

RECORD OF PROCEEDINGS

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MINUTES OF A SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF THE  
ROXBOROUGH VILLAGE METROPOLITAN DISTRICT  
HELD  
Tuesday, November 17, 2020

A special meeting of the Board of Directors of the Roxborough Village Metropolitan District (referred to hereafter as the “Board”) was convened on Tuesday, November 17, 2020 at 6:00 p.m. via ZOOM. The meeting was open to the public.

**ATTENDANCE**

In Attendance were Directors:

Calvin Brown  
Debra Prysby  
Ed Wagner  
Ephram Glass  
Garry Cook

Also in Attendance were:

Anna Jones, Nic Carlson, Janece Soendker & Gina Karapetyan;  
CliftonLarsonAllen LLP  
Katie James, Esq.; Folkestad Fazekas Barrick & Patoile, P.C.  
Bill Barr & Judy McNew; Metco Landscaping  
Todd Wenskoski; Livable Cities Studio  
Scott Barnett; Mulhern MRE, Inc.  
George Biedenstein; Bailey Tree, LLC  
Kimberly Armitage; Evolution Builder Feasibility Team  
Ben Kelly; Strategic Communications Consultant  
Megan Ofer; Principal of Intermediate School  
Pallab Paul; Resident

**CALL TO ORDER**

The meeting was called to order at 6:02 p.m. Ed Wagner departed the meeting at 6:40, his early dismissal was excused by the Board.

**DECLARATION OF  
QUORUM/DIRECTOR  
QUALIFICATIONS/  
DISCLOSURE MATTERS**

Director Brown declared a quorum was present. No new conflicts were disclosed.

**APPROVE AGENDA**

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

RECORD OF PROCEEDINGS

**PUBLIC COMMENT and/or GUESTS**

Resident Pallab Paul, owner of a property on Jared Way spoke to the Board regarding the use of the motorized vehicles in the park. He requested the Board reconsider their decision to build a fence around Imperial Park. The Board discussed and determined a fence along Village Circle West is prudent. it is not necessary to fence the segment along Mr. Paul's property line. The Board discussed Legal Item J: Update on Imperial Park Use at this time.

**CONSENT AGENDA**

- A. Consider Approval of the October 20, 2020 and October 27, 2020 Special Meeting Minutes
- B. Review and Accept the Draft Financial Statements for September
- C. Review and Accept the Cash Position and Property Tax Schedule for October
- D. Review and Consider Approval of Current Claims, Approve Transfer of Funds, Ratify Payment of Autopay Claims and Ratify Approval of Previous Claims

Upon a motion duly made by Director Wagner, seconded by Director Prysby, and upon vote unanimously carried, the Board approved the Consent Agenda, as presented.

**FINANCIAL ITEMS**

- A. Conduct Public Hearing to Consider Amendment of 2020 Budget, Consider Approval of Resolution No. 2020-11- , Resolution to Amend 2020 Budget

The Board determined an amendment to the 2020 Budget was not needed.

- B. Conduct Public Hearing to Consider Adoption of 2021 Budget; Appropriate Sums of Money and Set Milly Levy; Consider Approval of Resolution No. 2020-11-01, Resolution to Adopt 2021 Budget, Resolution No. 2020-11-02 Resolution to Appropriate Sums of Money, and Resolution No. 2020-11-03 Resolution to Set Mill Levy

Upon a motion duly made by Director Brown, seconded by Director Prysby, and upon vote unanimously carried, the Board opened the public hearing to consider the 2021 Budget at 6:15 p.m. No comments were made. Upon a motion duly made by Director Prysby, seconded by Director Glass, and upon vote unanimously carried, the Board closed the public hearing at 6:16 p.m. Upon a motion duly made by Director Wagner, seconded by Director Prysby, and upon vote unanimously carried, the Board approved Resolution No. 2020-11-01 to Adopt the 2021 Budget, Resolution No. 2020-11-02 to Appropriate Sums of Money and

## RECORD OF PROCEEDINGS

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Resolution No. 2020-11-03 to Set Mill Levy, subject to final accounting and legal review.

C. Review and Consider Approval of Resolution No. 2020-11-04, 2020 Audit Engagement Letter with Wipfli

Ms. Soendker reviewed the 2020 audit engagement letter with Wipfli. Upon a motion duly made by Director Glass, seconded by Director Cook and, upon vote unanimously carried, the Board approved Resolution No. 2020-11-04, 2020 Audit Engagement Letter with Wipfli.

