

# RECORD OF PROCEEDINGS

## MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE ROXBOROUGH VILLAGE METROPOLITAN DISTRICT HELD March 8, 2023

A Special Meeting of the Board of Directors (referred to hereafter as the “Board”) of Roxborough Village Metropolitan District (the “District”) was convened on the 8th day of March, 2023 at 6:00 p.m. at the Roxborough Library.

### **1. ATTENDANCE**

#### **Directors In Attendance Were:**

Mathew Hart  
Ephram Glass  
Calvin Brown  
Travis Jensen  
Mark Rubic

#### **Also In Attendance Were:**

Debra Prysby

### **2. CALL TO ORDER**

At 6:01 p.m. the meeting was called to order.

### **3. DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST**

**Disclosure of Potential Conflicts of Interest:** The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Director Glass noted that a quorum was present and requested that members of the Board disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute. It was noted that there are no Directors’ Disclosure Statements to be filed.

### **4. ADMINISTRATIVE MATTERS**

**Agenda:** Director Glass reviewed with the Board the proposed Agenda for this Regular Meeting. Director Hart requested a discussion of the playgrounds be added.

Following discussion, upon motion duly made by Director Hart seconded by Director Brown and, upon vote, unanimously carried, the Board approved the agenda.

## RECORD OF PROCEEDINGS

### **5. PUBLIC COMMENTS**

No public comments were made.

### **6. BOARD DISCUSSION MATTERS**

Director Glass made a motion to treat Ms. Prysby as a member of the board as she was elected to join as of May 2, 2023. There being no objections, the motion carried.

Director Glass reported the boards comments regarding the development proposals have been submitted.

**Utility Locates:** The board held a discussion about moving to CDI for utility locates. Director Hart asked about payment schedules for locates. Director Glass explained the rates. No motion was made.

**Security Cameras:** It was noted that graffiti removal is costing the district a lot of money and that deputy temp cameras and flock cameras had been suggested. Director Glass suggested the District install the temporary cameras from the sheriffs office and that if they are helpful, consider making them permanent. Director Hart expressed privacy issues with flock cameras. The board discussed the possibility of establishing a legal duty of care (inadvertently) if cameras were installed. It was explained that because sheriff's cameras are not owned/operated by the District, they would create no duty of care. Director Rubic & Jensen discussed the graffiti is probably happening during the day. Ms. Prysby said graffiti artists are becoming more brazen. Director Rubic noted the locations graffiti are happening cannot be seen from the road, and have good visibility to anyone approaching. No motion was made.

**Sturgeon Electric Damage:** Director Glass expressed his opinion that letting the issue go is probably best. Director Hart expressed taking it on could be a big financial risk. Director Rubic was concerned that the District's previous engineer never produced any evidence of the locates and related damage. Director Jensen thought it best to move on. No motion was made.

**Small Jobs:** Director Glass reported SDMS claimed to have someone to handle small jobs after the fall, but has not produced anyone. The District needs someone to handle small jobs like fences down, paint, etc. Director Jensen asked what qualifications someone would need to work as a handyman. Director Glass explained that board members performing these tasks is legally problematic, but if the District asks for volunteers, it needs legal waivers. Director Rubic expressed concern about waivers covering all situations, for example climbing. Director Glass expressed our legal team could put together a sufficient waiver. Director Rubic expressed a preference for hiring someone professional. Director Jensen said this is why the District needs to know license/bond/insurance requirements. Director Glass suggested the board discuss hiring a handyman with the consultants. No motion was made.

**Tree-care:** Director Glass reported that Bailey Tree had a long list of things needed pruning, cutting, etc. SDMS sent requests for quotes to Sav-A-Tree and Davey Tree. The District

## RECORD OF PROCEEDINGS

received proposals from Sav-A-Tree and are still waiting on a response from Davey Tree. Sav-A-Tree quoted a higher price than Bailey. Director Glass mentioned that not all the items on Bailey's original list were critical. Director Glass recommended staying with Bailey if they are competitive in price and reduce to a minimum amount of tree care/ pruning.. Director Jensen asked if that would include trees which extend over streets or sidewalks as a safety issue. Director Glass explained it would include anything with clearance issues and anything dead or in danger of falling, but not purely cosmetic trimming. Directors Jensen and Hart agreed with that strategy for keeping costs down. Director Rubic asked how many trees Bailey Tree owed to the District. Director Glass reported six, plus some stump grinding. Directors Rubic and Hart agreed with the proposed strategy while waiting on the quote from Davey. No motion was made.

