

HAMILTON CREEK METROPOLITAN DISTRICT

BOARD OF DIRECTORS REGULAR MEETING MINUTES

Tuesday, September 8th, 2020

Attending Board Members:

Bob Bruno

Ruth Carroll

Wendell Bond

Dan O'Brien

John Jones

Others Attending:

Tom Oberheide

Kelly Baldwin

Matt Willitts

Bob Pietrzyk

The meeting was called to order at 2:07 pm by Bob after verifying that the meeting was properly noticed and that a quorum was present.

APPROVAL OF MINUTES

Ruth found a typo on page 4 of the meeting minutes, "road replacement object" should read "road replacement project".

Dan also noted that there was no mention of a road sign discussion from the minutes, and that if there was a discussion and decisions made, that those should be noted in the meeting minutes. Tom agreed that any decisions made should be noted in meeting minutes, and that he had gone back to review the recording and there was not road sign discussion at the June meeting, and it may have been the previous meeting when that discussion took place, but Tom would go back and check.

The minutes from the June 9th regular meeting were approved (RC/JJ, 5-0) pending the above changes.

FINANCIAL REPORTS

- **2020 YTD Summary.** The board reviewed the financial reports provided by Kelly. Ruth wanted to know what the "Status Request Fee" was as an income amount. Kelly explained that the "Status Request Fee" was for providing account status and amount owed information to title companies pending the sale of a home in Hamilton Creek. Kelly further explained that there were a few sales that fell

through which caused a negative income for that account on the P&L but that should change when the sales go through again next quarter.

- **Automatic Payments.** The board asked if any customers have requested a different way to pay the quarterly bills. Kelly said that Zelle has worked with First Bank and that Kelly would set up Zelle and would also include instructions with the next bill for those that want to switch to electronic payments.
- **Reconciliations.** Bob Pietrzyk asked about a check for \$18,808.31 on 5/26/2020 from BOTW clearing out the remaining funds in the BOTW account, but did not see a deposit for that amount into First Bank or ColoTrust. Kelly said she would review and email Bob directly with the statement reflecting that deposit.

2021 PROPOSED BUDGET REVIEW

- Bob B asked about whether there was an amount included in the budget for TENORM. Tom said he would clarify in the budget notes column more specifically what projects would fall under the water system capital expenses and which would fall under the water system maintenance expenses with rough estimated costs for the major projects.
- Ruth asked about setting a minimum reserves amount in a cash account for emergencies. The board discussed how to handle classifying funds and Dan suggested a statement from the Board stating that the District will normally keep no less than \$200,000 in cash reserves for emergency purposes. Tom will add wording to the Budget Message stating that the Board has set a \$200,000 emergency reserve amount to be maintained in bank accounts for emergency purposes and acknowledge that the road replacement liability is in the millions.
- Board discussed several details, and agreed to the following:
 - Combining “legal” and “litigation” expenses
 - Keep “interest income” under “other income”

Kelly had to sign out of the meeting for an appointment.

- Bob B posited the question of why the property tax income is less than budgeted but the treasury fees were more than budgeted. Tom explained that the property tax income was a question he had for Kelly as it did not reflect the roughly \$7,000 distribution in July. Tom further explained that the property tax income for 2020 will be less than budgeted due to several abatements on assessed values.
- Tom presented a long-term projection spreadsheet showing fund balances and estimated major expenses for road repairs and water systems over the next 9 years. Tom will send out via email the projection for further Board member review.

OPERATIONS REPORT

Matt provided and discussed the following operations report:

WSI Operations Report for 9/8/2020 Board Meeting

- Polyfluoroalkyl Substances (PFAS)- is an emerging public health challenge as these chemicals can be found in drinking water. CDPHE has received a grant to allow free sampling of all community water systems. Results from this sampling had no detections. No further actions are needed at this time.
- This quarter WSI sampled for several CDPHE required analytes. Those included lead and copper and disinfection by-products (DBP). Previously, both have been of concern to the District because of homeowner complaints of pinhole leaks and exceedance of DBP prior to building the membrane treatment plant. All results are within compliance limits.
- Hamilton Creek flows are currently >60 gpm. WSI will continue to monitor stream flows until snowfall or icing inhibits reading. Throughout the summer WSI and T-Services have communicated regarding any potential of drought emergency.
- WSI has identified two capital projects at the water plant for 2021. One project will be to replace the second Memcor filter with (6) new membrane modules. This will complete replacement of all membranes. The second project is to design and receive CDPHE approval to modify or replace the existing floc rack. The flock rack consists of SCD 80 PVC piping that is laid serpentine along the wall to create turbulence and detention time for the chemical coagulant to react with the raw water prior to membrane filtration. We have had multiple failures of the floc rack.
- WSI performed the annual valve exercise and fire hydrant maintenance program. All fire hydrants operate. WSI has identified several valve boxes that need attention and/or do not operate. WSI will be working towards resolving those issues.