D. Other – None.

### DISCUSSION AGENDA

#### DIRECTOR ITEMS

A. Environmental Committee Update

Director Glass provided the Environmental Committee Update. Mr. Biedenstein provided an update regarding new trees. Mr. Barr provided an update noting that winter watering is underway. The Board directed Ms. Jones to reach out to the owner of the property with a pebble path to discuss if it was installed in regard to rattlesnakes, so that if the path is removed, the Board could consider a beauty band, and also to contact the Roxborough Park Foundation Board regarding the staircase behind a residence in Roxborough Park, where the staircase encroaches on District property.

i. Discuss Drainage Erosion

Mr. Barnett provided an update on the drainage erosion in Filing 14-B. He will work with Douglas County to determine where they are in their process of evaluating the drainage system. These tracts are part of the 14-B property that the District intends to take ownership from the HOA once Douglas County Accepts the drainage improvements.

ii. Discuss Potential Nursery Location

Director Glass provided an update on the potential partnership with the Intermediate School. Principal Ofer spoke to the Board about possibly having a nursery for growing District trees on the school property.

RECORD OF PROCEEDINGS

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iii. Discuss Disturbances on District Land

Director Glass reviewed encroachments on District land. Following discussion, Ms. James recommended the Board reach out to the property owners per Director Glass's recommendations. These properties were discussed in detail as previously noted.

B. Other – None.

**MANAGER MATTERS**

Master Plan

A. Feasibility Follow Up

i. Feasibility Study Follow-up

Ms. Armitage provided an update on the communications efforts.

ii. Communications Follow-Up by Ben Kelly

Mr. Kelly provided an update on the Rec Center Task Force. He indicated 25 residents applied to join the Rec Center Task Force. Mr. Kelly will work with Directors Brown and Wagner to finalize the composition of the group, focusing on diverse ages, background and geography.

B. Spillway Follow-Up

i. Spillway Schedule, Budget and Materiality and Follow-Up

Mr. Barnett updated the Board regarding the Douglas County onsite meeting in which it was recommended by the County that the District has a Grading Erosion and Sediment Control Plan and development permits.

C. Update on Resident Request for Playground

Mr. Wenskoski provided an update on cost estimates, indicating the approximate cost for equipment, delivery and installation was slightly higher than \$100,000. Overall, the project would be about \$352,000 for grading, planning, equipment, installation shade structures and landscaping. Mr. Wenskoski indicated he would put this to bid in early 2021.

RECORD OF PROCEEDINGS

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LEGAL MATTERS

D. Other - None

A. Update Regarding Final Water Due Diligence Filing and Executive Session Pursuant to C.R.S. Section 24-6-402(4)(B) and for the Purpose of Receiving Legal Advice on Special Legal Questions, if requested

No action taken.

B. Update on Emergency Disaster Declaration

Upon a motion duly made by Director Prysby, seconded by Director Glass and, upon vote unanimously carried, the Board ratified the Continuation of the Emergency Disaster Declaration.

C. Review and Consider Approval of Resolution No. 2020-11-05, 2021 Annual Administrative Matters Resolution

Upon a motion duly made by Director Prysby, seconded by Director Wagner and, upon vote unanimously carried, the Board approved Resolution No. 2020-11-05, 2021 Annual Administrative Resolution.

D. Review and Consider Approval of Resolution No. 2020-11-06, Engagement Letter with Folkestad Fazeka Barrick and Patoile, P.C. for 2021 Legal Services

Upon a motion duly made by Director Prysby, seconded by Director Glass and, upon vote unanimously carried, the Board approved Resolution No. 2020-11-06, Engagement Letter with Folkestad Fazeka Barrick and Patoile, P.C. for 2021 Legal Services.

E. Review and Consider Approval of Resolution No. 2020-11-07, Approving Renewal of Foothills Intergovernmental Agreement for Roxborough Village Metropolitan District Resident Use of Foothills Recreation Amenities for 2021

Ms. James reviewed the Resolution. Upon a motion duly made by Director Prysby, seconded by Director Glass and, upon vote unanimously carried, the Board approved Resolution No. 2020-11-07, Approving Renewal of Foothills Intergovernmental Agreement for Roxborough Village Metropolitan District Resident use of Foothills Recreation Amenities for 2021.

RECORD OF PROCEEDINGS

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- F. Review and Consider Approval of Resolution No. 2020-11- , Approving Renewal of Management Services with CliftonLarsonAllen LLP, Subject to Legal Review of Agreement/Engagement Letter

This item was tabled for discussion. No action was taken.

- G. Review and Consider Approval of Resolution No. 2020-11- , Approving Renewal of Accounting Services with CliftonLarsonAllen LLP, Subject to Legal Review of Agreement/Engagement Letter

This item was tabled for discussion. No action was taken.

- H. Review and Consider Approval of Resolution No. 2020-11- , Approving 2021 Landscape Maintenance Services Agreement with Metco Landscape, LLC

The Board discussed the rate increase for hourly services, and Director Glass noted that some particular service rate increases were quite steep. The Board asked Metco if it could commit to a flat 3% increase across the services schedule to be consistent with the annual contract price increase. Judy McNew from Metco said they could do so and she would send updated rate after the meeting. The Board tabled the discussion pending the new rates, until the next meeting. No action was taken.

