

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
ROXBOROUGH VILLAGE METROPOLITAN DISTRICT
HELD
Tuesday, May 19, 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, May 19, 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
Garry Cook
Ephram Glass

Also in Attendance were:

Katie James, Esq.; Folkestad Fazekas Barrick & Patoile, P.C.
Scott Barnett; Mulhern MRE Inc.
Bill Barr; Metco Landscaping
Steven Bailey and George Beidenstein; Bailey Tree
Ray Sperger; Ark Ecological
Kimberly Armitage; Evolution Builders Feasibility Team
Rick Stanzyk; Evolution Builders
Todd Wenskoski; Livable Cities Studio
Anna Jones, Janece Soendker and Andrew Williams;
CliftonLarsonAllen LLP
Keith Segura, Wood Hill Small Batch BBQ

CALL TO ORDER

The meeting was called to order at 6:05 p.m. by Director Brown.

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

Director Brown declared a quorum was present, all directors are qualified.

APPROVE AGENDA

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

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PUBLIC COMMENT and/or GUESTS

Ray Sperger with Ark Ecological discussed additional information for two outstanding invoices the Board had previously requested. He also inquired as to the status of his 2020 contract. Ms. James indicated it had been approved at an earlier Board meeting.

Keith Segura of Wood Hill Small Batch BBQ made a request of the Board to park his food truck at the Community Park parking lot on Wednesday afternoons between 3:30 p.m. and 7:00 p.m. Ms. James noted she will provide the permit application for his completion.

CONSENT AGENDA

- A. Consider Approval of the April 21, 2020, April 28, 2020 and May 7, 2020 Special Meeting Minutes
- B. Review and Accept the March 16, 2020 Cash Position and Property Tax Schedule

After review, upon a motion duly made by Director Cook, seconded by Director Prysby, and upon vote unanimously carried, the consent agenda was approved with the changes to the minutes requested by Director Brown.

FINANCIAL ITEMS

- A. Review and Accept First Quarter Financials

Ms. Soendker reviewed the first quarter financials with the Board. She indicated property tax collections are consistent with previous years. Ms. Soendker stated that the District has ample reserves.

After discussion, upon a motion duly made by Director Prysby, seconded by Director Glass, and upon vote unanimously carried the Board accepted the first quarter financials.

- B. Review and Consider Approval of Current Claims, Approve Transfer of Funds, Ratify Payment of Autopay Claims and Ratify Approval of Previous Claims

Ms. Soendker reviewed the claims with the Board. After discussion, upon a motion duly made by Director Prysby, seconded by Director Glass, and upon vote unanimously carried, the Board approved current claims, approved the transfer of funds, ratified payment of autopay claims, and ratified approval of previous claims.

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C. Bill.com Update

Ms. Soendker provided an overview of Bill.com, noting that it is ready to be used for the next month's invoices. She noted that Director Brown is the only approver set up in the system currently, but all Board members will have access to review the invoices.

A. Ron Bendall Send-Off and Appreciation

It was noted that both Ron Bendall and Steve Sherman were sent gifts of appreciation for their outstanding service to the Board of Directors.

B. Fall Festival Updates

1. Fireworks and DJ Status

Director Brown provided an update regarding the Fall Festival. The Board is holding off on making any decisions until the Covid-19 situation becomes clear.

C. Town Hall Recap

1. Next Steps – Frequency

The Board agreed to delay another Town Hall meeting until it can be held in person. Timing of the next Town Hall will need to be delayed until the Covid-19 situation becomes clear.

D. New board Member Orientation

Ms. James, Ms. Jones and Ms. Soendker will conduct a new Board member orientation for Directors Glass and Cook in June.

E. Other

None.

DISCUSSION AGENDA

ACTION ITEMS

DIRECTOR ITEMS

MANAGER MATTERS

A. Website Updates

Ms. Jones updated the Board, noting that Directors Glass and Cook's bios and headshots are now posted on the website.

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B. Master Plan/Spillway Follow-up/Community Outreach

Ms. Armitage shared the Feasibility Plan updates with the Board, indicating the rec center survey will be live in early June. The District Newsletter will help drive traffic to the survey.

Mr. Wenskoski updated the Board on the spillway study, noting the Board input from the special meeting on May 7th has proved very helpful. He will bring updates back to the June Board meeting.

Mr. Wenskoski reviewed his 2020 work plan to implement master plan near-term goals. The Board was appreciative of his efforts.

Ms. Jones updated the Board on the Community Outreach efforts, noting an outreach specialist would be useful in the lead up to a TABOR vote. The Board asked that the potential candidate attend the June meeting.

C. Update on Park Signage

Ms. Jones updated the Board, noting that the signage has been fabricated and will be delivered to Mr. Barr for installation this week.