The board further discussed valve repairs and Matt said he would work with Tom to determine which valve(s) should be repaired (at Hamilton Creek Road and Lakeview Circle or valves at Eagles Wing Trail.

Bob asked about whether the floc rack breaking had been brought to the Board's attention before, and Matt further explained the issue and what steps are needed to determine and implement the best solution.

Bob B asked about flows in Hamilton Creek, and what the threshold for concern should be. Matt and Tom confirmed that demand was less than 10 gallons per minute, so

when the flows get close to or less than 20 gallons per minute in the creek that would be a time to consider water use restrictions and emergency steps to start wells.

Ruth asked about fuses in the filtration pumps and if there was an update on the cause of those issues. Matt said there have not been any more issues after the fuses and motor starter were replaced.

Matt signed out of the meeting following his operations report.

ADMINISTRATORS REPORT

- **Hazard Mitigation Plan Approval.** Tom reviewed the previous Hazard Mitigation Plan and the required 2002 plan update. After a short discussion on the requirements, the Board approved the “Resolution to Adopt the Summit County Multi-Hazard Mitigation Plan Update” (DO/RC, 5-0).
- **Road Projects.**
 - Tom reviewed status of the road replacement project. Two companies bid on the project and Columbine Hills was the low bidder but their proposal included a caveat that the work would likely take place in 2021 and not in 2020. After discussion, the Board felt the savings had by waiting until next year was worth it, even with the potential change in asphalt prices. As a follow up, the Board asked Tom to research how much the asphalt prices may fluctuate to understand how that price could increase. The board voted to award the bid to Columbine Hills (RC/DO 5-0).
 - Tom has requested a proposal for an engineered plan for asphalt repair at Red Buffalo Trail for the Board and homeowners to review. There are still several issues to be resolved such as cost-sharing and what the homeowner interest is to repair it. The Board will review the proposal and determine next steps.
 - A portion of Timberwolf Trail has never been paid. Tom has an estimate that it would cost roughly \$10,000 to pave the remaining portion. Bob B suggested that the two last homeowners on Timber Wolf contribute \$2,000 each and the Metro District pay remainder.
 - The discussion moved to a more general topic of what roads the Metro District maintains. The District will consider a new policy or resolution committing the District to maintain existing roads and any future homes to be built will be required to construct and pave roads and/or driveways to access the new lots at the next Board meeting in November.
- **TENORM project.** Tom summarized the project to date. The most recent water quality test results in the backwash holding tanks indicate that the District will be subject to new TENORM regulations currently being drafted by the State. These regulations are scheduled to be finalized this year, and Tom will continue working towards researching requirements, hauling contractors and qualified disposal locations. Bob B mentioned that one resident near the water treatment plant

would like to be notified when the District schedules removal of the sludge in the backwash holding tanks.

- **2020-2021 Plowing contract.** The plowing contract for the 2020-2021 season with Emore Inc was approved by board members via email at the beginning of July for plowing of roads in Hamilton Creek.
- **Volunteer Insurance.** Ruth asked if Tom had followed up on insurance for District volunteers, and Tom said he would follow up with the District's insurance provider.

New Business

- Bob B asked for confirmation that the District was comfortable with the amount of the property insurance on the pump station. The Board asked Tom to further research insurance requirements for both the HOA and the Metro District.
- Bob B asked Tom about some minor road patches to be completed this year, and Tom said he would contact Double M for some quotes on minor road patches.
- The guardrail at Hamilton Creek on Hamilton Creek Road was damaged last winter when a vehicle slid into it and their insurance company paid out \$2700 dollars for repair. Tom will follow up with Ideal Fence Company to discuss their timing for repair.
- A homeowner has requested a stop sign on Lakeview Circle at the intersection with Hamilton Creek Road. A more general discussion ensued regarding additional yield signs and other traffic signs, and the appropriate process for approving and installing them. The Board came to a consensus that the issue of traffic signs should be taken up by the HOA with some level of community input, to be determined by the HOA. The Metro District will pay for and arrange for signs to be placed as approved by the HOA.
- There was an intrusion on the water tank when three people climbed up and were on top of the tank for approximately 15 minutes. A homeowner got a picture of their car and Tom contacted the sheriff's department. After discussion with the deputy, Tom determined that pressing charges for trespassing or criminal mischief were not appropriate and the people were not likely to climb it again. Tom said he will work with Matt to further secure the cage and ladder.
- Dan posed the question of whether or not the insurance for theft of \$5,000 was it per occurrence and are additional insurance payouts potentially viable? Dan said he would follow up with Norm and consider having Denver Trail Lawyers look into this issue further.
- Bob B will research restitution requirements from Bob Polich and determine how to actually collect according to the restitution judgement.

Meeting was adjourned by Bob at 6:10 pm.

Respectfully submitted by:

Tom Oberheide