

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
ROXBOROUGH VILLAGE METROPOLITAN DISTRICT
HELD
Tuesday, July 20, 2021

A special meeting of the Board of Directors of the Roxborough Village Metropolitan District (referred to hereafter as the “Board”) was convened on Tuesday, July 20, 2021 at 6:00 p.m. via ZOOM. The meeting was open to the public.

ATTENDANCE

In Attendance were Directors:

Calvin Brown, President
Debra Prysby, Vice President
Ephram Glass, Treasurer
Ed Wagner, Secretary
Garry Cook, Assistant Secretary

Also in Attendance were:

Anna Jones, Nic Carlson & Rebecca Gianarkis;
CliftonLarsonAllen LLP (“CLA”)
Katie James, Esq.; Folkestad Fazekas Barrick & Patoile, P.C.
Scott Barnett; Mulhern MRE, Inc.
Bill Barr; Metco Landscaping
Kimberly Armitage; Evolution Builders
Ben Kelly; Strategic Communications Consultant
George Biedenstein; Baily Tree LLC
Kim Crawford and Dalton Kelley; Butler Snow LLP
Travis Jensen; Resident at 7434 Eagle Rock Drive
Karen McPherson; Resident at 9735 Marmot Ridge Circle
Mark Rubic; Resident at 7735 Verandah Court
Joanna Waldenmyer; Resident at 8106 Eagleview Drive
Nadine Bride; Resident at 7656 Rampart Way
Liz Kaiser; Resident at 10222 Cavaletti Drive
Pam & Jim Burke; Residents at 7236 Red Mesa Court
Gygnetha Swofford; Resident at 7974 Canvasback Court
Greg Clemens; Resident at 10470 Stable Lane
Keith Segura; Resident at 7857 Mule Deer Place
Kim Whiting; Resident at 9662 Bighorn Way
Mat Hart; Resident at 7783 Verandah Court
Amy Corneillie; Resident at 7647 Verandah Court
Jack Tubbs; Resident at 8359 Hackamore Road
Emily Luckett; Resident at 7260 Eagle Rock Drive
Lindsay Reed

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CALL TO ORDER

Director Brown called the meeting to order at 6:02 p.m.

DECLARATION OF
QUORUM/DIRECTOR
QUALIFICATIONS/
DISCLOSURE MATTERS

A quorum was declared present. No new conflicts were disclosed.

APPROVE AGENDA

Ms. Jones reviewed the agenda with the Board. Ms. James requested adding an item to the legal matters on the agenda to discuss developing a meeting code of conduct. Following discussion, upon a motion duly made by Director Wagner, seconded by Director Cook and, upon vote, unanimously carried, the Board approved the agenda, as amended.

PUBLIC COMMENT and/or
GUESTS

Mark Rubic, resident, expressed his dissatisfaction regarding transparency surrounding resident requests for information, Board member presence at community outreach events, survey results and legal procedures.

Greg Clemens, resident, expressed concerns regarding Director Cook not being present at any of the three community outreach meetings. He further expressed concerns about Director Cook's camera being off during online Board meetings.

Jim Burke, resident, requested that the Cottonwood trees be removed from an area near his property on Red Mesa.

Liz Kaiser, resident, asked whether access to water for the proposed recreation center pools and showers has been considered by the Board. She noted that there have been several community water restrictions since she has lived in the community.

CONSENT AGENDA

June 15, 2021, June 26, 2021, June 29, 2021, July 6, 2021 and July 10, 2021 Special Meeting Minutes:

Cash Position and Property Tax Schedule for April:

Current Claims, Approve Transfer of Funds, Ratify Payment of Autopay Claims and Ratify Approval of Previous Claims:

Ms. Jones reviewed the Consent Agenda with the Board. Director Prysby asked questions regarding the snow removal charges and trending property tax reconciliation. Ms. Jones reported that some snow removal charges appear late for payment and noted the property tax reconciliation is on track. Following discussion,

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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 MATTERS

Other: None.

DIRECTOR MATTERS

Environmental Committee: The Board reviewed the Environmental Committee's monthly report included in the packet.

Greenhouse Process and Next Steps: Director Glass provided an update to the Board regarding the permitting for the greenhouse construction. He noted they are in the seed collection phase. He also noted that herbicide spraying will be completed in the next few weeks in an effort to reduce the Smooth Brome and then reseed it with native plants.

Greenhouse Water Meter Installation: Director Glass updated the Board on the water meter installation.

Director Glass further reported that someone drove onto the field from the parking lot and there is consideration to install boulders and rocks to decrease the possibility of people driving on the field.

