

# RECORD OF PROCEEDINGS

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## MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE ROXBOROUGH VILLAGE METROPOLITAN DISTRICT HELD AUGUST 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 Tuesday, the 8<sup>th</sup> day of August, 2023 at 6:10 p.m. at West Metro Fire Protection District, Station 15, 6220 N. Roxborough Park Road, Littleton, CO 80125. The meeting was open to the public.

### ATTENDANCE

#### Directors In Attendance Were:

Mark Rubic  
Debra Prysby, Arrived 6:13 pm  
Mathew Hart  
Ephram Glass  
Travis Jensen

#### Also In Attendance Were:

None.

### CALL TO ORDER

At 6:10 p.m. the meeting was called to order.

### 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 Rubic 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.

### ADMINISTRATIVE MATTERS

Agenda: Director Rubic reviewed with the Board the proposed Agenda for this Special Meeting.

Following discussion, upon motion duly made by Director Jensen, seconded by Director Glass, and, upon vote, unanimously carried, the Board approved the agenda, as presented.

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### PUBLIC COMMENTS/ HOMEOWNERS REQUESTS

There were no members of the public present and thus no public comments.

### BOARD DISCUSSION MATTERS

**Fishing at District Ponds:** The Board discussed the concerns raised by recent resident correspondence. It was noted that a response was sent. The Board discussed enforcement authority of its rules and regulations. Director Rubic provided information he obtained for legal counsel. The Board discussed whether fishing should be banned. Director Glass suggested using rotenone to kill off and remove all the fish which are all invasive and not native to Little Willow Creek. The general consensus was that at this time the Board does not see either as an action to take. It was also noted that the District requires a permit to fish but that no permits have been issued. The Board discussed the outdated signage noting fishing is not permitted. The Board will be discussing the formation of a committee for signs at its August 16th meeting to address the signage issue. Director Jensen recommended contacting the Colorado Department of Parks and Wildlife to see if they can patrol the pond areas for compliance with state licensing requirements. The Board agreed with this recommendation.

**Status of Replacement of Playground Equipment:** The Board discussed the Status of Replacement of Playground Equipment. Director Rubic informed the Board that he and Director Prysby met with Farnsworth Group, the District Engineer, about the need for estimates to identify what would be needed to make the area by the gazebo ADA accessible for the playground as well as other areas. Farnsworth stated that a survey would be helpful. They will be putting a proposal together for the survey work and provide recommendations. Director Rubic requested for them to have it available for the August 16th meeting. There was no other information available about Airplane Park progress. Director Rubic stated he will ask SDMS to have an update for the August 16th meeting as well.

**Budget Preparation/Timeline and Board Priorities/Identify Capital Projects for 2024:** The Board discussed the 2024 budget preparation and a timeline. The Board will need to resolve some questions that were raised at the last regular Board meeting in order to prepare the 2024 budget. Director Rubic stated that he will work with the District's accountants, Gemsbok, to schedule a time to work on the 2024 budget and will share the draft 2024 budget for Board review/discussion at a future date. Director Glass noted he will resend PM Spreadsheet Capital Projects

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Tab and that the Board at a prior meeting asked Board members to list their top 3-5 projects. The Board will discuss this further at its August 16th meeting.

**Projects to Complete for 2023:** The Board discussed items to attempt to complete within the remaining budget year, including the planter at Chatfield Farms, restroom repairs, and sidewalk repairs/ADA compliance.

**Areas Where to Perform Turf Replacement Under Approved Grant with Estimates from CDI:** The Board discussed the Areas Where to Perform Turf Replacement Under Approved Grant with Estimates from CDI. Director Glass shared with the Board a map of the seven areas under consideration and the estimates for the work provided by CDI. The Board discussed the merits of each section in relation to the grant amount and the District's matching funds requirements. Director Glass recommended native seeding in Areas 6 and 7 adjacent to N. Rampart Range Rd and xeriscaping Area 1 across from the Intermediate School. The Board was generally in support of the recommendation but suggested a need for additional boulders in Area 1 due to the slope and adding drip irrigation to trees in Areas 6 and 7. The Board decided it will further discuss and consider approval at its August 16th meeting.

**Status of Landscape Performance, Upkeep and Condition:** The Board discussed making any changes/alterations to the landscape contract mowing scope, frequency, and criteria that may be needed. The Board discussed the current state of the District's landscaping. CDI's improvement was noted; however, areas of improvement were identified, including weeds in rock beds and flower beds, the need for additional beauty band mows due to grass/weed growth, and better attention to detail of metal edging. It also is time for shrub trimming along sidewalk areas due to their growth. The Board also discussed the area of Village Circle West and Red Mesa where the District fence/path is at the hogback. This area has not been mowed and District maps do not show it as an area for beauty band or fence line mows. CDI stated it will perform mowing service there on a time and materials basis. Director Glass stated that CDI has not provided complete services for native mows and the District should receive a credit for the services that have not been performed and have the credit applied to the Red Mesa area. The Board directed the Operations Committee to work with SDMS to set up a meeting with CDI to discuss this and a firm timeline when other outstanding landscape issues will be completed.

**Tree Care Proposal:** The Board reviewed the revised tree care proposal submitted by SAVATREE. Director Glass informed the Board that there are a few trees

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needing removal that are not included in the proposal. Rather than asking for another revised proposal he indicated that if the Board decides to approve this proposal the additional trees could be serviced on a time and materials basis. The Board will review and consider approval of the proposal at the August 16th meeting. The Board also reviewed the tree fertilization proposal submitted by SAVATREE. The Board noted the high cost of the proposal and that the service at that cost was not worthwhile.

