

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
ROXBOROUGH VILLAGE METROPOLITAN DISTRICT
HELD
Tuesday, October 20, 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, October 20, 2020 at 6:00 p.m. via ZOOM. The meeting was open to the public.

ATTENDANCE

In Attendance were Directors:

Calvin Brown
Debra Prysby
Garry Cook
Ephram Glass

Also in Attendance were:

Anna Jones & Nic Carlson; 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.
Alan Savage; Resident
Brandon Gully, Charles Aher & Jason Mower;
Colorado Plumbing Supply Distributors (CPS)
Carrie Hanson; Resident

CALL TO ORDER

The meeting was called to order at 6:04 p.m. Director Wagner’s absence was excused.

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

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

APPROVE AGENDA

Following review, upon a motion duly made by Director Brown, seconded by Director Glass, and upon vote unanimously carried, the Board approved the agenda as amended to include discussion regarding irrigation.

**PUBLIC COMMENT and/or
GUESTS**

Resident Alan Savage discussed the use of unmanned aircrafts and requested additional signage in the open spaces to clarify what he believed to be a ban on such aircrafts per the current Rules and

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Regulations. Carrie Hanson also raised concerns regarding motorized aircraft use in the District.

CONSENT AGENDA

- A. Consider Approval of the September 15, 2020 Special Meeting Minutes
- B. Review and Accept the Draft Financial Statements for September
- C. Review and Consider Approval of Current Claims, Approve Transfer of Funds, Ratify Payment of Autopay Claims and Ratify Approval of Previous Claims

Following review, upon a motion duly made by Director Cook, seconded by Director Glass, and upon vote unanimously carried, the Board approved the Consent Agenda, as presented.

FINANCIAL ITEMS

- A. Other – None.

DISCUSSION AGENDA

DIRECTOR ITEMS

- A. Environmental Committee Update

Director Glass reviewed the Environmental Committee’s report with the Board and made the following requests.

Director Glass requested \$2,200 to design and construct bat boxes. Following discussion, upon a motion duly made by Director Brown, seconded by Director Cook and, upon vote unanimously carried, the Board approved the design and construction of bat boxes for an amount not to exceed \$2,200.

Director Glass requested approval for \$600 for Ray Sperger with Ark Ecological Services, LLC to spend six hours on-site to walk the District and determine the best areas to plant native species, and an additional \$200 for native trees. Director Glass also requested authority to spend an amount not to exceed \$1,000 to plant lilies. Following discussion, upon a motion duly made by Director Brown, seconded by Director Cook and, upon vote unanimously carried, the Board approved the Environmental Committee to carry out these plans detailed above in an amount not to exceed \$1800.

Director Glass requested \$100 to purchase fencing to protect trees from deer grazing. Following discussion, upon a motion duly made by Director Brown, seconded by Director Cook and, upon vote unanimously carried, the Board approved the Environmental Committee to purchase fencing to protect trees from deer grazing in an amount not to exceed \$100.

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The Board discussed the possibility of establishing a nursery at the fire district property or at one of the schools. Director Glass will explore further and report back to the Board.

B. Other - None

MANAGER MATTERS

Master Plan

A. Feasibility Follow Up

i. Feasibility Study Follow-up by Kimberly Armitage

Ms. Armitage reviewed the phase two approach for obtaining initial design proposals for a possible recreation center, such proposal having been included in the packet. Following discussion, upon a motion duly made by Director Prysby, seconded by Director Glass and, upon vote unanimously carried, the Board approved the phase two work with Evolution Builders in an amount not to exceed \$53,600.

ii. Communications Follow-Up by Ben Kelly

Mr. Kelly reviewed his outreach memo with the Board and outlined the upcoming task force application process.

iii. Update on Newsletter

Ms. Jones updated the Board on the newsletter, noting that it is almost finalized. Once the newsletter is in final form, CLA will distribute the newsletter to the Board for review.

B. Spillway Follow-Up

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

Mr. Barnett updated the Board regarding the slab boulders and engineering portions of the spillway project. Mr. Wenskoski provided an update on the designs. Mr. Barnett noted he and Ms. Jones will meet with Douglas County onsite and report back regarding the timing, after that meeting.

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C. Update on Resident Request for Playground

Mr. Wenskoski shared a revised playground concept based on the Board's discussion at the previous Board meeting. The Board asked questions regarding accessibility for children with special needs as well as potential shade structures. Mr. Barnett indicated a utility easement would likely be required due to overhead power lines and possibly other utilities on the site. Director Brown asked that a shade structure be incorporated into the design.

D. Other - None

LEGAL MATTERS

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 at this time.