West Metro Fire Rescue Wildfire Mitigation Workshop: Director Glass reported that the wildfire mitigation walk with a wildlife biologist from the United States Department of Agriculture is complete and notes are forthcoming.

Other: None.

BAILEY TREE UPDATE

Proposal to Mitigate Road Salt Damage: George Biedenstein summarized the tree damage caused by road salt spray and explained that the proposal includes two soil treatments to 142 trees per season. Director Glass clarified that the treatment would need to be completed annually. Mr. Biedenstein noted an annual treatment is recommended. Director Glass expressed concerns that the proposed mitigation technique is known to deteriorate concrete and requested to table this item until further investigation of the mitigation effort is conducted. Upon a motion duly made by Director Glass, seconded by Director Wagner and, upon vote, unanimously carried, the Board tabled this proposal.

Emergency Tree Removal: Mr. Biedenstein and Mr. Barr reported that an emergency tree removal was reported by a resident living at Village Circle East and Rampart Range Road.

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Following discussion, upon a motion duly made by Director Prysby, seconded by Director Wagner and, upon vote, unanimously carried, the Board approved the emergency tree removal and related invoice.

Forthcoming Tree Removal and Stump Grinding: Mr. Biedenstein reported that tree removal and stump grinding efforts are forthcoming. Director Glass asked whether the stump removals can be dug deeper than usual to allow room to plant new trees in the same place. Mr. Barr noted that they may be able to bring a Bobcat to the site to further extricate and crown the subsequent roots.

Proposal to Remove Cottonwood Tree: Jim Burke, resident, summarized his request to remove the Cottonwood trees, noting that they present allergy issues and seed in his yard, which requires continued removal efforts. Discussion ensued as to the tree location and whether they are located on District property. The Board discussed the problems that Cottonwood trees present, the prevalence of Cottonwood trees throughout the community, and the possibility of replacing Cottonwood trees with another type of tree. The Board directed Mr. Biedenstein to assess the Cottonwood trees. Following discussion, upon a motion duly made by Director Brown, seconded by Director Prysby and, upon vote, unanimously carried, the Board tabled action until the condition of the tree was confirmed by Bailey Tree.

MANAGER MATTERS

Master Plan Feasibility Follow-Up: This is addressed below.

Finalizing Feasibility Study and End of Consultants' Contractual Obligations: Ms. Jones updated the Board noting that the feasibility consultants have substantially completed the scope of their contracts. She further noted that they may attend the August meetings, but their work products are complete.

Fee Versus Mill Levy Scenario: Ms. Jones discussed the fee versus mill levy information with the Board, noting the survey results regarding resident willingness to pay fees for activities and the proposal for additional analytics on fees versus mill levies resident cost scenarios. It was noted that the data could be collected and sent to the Board in about two weeks. Director Wagner noted his impression that residents are not in favor of additional usage fees. Director Glass stated that there is confusion in terms of how the scenarios are presented to residents and that there could be opportunity to lower the mill levy and increase usage fees. Ms. Armitage

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summarized a study to determine financial models based on mill levy vs. fees or a combination thereof. Following discussion, upon a motion duly made by Director Glass, seconded by Director Wagner and, upon vote, unanimously carried, the Board accepted the proposal for additional analytics on fees versus mill levy resident cost scenarios.

Directors Wagner and Glass requested that information regarding the possible long-term YMCA or other contracts be added to the website FAQ. Ms. James explained that all District contracts are subject to annual appropriation of funds and the Board through that the public is misinformed about the ability to enter long term contracts for management.

Communications Summary: Ben Kelly summarized the communication activities including the website FAQs, newsletter, informational emails to residents, and open houses that primarily took place in June and July. Mr. Kelly noted that about 150 people attended all three open house events and that about 90% of those attendees were District residents. Mr. Kelly also noted that the open houses yielded 112 survey responses and that those responses represent about 4% of voters. Mr Kelly reported that residents who attended the open houses were generally not in favor of the proposed recreation center. Discussion with the Board ensued. No action was taken.

Partnership Opportunities:

Douglas County Libraries: Ms. Jones reported that the Library remains an eager potential partner.

GoCo: Ms. Gianarkis reported that GoCo grants are not likely applicable to the proposed recreation center project, but they may apply to other projects, including trail connections to the Highline Canal Trail and Waterton Canyon Trail.

Roxborough Park/Ravenna: Ms. Jones reported that Roxborough Park is an unlikely financial partner but would have residents who would be interested in memberships. Ms. Jones indicated that she had not made contact with a representative at Ravenna.

