

# RECORD OF PROCEEDINGS

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## MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE ROXBOROUGH VILLAGE METROPOLITAN DISTRICT HELD JUNE 21, 2023

A Regular Meeting of the Board of Directors (referred to hereafter as the “Board”) of Roxborough Village Metropolitan District (the “District”) was convened on Wednesday, the 21<sup>st</sup> day of June, 2023 at 6:00 p.m. at Roxborough Library, 8375 N. Rampart Range Rd, Littleton, CO 80125 and via Zoom. The meeting was open to the public.

### ATTENDANCE

#### Directors In Attendance Were:

Mathew Hart  
Ephram Glass  
Travis Jensen  
Mark Rubic  
Debra Prysby

#### Also In Attendance Were:

Peggy Ripko and Larry Loften; Special District Management Services, Inc. (“SDMS”)

Dino Ross, Esq.; Ireland Stapleton Pryor & Pascoe, P.C.

Brenna Karamigios; Gemsbok Consulting Inc. (“Gemsbok”) (for a portion of the meeting)

Marshall Shelley, Gale Cramer and Casey Paur; Members of the Public

### CALL TO ORDER

At 6:02 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. Ms. Ripko 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.

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### ADMINISTRATIVE MATTERS

Agenda: Ms. Ripko reviewed with the Board the proposed Agenda for this Regular Meeting.

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

### GUEST SPEAKER PUBLIC COMMENTS / HOMEOWNER REQUESTS

Ms. Cramer shared her concerns about the “crop circles” behind Rampart Way with the Board and asked if there was a plan to address them. Director Glass responded that these areas had been planted with wild flowers and were in the process of becoming established. Director Glass also shared that the weeds in these areas will be addressed.

Ms. Cramer also requested that more/additional notice be given to residents regarding the application of herbicides in the District to allow homeowners time to make arrangements for animal safety etc. Director Jensen indicated the Board would explore options for emails and other social media posts to provide more information to the community.

Ms. Cramer also stated that she had heard that there was a homeless camp located in the community and asked for verification. Director Jensen clarified that the area in question was children building a fort and that the area would be cleaned.

Marshall Shelley thanked the Board for their work and indicated he was interested in learning more about the plans to address/replace the playgrounds.

Casey Paul indicated that he was here as the President of the Estates and to observe. He also indicated that he was working to better understand the Metro District Role in the maintenance of the common areas.

### CONSENT AGENDA

The Board considered the following actions:

- Minutes of the following meetings:
  - a. April 10, 2023
  - b. May 3, 2023
  - c. May 17, 2023

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d. June 6, 2023

Ms. Ripko reviewed the amended Minutes.

Following discussion, upon motion duly made by Director Glass, seconded by Director Rubic and, unanimously carried, the Board approved the Minutes as amended.

### FINANCIAL MATTERS

**Claims:** The Board considered ratifying the approval of the payment of claims as follows:

Fund	Period Ending May 31, 2023
Total Claims	\$81,230.61

Ms. Karamigios reviewed the claims with the Board and explained the corrected Total Claims number reflected on the updated agenda. There were no additional questions on the claims.

Following discussion, upon motion duly made by Director Jensen, seconded by Director Glass and, unanimously carried, the Board ratified approval of the claims, as presented.

**Unaudited Financial Report:** Ms. Karamigios reviewed the unaudited financial report for the period ending May 31 2023.

Ms. Karamigios reviewed the financial reports with the Board and gave an update regarding the property tax payments received and anticipated. Ms. Karamigios also indicated that Professional Fees were 5% over budget. The Board discussed the outstanding bills from Diversified Underground and Patriot Pest Control.

Ms. Karamigios also gave an update on Chatfield Farms and explained items that had been reallocated based on assessment valuation research and the overall impact on revenues. Ms. Karamigios also shared that Gemsbok has begun preparing the 10-year model for the Board to assist with Budget planning starting in July. Attorney Ross asked that Gemsbok be aware of the potential impact of SB 303 (HH) and potentially consider preparing two proposed budgets. The Board requested the Attorney Ross be prepared to give additional advice regarding the 2024 Budget, related to SB 303, at the July Meeting

Following discussion, upon motion duly made by Director Rubic, seconded by Director Glass, and unanimously carried, the Board approved the unaudited financial report for the period ending May 31, 2023, as presented.