D. Update on Toilets and Fountains Approximate Install Date

Mr. Jones updated the Board, noting that installation is on track for late May.

E. Update on Fishing Permits

Ms. Jones updated the Board, noting significant interest in the fishing permits.

F. Discuss Request from Woodhill Small Batch BBQ Food Truck

Ms. James reviewed this with the Board, noting that she will provide Mr. Segura with the application.

G. Other

None.

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LEGAL MATTERS

A. Election Related Items

1. Election of Officers

Ms. James updated the Board. After discussion, upon a motion duly made by Director Prysby, seconded by Director Glass, and upon vote unanimously carried, the Board elected the slate of officers as follows:

President: Calvin Brown
Vice President: Deb Prysby
Treasurer: Ephram Glass
Secretary: Ed Wagner
Asst. Secretary Garry Cook

B. Update on Jared Way Encroachments

Ms. James updated the Board, indicating the District has a strong history and policy of encroachment enforcement. She recommended offering the homeowner (currently deployed overseas) 90 days upon his return to complete the necessary work.

After further discussion, upon a motion duly made by Director Wagner, seconded by Director Cook, and upon vote unanimously carried, the Board approved a motion to allow the homeowner 90 days upon his return to address the encroachment, with the resident able to request more time if needed.

Ms. James will send a follow up letter regarding the decision.

C. 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.

D. Discuss Resident Project/Event Request Policy; Review and Consider Adoption of Resolution Implementing a Policy and Procedure for Resident and Community Request of the District

Ms. James discussed this with the Board. After discussion, upon a motion duly made by Director Cook, seconded by Director Glass, and on vote unanimously carried, the Board adopted the

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Resolution Implementing a Policy and Procedure for Resident and Community Requests for the District.

E. Additional Information on Various Tracts, Park Playground Maintenance and Replacement

Ms. James provided an overview of the playground areas and maintenance responsibilities.

After discussion, the Board agreed it would be most efficient for the District to have the maintenance responsibility of all parks in the District.

After further discussion, upon a motion duly made by Director Glass, seconded by Director Cook and upon vote unanimously carried, the Board approved creating a policy to maintain all playgrounds. Ms. James will work with Arrowhead Shores HOA to update the license agreements on the HOA tracts as needed.

F. Discuss HOA Mapping

Ms. James reviewed this with the Board. Her office has been working with Mr. Barnett to complete the mapping.

G. Discuss Allowable Costs for construction Contracts

Ms. James reviewed this with the Board, indicating the Western States Reclamation work would not be subject to a capital construction contract limit of \$65,000 since the work is for landscape maintenance services.

H. Review and Approval of Cost Sharing and Reimbursement Agreement with Sterling Ranch CAB for Road Widening

Ms. James updated the Board on the contract negotiations with CAB. CAB made several changes to the draft contract that were not acceptable. After conferring with CAB's attorney, both counsel reached an agreement that the existing draft would be revised to include 5 more concepts. Ms. James explained the concepts and asked for the Board to approve the CAB contract conceptually but subject to the final legal approval of the language and form of contract. Director Cook motioned and Director Prysby seconded and upon vote unanimously carried, the Board approved the CAB contract subject to final legal approval.

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I. Discuss Request from 7752 Rampart Way

Ms. James updated the Board by providing a copy of her letter to the owner that denied the request to use the District easement area for the homeowner's private use.

J. Update on Emergency Disaster Declaration

After discussion, upon a motion duly made by Director Prysby, seconded by Director Glass, and upon vote unanimously carried, the Board ratified approval of the continuance of the Emergency Disaster Declaration.

K. Motorized Vehicles

Previously discussed.

ENGINEERING MATTERS

A. Status of Proposal for Dugout from CDR

Mr. Barnett updated the Board, indicating CDR is still obtaining pricing and will have a proposal by the June Board meeting.

B. Discuss Monument request at Waterton

Mr. Barnett briefed the Board on a Monument sign at Waterton Road. Staff will follow up with the HOA to enter into the appropriate agreements.

C. 7 Acres Pond Stabilization

Mr. Barnett reviewed his recommendation to complete the work in a five-year timeframe, as outlined in his Engineer Report. After discussion, the Board indicated they would like to take a slightly longer time to complete the work.

After discussion upon a motion duly made by Director Prysby, seconded by Director Brown, and upon vote unanimously carried, the Board approved Western States Reclamation to undertake a \$75,000 contract in 2020, with the intent to revisit the overall project timeline after this season.