Foothills Parks and Recreation District: Ms. Jones reported that Foothills Parks and Recreation District reached out to discuss the potential impact on the current

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Intergovernmental Agreement and indicated a willingness to consider partnerships in programming or other efforts that might be appropriate.

Master Plan Spillway Follow-Up:

Status and Water Levels: Mr. Barnett updated the Board and noted that the work is on hold until water levels are low enough to allow work to be conducted.

New Playground Design: Director Glass updated the Board on the playground usage data and suggested an on-site visit for visualization. Director Wagner agreed. Mr. Wenskoski is to work with CLA to arrange an onsite park visit with the Board and Livable Cities Studios within the next few weeks.

Resident Correspondence: Ms. Jones reported on a letter to the Board from Mr. Hart and clarified whether the Board was satisfied with her response memo. Following discussion, upon a motion duly made by Director Cook, seconded by Director Wagner and, upon vote, unanimously carried, the Board approved the response to Mr. Hart pursuant to Ms. Jones' proposed memo.

Roxborough Email Addresses and iPad Purchase: Ms. Jones presented an opportunity for Board members to have the District email addresses and iPads for District specific engagements. Director Brown clarified that the iPads would belong to the District and Ms. Jones confirmed same. All Directors stated that they were not interested in iPads. No action was taken on iPad purchases. All Directors indicated an interest in obtaining District-specific emails. CLA will work with the Directors to establish the same.

Volleyball Court: Ms. Jones reported the volleyball court was missing edging and that Mr. Barr completed the necessary repairs.

Resident Requests for Fishing Line Disposal: Ms. Jones presented a resident request to the Board regarding a fishing line disposal mechanism. The Board discussed the mechanism, safety and regular maintenance concerns. The Board directed CLA to gather more information regarding cost.

Director Wagner noted that fencing near the pavilion has been kicked out again. He will pass the photos and reporting resident address to CLA and Mr. Barr.

Other: None.

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LEGAL MATTERS

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.

Emergency Disaster Declaration: Ms. James discussed the declaration with the Board and it was agreed that there is no need to discuss further since the Emergency Disaster Declaration is no longer applicable at the State level.

Memorandum of Understanding: Douglas County Libraries and Roxborough Village Metropolitan District: Ms. James presented the Memorandum of Understanding to the Board and clarified that it is a non-binding acknowledgement of a possible partnership. Following discussion, upon a motion duly made by Director Glass, seconded by Director Cook and, upon vote, unanimously carried, the Board approved the Memorandum of Understanding: Douglas County Libraries and Roxborough Village Metropolitan District.

Amendment to Resolution regarding Colorado Open Records Act Rules and Policy (CORA): Ms. James presented the current CORA policy and suggested an update to the current policy for clarity and ease of use. The Board agreed and directed Ms. James to bring a proposed revised CORA policy to the Board for approval.

Services Agreement with Kim Crawford of Butler Snow LLP: Ms. James presented the Agreement with the Board. Following discussion, upon a motion duly made by Director Glass, seconded by Director Cook and, upon vote, unanimously carried, the Board approved the Services Agreement with Kim Crawford of Butler Snow LLP.

Possible Election Resolution and Associated Timing: Ms. James and Ms. Crawford updated the Board on a possible election resolution and associated timing.

Draft Notice to Douglas County Clerk: Following discussion, upon a motion duly made by Director Cook, seconded by Director Glass and, upon vote, unanimously carried, the Board directed Ms. James to send a letter of intent to possibly hold an election to the Douglas County Clerk.

Excel Easement: This item was not discussed.

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Other: Ms. James reported that there are questions surrounding the code of conduct at Board meetings. She proposed the authoring of a policy related to code of conduct for online and in-person meetings. She also noted the possibility of scheduling a peace officer to be present at in-person meetings for safety purposes. The Board directed Ms. James to bring back a suggested policy code of conduct for in-person and online meetings in addition to consideration of a peace officer.

After discussions about the in-person meeting and the inability for the library to hold 37+ people (as were on the Zoom meeting), the Board directed the next Board meeting be conducted via Zoom until logistics can be worked out in advance of an in-person meeting in September.

ENGINEERING MATTERS

Backflow Preventer: Mr. Barnett reported he met with Roxborough Water and Sanitation District to determine necessary plumbing updates. It was determined that the backflow preventer in question is not directly connected to the bathroom plumbing. Mr. Barnett will explore further to determine if the backflow preventer should be abandoned.