**Updates on Game-Set-Match Inc. Replacement of Net and Installation of Windscreen and Court Striping:** The Board discussed the Updates on Game-Set-Match Inc. Replacement of Net and Installation of Windscreen and Court Striping. Director Rubic informed the Board that the pickleball court striping was completed but that it was done on the existing court and not the other court. The vendor was contacted, but there was no word on any response for this meeting. He also stated that it appears that the new nets for both courts were installed but he would need to verify. He stated that he would ask SDMS to have updates on these and the windscreen installation for the August 16th meeting.

**Proposals for Repairing Damage and Issues at Community Park Restroom Building:** Director Rubic had no new information on this topic. He stated that he would reach out to the vendor that provided an estimate (PST) to request a revision for the August 16th meeting. Director Glass will provide Director Rubic with the vendor's contact information.

**Volleyball Court:** There was no new information available on this item. When Director Rubic contacts PST he will request an update on this estimate as well.

**Update on Community Park Restroom Cleaning:** There was no new information available on this item. Director Rubic stated he will ask SDMS to have information for the August 16th meeting. Director Glass stated that the previous vendor information could be found in Bill.com and Director Rubic may want to contact them directly. Director Rubic stated he would do so.

**ADA Compliant Port-a-Potty units at Community Park and Chatfield Farms:** The Board discussed the ADA Compliant Port-a-Potty units at Community Park and Chatfield Farms and requested that the pricing information and size of the units be available for the August 16th meeting.

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**Safety Concerns Along Waterton Road:** There was no new information. Director Glass stated he will work with SDMS to see where things stand on setting up a meeting with the Commissioner. The Board also noted any public meeting should be a special meeting for this purpose only and held in a location to accommodate public participation and be widely publicized.

**Updates on Chatfield Farms Planter Facade Replacement and Electrical Fixes on Rampart Median:** There was no new information on this item. When Director Rubic contacts PST he will request an update on this estimate as well.

**Supervision Zones:** The Board discussed the supervision zones to include publicizing such zones and seeking community volunteers to assist Board zone assignments. The consensus of the Board was that this is a good idea. The Board will work to implement this in the future.

**Response to SP2022-142 Chatfield Farms Filing 1A, 3rd Amendment, Most of Lot 119A-1 Referral:** The Board discussed the Response to SP2022-142 Chatfield Farms Filing 1A, 3rd Amendment, Most of Lot 119A-1 Referral (changes made to proposed McDonald's development). Director Glass stated that he has identified a number of concerns, among them the entrance going through the daycare parking lot, type of native mix seeding, use of non-native plantings, use of brick rather than stucco for the façade, fire risk of junipers, and use of Chatfield Farms 1A's tract without approval. He will provide his concerns to Director Rubic for referral to legal for review in order to have a response sent.

**Lists of Current Approved and Requested Community Permits:** The Board discussed the Lists of Current Approved and Requested Community Permits (Sports Field Use, Park Areas & Gazebo, Food Truck Vendors, etc.). There were no new or current permit requests. Director Hart asked about the movie copyright waiver and stated that a bundled type of copyright use is available to users. Director Rubic stated that legal had prepared the waiver permit and that he requested SDMS to inform the last movie night requestor that a signed waiver was necessary for them to have a permit to use the location. Also due to the recent rains, the Operations Committee directed SDMS to inform the requestor that no vehicles would be permitted on any grass areas.

**Action Spreadsheet.** The Board deferred discussion at this time.

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**Roxborough Music Festival Sponsorship:** The Board discussed the Roxborough Music Festival Sponsorship. Director Rubic informed the Board that we received information about sponsorship for this year's festival to be held September 8th & 9th. The Board discussed its \$1000 sponsorship for last year's festival and what it received. Director Rubic stated that some of the levels of sponsorship permit a sponsor to display a banner but the District does not have one. The Board agreed to participate if the festival organizers can purchase and put up a banner indicating the District was a sponsor. Director Rubic will contact the festival organizers to discuss the District's participation and if they can get a banner for the District. Director Rubic will report back at the August 16th meeting.

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### **OTHER MATTERS**

Director Rubic stated that the WeatherTrak system in the Community Park area indicates it is active. He will discuss this issue with CDI to see if that is the case and if it can be activated so the Board can have some data to refer to for a decision to activate the entire system in the future.

Director Rubic provided an update about a response received from Xcel about its proposed maintenance and that it is being reviewed.

Director Rubic stated that CDI has confirmed a mainline irrigation break at Crystal Lake, which the Board identified on its August 6th landscape walk. CDI has shut down the pumps and is awaiting locates before beginning repairs. Director Glass stated that after the time the email was received, he noticed irrigation running in Chatfield Farms. Director Rubic stated that he has a meeting tomorrow with CDI at the softball field to discuss irrigation issues there and will confirm the irrigation is shut down.

Director Rubic informed the Board that all of the pictures taken during the August 6th Landscape Meeting Walk have been organized and labeled and placed in the shared drive.

No members of the public were present.

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### **ADJOURNMENT**

There being no further business to come before the Board, upon motion duly made by Director Prysby, seconded by Director Glass, and upon vote, unanimously carried, the Special Meeting was adjourned at 8:14 p.m.

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Respectfully submitted,

By: *Travis C Jensen*  
Secretary for the Meeting