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Audit Engagement Letter from Colorado CPA Company: Ms. Ripko reviewed the process of identifying an auditor and steps that have been taken to prepare the needed documentation to be ready for when the Board made their final decision. The price is \$450 more than budgeted which is normal due to changing auditors. Ms. Karamigios indicated that Gemsbok has been in contact with Colorado CPA and was in the process of preparing the needed documents.

Following discussion, upon motion duly made by Director Glass, seconded by Director Jensen, and unanimously carried, the Board approved the Audit Engagement Letter from Colorado CPA Company.

Landscaping Updates- CDI Landscape, LLC: Ms. Ripko provided an update to the Board and discussed the report from CDI. Mr. Loften gave an update regarding conversations with CDI and the Operations Committee including several areas of concerns and priorities for addressing problem areas and indicated that CDI would have more information on their schedule following a meeting on Jun 22, 2023. Weed, beauty bands, and medians were discussed as urgent needs. The Board reiterated the need for CDI to improve attention to detail and communication. The Board reiterated the need for CDI to improve attention to detail and communication.

Landscape Walks: The Board discussed Landscape Walks and how best to schedule these moving forward given the weather patterns and Board Member availability in June. The Board will work to identify quadrants and assign members of the Board to review these areas.

Median: The Board discussed the medians and the need to seek further clarification and/or agreement about who is responsible for maintenance.

District Engineer: Mr. Loften updated the Board regarding a recent meeting with the Operations Committee and Mr. Cundall to review Board priorities and provide Farnsworth with additional information about specific projects and locations. The Board directed SDMS to follow-up with Farnsworth regarding their progress and to request that Farnsworth provide information to the Board regarding potential locations for the Community Park playground prior to the July 10, 2023 Board Only Meeting.

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### **AGENDA** **PRIORITIES**

**Playground Replacement:** The Board discussed the playground replacement, Summit Recreation, Rocky Mountain Rec and posting and emailing out playground styles for the community to provide input.

Mr. Loften and Director Rubic reviewed the information with the Board and provided additional information about potential timelines for moving forward.

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The Board discussed ways to engage the community for input, and the priority to begin replacing the removed equipment as soon as possible. The Board also discussed continuing to pursue grant opportunities for future improvements and replacements moving forward. The Board directed SDMS to seek additional information from Recreation Plus about their pricing structure and how they can work with the District.

**Meeting Code of Conduct:** Director Rubic reviewed with the Board the Meeting Code of Conduct.

Following discussion, upon motion duly made by Director Glass, seconded by Director Jensen and, upon vote, carried with Directors Glass, Rubic, Hart and Jensen voting in favor and Director Prysby abstaining, the Board approved the Board approved the Meeting Code of Conduct.

**Public Meeting Notice, Agenda, Meeting Packet and Director, Consultant, or Vendor Expectations:** Director Rubic reviewed the proposal with the Board. The Board discussed how best to provide additional information and communication to members of the community (email, social, etc.) and creating options for opting in/out of communications. Attorney Ross reminded the Board of what the law notice requirements and cautioned the Board about potentially limiting their ability to be responsive by creating more limiting requirements. The Board discussed amended the language to reflect expectations versus requirements to allow the Board additional flexibility. Director Rubic withdrew the item from consideration and will send an updated version of the document to Attorney Ross for review and potential consideration at a future meeting.

**Adoption of Updated Rules and Regulations:** The Board discussed the adoption of updated rules and regulations regarding field usage regarding vehicle use and reservations.

Following discussion, upon motion duly made by Director Jensen, seconded by Director Glass and, upon vote, carried with Directors Glass, Rubic, Hart and Jensen voting in favor and Director Prysby abstaining, the Board approved the adoption of updated rules and regulations regarding field usage regarding vehicle use and reservations For motor vehicles.

**Reservations:** The Board discussed reservations.

Following discussion, upon motion duly made by Director Glass, seconded by Director Jensen and, upon vote, carried with Directors Glass, Rubic, Hart and Jensen voting in favor and Director Prysby abstaining, the Board approved reservations, with corrections.

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**Mosquito Control Agreement:** Attorney Ross reviewed the changes to the Mosquito Control Agreement. The Board discussed the changes and requested that Attorney Ross further amend the document to include specifically identifying the usage of BTI and clarifying the terms/payments moving forward.

Following discussion, upon motion duly made by Director Glass, seconded by Director Prysby, and unanimously carried, the Board approved the Mosquito Control Agreement, as amended.