- I. Review and Consider Approval of Resolution No. 2020-11- , Approving 2021 Snow Removal Services Agreement with Metco Landscape, LLC

This item was tabled for discussion per the rate discussion. No action was taken.

- J. Update on Imperial Park Use

This item was discussed previously in the meeting and is noted under Public Comment.

- K. Update on Drone Use

This item was tabled for discussion. No action was taken.

- L. Update on Jared Way Sunset Patio

Ms. James provided an update and enclosed a letter from the property owner in response to the removal request. The patio has

RECORD OF PROCEEDINGS

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been removed. The Board briefly discussed other locations, more central to the community, where the District might install some similar improvements.

M. Update on Jared Way Fence

Mr. Barnett provided an update that the fence is still up. The resident is deployed and will remove upon return.

N. Update on Water Line Project for Roxborough Water and Sanitation District

Ms. James and Mr. Barnett reviewed the request from Roxborough Water and Sanitation District to pothole the east and west side of Rampart Range Road as part of their alignment study. Upon a motion duly made by Director Prysby, seconded by Director Glass and, upon vote unanimously carried the Board agreed to enter into a license agreement to do potholing, subject to the Roxborough Water and Sanitation District performing restoration work.

O. Other

Director Prysby raised a concern regarding camping in the parks and open space. She asked Ms. Jones to contact Douglas County regarding the same.

**ENGINEERING MATTERS**

A. Update on CDR Contract for Dugout

Mr. Barnett reviewed the photos provided to the Board indicating the progress on the dugout.

B. Discuss Spillway Bridge Crossing – Little Willow Creek Handrail

Mr. Barnett discussed the Spillway Bridge Crossing and Little Willow Creek Handrail with the Board.

**LANDSCAPING MATTERS**

A. Bailey Tree Update via Written Enclosure

i. Bailey Tree Proposal for Comprehensive Tree Services

Following discussion, the Board decided to reject Tasks #2, #4 and #5. Upon a motion duly made by Director Glass, seconded by Director Cook and, upon vote unanimously

RECORD OF PROCEEDINGS

carried, the Board approved Task #1 and Task #3 of the Bailey Tree Proposal for Comprehensive Tree Services.

B. Metco Landscape Report

Mr. Barr reviewed the Metco Landscape Report.

C. Review and Consider Approval of Proposals

i. Proposal to Install Controllers

This item was tabled for discussion. No action was taken.

D. Other

Directory Prysby requested for Mr. Barnett to investigate the turn movements from Sterling Ranch onto Rampart Range Road.

**OTHER BUSINESS**

A. Confirm Quorum for December 15, 2020 Special Meeting via ZOOM

A quorum was confirmed.

**ADJOURNMENT**

Upon a motion duly made by Director Prysby, seconded by Director Glass and, upon vote unanimously carried, the Board adjourned the meeting at 8:38 p.m.

Respectfully submitted,

DocuSigned by:  
By: Calvin Brown  
681B98172FCC405  
Calvin Brown, President

Attest:

DocuSigned by:  
By: Ed Wagner  
7D9BACB4D52C4E3  
Ed Wagner, Secretary



## Certificate Of Completion

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Subject: Please DocuSign: RVMD - 11-17-2020 Minutes.pdf	
Client Name: Roxborough Village Metro District	
Client Number: 011-070155	
Source Envelope:	
Document Pages: 8	Signatures: 2
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Natalie Herschberg
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	Minneapolis, MN 55402
	Natalie.Herschberg@claconnect.com
	IP Address: 65.59.88.254


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## Signer Events

Calvin Brown  
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 Board President  
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 Accepted: 1/6/2021 9:06:27 PM  
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Ed Wagner  
 edward.wagner99@gmail.com  
 Security Level: Email, Account Authentication (None)

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 7D9BACB4D52C4E3...  
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In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp

<b>Envelope Summary Events</b>	<b>Status</b>	<b>Timestamps</b>
Envelope Sent	Hashed/Encrypted	1/6/2021 4:56:12 PM
Certified Delivered	Security Checked	1/8/2021 4:00:32 PM
Signing Complete	Security Checked	1/8/2021 4:00:38 PM
Completed	Security Checked	1/8/2021 4:00:38 PM

<b>Payment Events</b>	<b>Status</b>	<b>Timestamps</b>
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RECORD OF PROCEEDINGS

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At the April 20, 2021 Special Board Meeting, upon a motion duly made by Director Glass, seconded by Director Cook and, upon vote, unanimously carried, the Board approved the correction and amendment of past minutes regarding Ms. Armitage's consultant capacity to be identified as a member of the Evolution Builder Feasibility Team. Amended minutes are from March 2020 to April 2021.

Respectfully submitted,

DocuSigned by:  
By: Calvin Brown  
581B98172FCC405...  
Calvin Brown, President

Date Signed: 4/29/2021

Attest:

DocuSigned by:  
By: Ed Wagner  
7D98ACB4D52C4E2...  
Ed Wagner, Secretary

Date Signed: 4/29/2021