**Mosquito treatment:** Director Glass recalled that last year the board voted to spray for adult mosquitos along paths and expressed concern with using the product near bodies of water. Director Jensen noted the Board did not make that change until late in the season (August). Director Glass disagreed stating the product is fast-acting and recommended focusing the treatment on breeding areas. Director Hart mentioned breeding occurs in bodies of water which should be treated with larvicide tablets. Director Glass agreed if the water is unobstructed; noting larvicide tablets don't properly disperse in marshy conditions. Director Brown asked if the vendor could make other recommendations? Director Jensen's research turned up only three EPA approved products, two of which were nearly identical. Director Rubic asked how far mosquitos travel, Director Glass said 1 to 1.5 miles. The Board discussed adding areas on the south-west side of community park and south of Preble's pond to the plan. Director Brown also mentioned areas where water tends to pool near the property line by Airplane Park. Director Jensen mentioned monitoring the Sterling Ranch construction to ensure they do not produce a mosquito problem by leaving areas of standing water. Director Glass will request a quote for the additional spray areas. No motions were made.

**Playgrounds:** Director Glass reported SDMS had scheduled meeting with a GoCO rep on the 16th to talk about grants for playgrounds. They plan to discuss a longer-term plan for playgrounds. Director Glass mentioned Sterling Ranch seems to have received money for playgrounds but is not planning any construction soon. Director Brown mentioned they were requesting a delay. Director Glass replied they received a delay and were seeking additional public tax money. Director Jensen asked if this works in our favor if we have to supply the population of Sterling Ranch with playground opportunities. Director Glass agreed and expressed his desire to move forward with an application for both GoCO and DougCo monies using the District's previous plans developed by Living Studios. Director Hart expressed concern about dragging on the replacement of the playground for years. Director Glass expressed concern that if the District replaces the playground, it will not get any money from GoCO. Director Brown asked if the plan for Airplane Park was to replace the playground with one of similar size? Director Glass wants to patch Airplane Park playground up and not replace it in its entirety. Director Rubic's research found replacement equipment for the parks were between \$15,000 and \$35,000. Director Hart asked if parts were available. Director Glass replied that there is no one to install them. Director Rubic expressed concerns about the installations meeting all required regulations, or else the safety issues would remain. Director Glass mentioned the District's safety inspector can approve the replacement/installation plan. Director Rubic expressed concern about the expertise of the installer and noted the District still

## RECORD OF PROCEEDINGS

has safety issues at all the other playgrounds that have not been addressed. No motions were made.

**Prioritizing tasks:** Director Glass explained that the District currently prioritizes tasks as high/med/low priority, but he is interested in a more structured approach where safety issues are highlighted. Director Hart added schedule should be a factor too. Director Jensen agreed, mentioning that a lot of landscaping work needs to be done at certain times of year. Director Glass agreed, Director Hart asked how the District currently deals with long-term tasks (more than 1 month). Director Glass said the District has not added durations to tasks yet. Director Rubic asked if the task spreadsheet can be shared with everyone. Director Glass said everyone should already have access. Director Rubic continued indicated that the Board can develop whatever process it wants, but that the process needs to be followed. Director Glass clarified the intention of the task spreadsheet is to be used during meetings for recording action items and follow-up.

**Water District Fence:** Director Glass stated the water tank is on the southern end of the property but the Roxborough Water District wants to fence the entire property in, including the upper triangle where there is no equipment, expressing a desire to maintain area if the District wants to add a path on the western side of the easement which may loop to the hogback. The grade is steep enough that with the fence on that west side, people or animals could just jump over it. The water district said they needed space to maneuver equipment. Director Rubic would like to see what the fence looks like, including pictures. Director Glass said that since houses will be facing this fence, they should be consulted. Director Hart agreed that the entire easement did not need to be fenced.

**Reimbursement Agreement:** The Reimbursement Agreement with Chatfield Farms was executed in 1999 before anything was built. Director Glass stated that not all the items listed in the Reimbursement Agreement were built and some that were built have no specific maintenance agreements with the District.

### **7. ADJOURNMENT**

Director Hart made a motion to adjourn, Director Brown seconded.  
The meeting adjourned at 7:55 pm

Respectfully submitted,

By: Travis C Jensen  
Secretary for the Meeting