). Kelly sends a statement to customers showing the total amount due, and staff and board members then spend time trying to contact customers if the District does not receive payment for two or more quarters. The board was in general agreement that the process works well given that the Accounts Receivables report shows a small amount of money owed. The board also generally agreed that it was important to have another tool for accounts delinquent by more than a year, and that certifying accounts for tax sale was an option to pursue. Tom said that the board cannot take action to institute new fees or charges at this meeting since a notice must be published to make the public aware that such an action may take place. The board directed Tom to publish required notice for the November meeting to discuss and take official action.

6. ROAD DESIGNATION. Tom said that he has worked with Mark Richmond to review District and Association documents in order to find a clear designation between roads that the District maintains and roads for which homeowners are responsible. Tom said that after review of governing documents by Mark Richmond, he recommends that the District maintains any roadway or drive that provides access to two or more homes. Tom said that the responsibility for new drives to undeveloped lots would still be the responsibility of the property owners, and that the District could accept those drives for maintenance if they were constructed to proper standards. The board directed Tom to discuss this issue with a new attorney that the District will engage with for general counsel services.

7. SNOW REMOVAL AGREEMENT. The board reviewed the proposed Snow Removal Agreement with Emore Inc for the 2021-2022 season. The Tom noted that the only difference in this agreement from last year is that their charges for a loader has gone from \$125/hr to \$130/hr. The board agreed to authorize Tom to sign the Snow Removal Agreement with Emore Inc for the 2021-2022 season (CH/JJ, 4-0).

8. MAILBOX AUDIT. Tom summarized difficulties he is having with obtaining accurate information on which mailboxes are in use and by whom. The mail carrier only shows one box as being vacant or unused, but Tom has received 3 mailbox keys from owners that have sold and moved out of the community. Tom is also hesitant to distribute mailboxes to people who have been on the waiting list without reliable information on which boxes are in use. Tom proposed an annual mailbox audit where mail box users would be required to fill out a simple form annually confirming that the box is still in use. If after a certain amount of time there is no response, Tom could then make additional efforts to contact box users and re-assign those boxes that are no longer in use.

Bob B said he could go down and meet with the mail carrier and make a list of all people's names on mail in the mailboxes. Tom said he wasn't sure how valuable that information would be other than as another reference point to compare with his list. The board was in general agreement and authorized Tom to put together a form for an annual mailbox audit.

9. ENGAGEMENT LETTER FOR GENERAL COUNSEL SERVICES. The board discussed briefly and authorized Tom to sign the Letter of Engagement from Collins Cockrel & Cole (CH/RC, 4-0).

10. XCEL PROJECT AND ASSOCIATED ASPHALT REPAIR. Tom said he has been trying to get a meeting with Xcel to understand what they propose to do to fix the asphalt damage associated with

their major project of replacing the power distribution cable. He has heard from Tibor, the roads inspector for Summit County, that they are planning to patch the side of the road that they milled and then overlay to centerline for all those areas where they mulled or cut the asphalt. Tom said there are some existing sections where the asphalt is in poor shape due to age, not the Xcel project, and it would be best to try and repair those sections of asphalt before an overlay is complete. The Board authorized Tom to obtain an estimate for repairs in identified areas prior to the overlay and share those estimates with the board via email for approval.

11. PROPOSED BUDGET REVIEW. The board discussed major proposed budgeted expenses including admin services contract with T Services and Water Solution Inc, emergency water connection to the Town of Silverthorne, and TENORM disposal.

12. NEW BUSINESS.

- a. Ruth asked if there are any requirements or a way to encourage contractors to utilize bear proof trash cans since bears have been seen rummaging through dumpsters at job sites. Bob B said he would add that to construction information to builders.
- b. Tom said he expected the pay application for the road project to come through in the next few weeks and that an authorized signer on the ColoTrust account will need to transfer funds for that payment.
- c. Bob B clarified with Tom that the District has not committed any funds to Red Buffalo Trail or Hamilton Creek Trail, and that we are still working towards defining what roads the District will take responsibility for maintaining.
- d. Bob B explained that the Dolomores on Timber Wolf Trail had a parking space paved which is on the open space owned by the Homeowner Association. He said he will be drafting a letter to the Association recommending that they require the owner to remove the paved parking area and restore the land back to the previous condition.

13. ADJOURNMENT. The meeting was adjourned at 3:17 pm.

Respectfully submitted by: Tom Oberheide