D. Update on Trail Replacements

After discussion, upon a motion duly made by Director Prysby, seconded by Director Wagner, and upon vote unanimously carried, the Board approved a proposal from Chavez in the

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amount of \$44,184 for trail replacement in Filing 14B. Ms. James will follow up with the HOA attorney regarding the transfer of the tract ownership in this filing, as this would be a good time to finalize the transfer with the major work that is planned.

E. Hydrosystems KDI Irrigation Updates

Mr. Barnett noted that this is in process, noting he is waiting on the aerial imagery before embarking on the irrigation assessment.

F. Update on Sterling Ranch Redesign

Previously discussed.

G. Discuss Western States Reclamation Proposals

Discussed under Item 10.C.

**LANDSCAPE
MAINTENANCE**

A. Metco Landscape Report

Mr. Barr reviewed the status of landscaping work in the District.

B. Review and consider Approval of Proposals

1. Proposal for aerating and overseeding ballfields \$1,125

Mr. Barr reviewed the proposal with the Board. Upon a motion duly made by Director Prysby, seconded by Director Glass, and upon vote unanimously carried, the Board approved the proposal for aerating and overseeding the ballfields in the amount of \$1,125.

C. Discuss Crystal Lake Dredge and Broken Irrigation Line

Mr. Barr noted that there has been damage to an irrigation line that runs through Crystal Lake. Metco will replace the lines and Arrowhead Shores will pay for the replacements to the electrician.

D. Other

Director Prysby noted an irrigation break on Village Circle West, in the same spot as issues have occurred in years past.

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Director Prysby noted trees were cut down along the west side of Rampart Range Road but stumps were not ground down. The management team will follow up with Bailey.

Bill Barr requested approval of a proposal for River Rock adjacent to concrete work on connector trails.

After discussion, upon a motion duly made by Director Prysby, seconded by Director Cook, and upon vote unanimously carried, the Board approved the Metco proposal for River Rock.

Mr. Barr indicated the caution tape has been removed in most of the park areas. The Board directed Mr. Barr to cease placing the caution tape on park equipment as it is torn down as soon as it is put up.

OTHER BUSINESS

A. Confirm Quorum for June 16, 2020 Regular Meeting at the Fire Station

Upon a motion duly made by Director Cook, seconded by Director Prysby, and upon vote unanimously carried, the Board confirmed a quorum for the June 16, 2020 Regular Meeting.

ADJOURNMENT

Upon a motion duly made by Director Cook, seconded by Director Prysby, Board adjourned the meeting at 8:53 p.m.

Respectfully submitted,

DocuSigned by:

Calvin Brown

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Calvin Brown, President

Attest:
DocuSigned by:

Ed Wagner

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Ed Wagner, Secretary

RECORD OF PROCEEDINGS

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
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Calvin Brown, President

Date Signed: 4/29/2021

Attest:

DocuSigned by:
By: Ed Wagner
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Ed Wagner, Secretary

Date Signed: 4/29/2021

Certificate Of Completion

Envelope Id: F8E9E3432111466191A5AA5494318C82

Status: Completed

Subject: Please DocuSign: May 19, 2020 minutes.pdf

Client Name: Roxborough Village MD

Client Number: 011-070155 OS02-2020

Source Envelope:

Document Pages: 9

Signatures: 2

Envelope Originator:

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Initials: 0

Kathy Suazo

AutoNav: Enabled

Comments: yes

220 South 6th Street

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Suite 300

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Kathy.Suazo@claconnect.com

IP Address: 67.137.57.251

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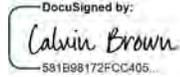
Signer Events

Calvin Brown

cbrown8556@hotmail.com

Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

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Signature Adoption: Pre-selected Style

Using IP Address: 97.122.79.242

Timestamp

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Viewed: 6/23/2020 9:27:16 PM

Signed: 6/23/2020 9:44:03 PM

Electronic Record and Signature Disclosure:

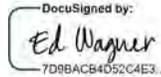
Accepted: 6/23/2020 9:27:16 PM

ID: f6cf11d8-3828-48fd-846e-18b5eb339599

Ed Wagner

edward.wagner99@gmail.com

Security Level: Email, Account Authentication (None)

DocuSigned by:

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Signature Adoption: Pre-selected Style

Using IP Address: 73.169.16.204

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Viewed: 6/26/2020 12:38:16 PM

Signed: 6/26/2020 12:38:40 PM

Electronic Record and Signature Disclosure:

Accepted: 6/26/2020 12:38:16 PM

ID: d3c99c5a-9afa-44d7-9534-b60e162ebd91

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

Envelope Summary Events	Status	Timestamps
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Completed	Security Checked	6/26/2020 12:38:40 PM

Payment Events	Status	Timestamps
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Respectfully submitted,

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Date Signed: 4/29/2021

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