Proposal with Good Plumbing Service Co. for Bathroom Repairs: Mr. Barnett recommended no action be taken at this time.

Flow Control Valve at Roxborough Water and Sanitation District: Mr. Barnett reported that the valve was rebuilt and is functioning properly. The invoice is forthcoming. He noted that the valve will likely need to be rebuilt every five years and screens will need to be cleaned annually. Director Prysby requested that information be added to a maintenance calendar. The Board directed Mr. Barnett to develop a routine maintenance calendar.

Xcel Pump Repair Payment: Mr. Barnett reported that this item is related to Item B and that the invoice has not yet been received but that it is expected to be within the budget.

Proposal for New Fence Installation: Mr. Barnett reported on fence options. Directors Prysby and Glass noted interest in the wood split rail option as well as the Trex and concrete options. The Board directed Mr. Barnett to gather cost comparisons for Trex, cedar, and concrete materials in addition to wire mesh backing.

Other: None.

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LANDSCAPING MATTERS

Metco Landscape Report: Mr. Barr reviewed the update provided by Metco Landscape with the Board.

Imperial Park Turf Restoration: Mr. Barr noted that the Imperial Park turf restoration is complete.

Review and Consider Approval of Proposals:

VFD Pump Replacement: This item was not presented.

Drag Infield Stripe Field for Weekend Softball Games and Servicing Locates: Mr. Barr presented the proposal to drag and stripe the infield to the Board. Following discussion, upon a motion duly made by Director Prysby, seconded by Director Wagner and, upon vote, unanimously carried, the Board accepted the proposal to drag the infield and stripe the field for weekend softball games and servicing locates.

Installation of Pitchers' Mound: Mr. Barr reported that he needs to gather quotes for the pitcher's mound.

Jetting and Clearing Culvert near Heron Pond: Mr. Barr reported on the jetting and clearing of the culvert near Heron Pond.

Clean Drainage Channel Along Rampart Road: Mr. Barr discussed the proposal to clean the drainage channel along Rampart Road with the Board. Director Glass recommended that this be put on hold until the Board can visit the site. Action was deferred until after the landscape walk.

Rent Golf Cars for Landscape Walk: Mr. Barr presented the proposal for renting the golf carts. Following discussion, upon a motion duly made by Director Wagner, seconded by Director Glass and, upon vote, unanimously carried, the Board accepted the proposal to rent golf carts for the Board for the landscape walk.

Purchase Trash Cans for Dog Stations: Mr. Barr presented the proposal to the Board. Director Glass noted he would prefer to see the trash cans prior to voting. Director Prysby requested the locations be added to all forthcoming landscape proposals. Following discussion, upon a motion duly made by Director Prysby, seconded by Director Wagner and, upon a vote of 4 in favor, with Director Glass

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opposed, the Board approved the proposal for the purchase of trash cans for the dog stations.

Mosquitos at Ponds: Ms. Jones updated the Board, noting that multiple residents reported mosquito concerns. Mr. Carlson reported that the District currently pays a flat fee of \$1,500 per month for a once per month mitigation visit. Directors Glass and Wagner noted that mosquitoes have been particularly bad this year due to the wet weather. The Board directed to have Patriot Pest onsite to mitigate more frequently this season.

Resident Request to Remove Trees: This item was discussed earlier in the meeting under public comments.

Other: Director Prysby reported that the algae bloom in the upper pond near the school and the lower pond is starting to present an issue. The Board directed CLA to obtain a quote from Aqua Serra to drag out the algae bloom.

OTHER BUSINESS

Quorum for August 17, 2021 Special Meeting at Roxborough Library: A quorum was confirmed. The Board determined to hold the meeting virtually via Zoom.

ADJOURNMENT

Upon a motion duly made by Director Prysby, seconded by Director Wagner and, upon vote, unanimously carried, the Board adjourned the meeting at 10:10 p.m.

Respectfully submitted,

DocuSigned by:
By: Calvin Brown
Calvin Brown, President

Attest:

DocuSigned by:
By: Ed Wagner
Ed Wagner, Secretary

Certificate Of Completion

Envelope Id: 2D98A42A17934E5DAE71C802D1C1100E	Status: Completed
Subject: Please DocuSign: RVMD - Minutes 07-20-2021.pdf	
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Client Number: 011-070155	
Source Envelope:	
Document Pages: 10	Signatures: 2
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
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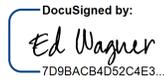
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In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
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Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
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Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp

Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	8/26/2021 1:42:38 PM
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Completed	Security Checked	8/26/2021 1:42:54 PM

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