B. Update on Emergency Disaster Declaration

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

C. Update on Imperial Park Use

Ms. James provided an update on the letter sent to the homeowner, alerting him to the proper use of Imperial Park and the planned fence installation. Director Prysby requested signage restricting motorized vehicles. Ms. James will look into the language of the Rules and Regulations for that specific item. Mr. Barnett reported the surveyors at Imperial Park will be finished this week.

D. Update on Drone Use

The Board discussed resident Savage's concerns about drones and other unmanned aircraft in the open space/parks. Ms. James reviewed the current Rules and Regulations on the subject, and that drones are not specifically prohibited. It appears the intention is to prevent both rocket launching (unless otherwise approved by the Board) and also the nuisance factor of unmanned aircrafts. Director Prysby and Director Cook discussed past rocket launching by the school, and that the Board had been approached

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and given approval on those occasions. There was discussion among the Board whereby some Directors were in favor of a ban and others did not favor it. Ms. James discussed her research thus far and that the FAA has jurisdiction on such aircrafts ultimately. While some municipalities have enacted rules governing the matter, it has been a hot topic (according to her research) in some areas due to the dispute over whether the FAA only or other local jurisdictions can govern. Douglas County does not regulate the matter. The Board directed Ms. James to look for other examples of municipal regulation and possible language for updating the Rules and Regulations with 1) same concept/ban, 2) for addressing use but no nuisance, and 3) to allow the use.

E. Jared Way Sunset Patio

Ms. James provided an update on the Jared Way Sunset Patio encroachment. A follow up letter was sent to the homeowner regarding removal.

F. Other - None

ENGINEERING MATTERS

A. Update on CDR Contract for Dugout

Mr. Barnett provided an update on the CDR Contract for Dugout, reporting that the project continues to progress.

B. Update on Irrigation Design and Next Steps and Controllers

Mr. Barr invited three team members from CPS to share with the Board how cloud-based controllers work and discuss the costs associated with the controllers. There are 17 controllers in the District and the cost is \$235 per year for communications per controller. The team will review water bills and irrigation repairs for one year. With this information and the site map of the landscaped area, they will determine the potential cost savings of a remote system. CLA will coordinate the information for Mr. Barr to distribute and review.

LANDSCAPE MAINTENANCE

A. Bailey Tree Update via Written Enclosure

The Environmental Committee will arrange to meet Bailey Tree on site to review the 2021 proposal and provide the Board with a recommendation at the next meeting.

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- i. Bailey Tree Proposal for Comprehensive Tree Services

No action was taken at this time.

- B. Metco Landscape Report

No discussion.

- C. Review and Consider Approval of Proposals

- i. Metco Proposal for Fall Tree Plantings

Following review, upon a motion duly made by Director Glass, seconded by Director Cook and, upon vote unanimously carried, the Board approved the Metco proposal for fall tree plantings. The Environmental Committee will meet with Metco to determine the exact locations.

- ii. Metco Proposal for Holiday Lighting Installation

Following review, upon a motion duly made by Director Prysby, seconded by Director Cook and, upon vote unanimously carried, the Board approved the Metco proposal for holiday lighting installation.

- D. Other – None.

OTHER BUSINESS

- A. Confirm Quorum for November 17, 2020 Special Meeting via ZOOM

A quorum was confirmed for the November 17, 2020 meeting.

ADJOURNMENT

Upon a motion duly made by Director Prysby, seconded by Director Cook and, upon vote unanimously carried, the Board adjourned the meeting at 8:28 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: 5B7B4DEDC25948C18FD4BE347E3F4730	Status: Completed
Subject: Please DocuSign: RVMD - 10-20-2020 Minutes.pdf	
Client Name: Roxborough Village Metro District	
Client Number: 011-070155	
Source Envelope:	
Document Pages: 6	Signatures: 2
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Natalie Herschberg
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 South 6th Street
	Suite 300
	Minneapolis, MN 55402
	Natalie.Herschberg@claconnect.com
	IP Address: 71.229.180.51

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Status: Original	Holder: Natalie Herschberg	Location: DocuSign
12/14/2020 12:53:45 PM	Natalie.Herschberg@claconnect.com	

Signer Events

Calvin Brown
 cbrown8556@hotmail.com
 Board President
 Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

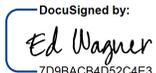
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 Signature Adoption: Pre-selected Style
 Using IP Address: 71.211.183.63

Timestamp

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Electronic Record and Signature Disclosure:
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 ID: 38966d4b-d962-4db8-b09f-ad7defd0aefc

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: 65.132.203.226

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 Signed: 12/15/2020 9:56:29 AM

Electronic Record and Signature Disclosure:
 Accepted: 12/15/2020 9:56:23 AM
 ID: 0859074b-bbeb-409d-b7ee-6fdcdc878cff

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	12/15/2020 9:56:29 AM

Payment Events	Status	Timestamps
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