### **OPERATION AND MAINTENANCE MATTERS**

#### **District Management Updates:**

*Update Regarding Action Item List:* Mr. Loften reviewed with the Board the action item list.

*SDMS Monthly Report:* Mr. Loften indicated this would be provided to the Board by early next week.

*Monthly Invoice from Foothills Park & Recreation re: May 2023 Roxborough Village Resident Use:* Mr. Loften discussed the ongoing conversations with Foothills regarding removing non-residents from the list to receive the discount. Moving forward this will include sending a monthly email of non-residents to Foothills and requesting confirmation that they have been removed.

#### **General Updates Regarding Ongoing Projects:**

*Chatfield Farms Planter Facade Replacement:* The Board deferred discussion.

*Electrical fixes on Rampart Median:* The Board deferred discussion.

*Pickleball Court Striping:* Mr. Loften shared that the weather has continued to delay this process and that SDMS will continue to follow-up with the vendor. Mr. Loften also shared that the proposals for the Wind Screen and Net Replacement had been received from Game-Set-Match earlier in the day. The Board reviewed the proposals.

*Net Proposal:* The Board reviewed the net proposal.

Following discussion, upon motion duly made by Director Prysby, seconded by Director Rubic, and unanimously carried, the Board approved the Net Proposal.

*Screen Proposal:* The Board reviewed the screen proposal.

Following discussion, upon motion duly made by Director Prysby, seconded by Director Jensen, and unanimously carried, the Board approved the screen proposal

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as long as the installation is included in the total cost. The Board directed SDMS to send the proposals to Attorney Ross for review.

**Other:** The Board discussed the Easter Egg Hunt and confirmed that no permanent damage had occurred. The Board will invite the organizer of the event to a Board Only meeting to discuss the requirements for the event in 2024. The Board Directed SDMS to refund the deposit for the 2023 event.

SDMS confirmed that the only outstanding permit was related to the proposed Movie Night. Director Rubic will provide SDMS with his concerns and suggestions for the Movie Night event in order to communicate with the requestor

### **LEGAL MATTERS**

**Resolution Establishing Environmental Committee:** The Board reviewed the Resolution Establishing Environmental Committee.

Following discussion, upon motion duly made by Director Glass, seconded by Director Rubic, and unanimously carried, the Board adopted the Resolution Establishing Environmental Committee.

**Maintenance Agreements for Medians:** The Board determined that additional research into the plats and other agreements was needed in order to move forward with requesting/pursuing agreements. Director Prysby and Attorney Ross will review plats and report back to the Board.

**District Account on Local Community Facebook Forum:** The Board deferred discussion.

**Other:** There were no other legal matters to discuss.

### **DIRECTOR MATTERS**

**District Signage:** The Board deferred discussion.

#### **Board Only Meeting Follow-up Items:**

**Quotes to Fix Volleyball Court:** The Board deferred discussion.

**Hiring a Handy Person:** The Board deferred discussion.

**Agreements with Chatfield Farms:** The Board directed Attorney Ross to prepare agreements with Chatfield Farms adding an agreement to maintain their areas by creating a license agreement for maintenance that clarifies maintenance vs. improvement/replacement. Director Glass to provide Attorney Ross with a map of the specific areas to be addressed by the agreement.

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Mr. Paul stated that the goal was to have agreements that reflected the original intent of the developer. Mr. Paul also asked for clarification on who owned and was responsible for the equestrian trail. The Board confirmed that this is the responsibility of the HOA.

Policy for Permit to Use District's Sign Banner Posts: The Board deferred discussion.

Revised Draft on Vandalism/Graffiti: The Board deferred discussion.

Bailey's Tree Replacements: The Board discussed the Bailey's tree replacements.

Following discussion, upon motion duly made by Director Prysby, seconded by Director Glass, and unanimously carried, the Board approved the Bailey's tree replacements not to exceed \$1,000.00 for removal and preparation for the trees, soccer field and park area.

Other: There were no other Director matters to discuss.

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### OTHER MATTERS

Bears: Ms. Cramer asked if the District had any information on who to contact regarding obtaining approval for and placing signs about Bears in the community. The Board suggested contacting the County Board of Commissioners and the Division of Wildlife.

Action Items and Spreadsheet: The Board deferred discussion.

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### ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Prysby, seconded by Director Rubic, and upon vote, unanimously carried, the Regular Meeting was adjourned at 8:05 p.m.

Respectfully submitted,

By: Travis C Jensen  
Secretary for the Meeting