

RECORD OF PROCEEDINGS

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MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
ROXBOROUGH VILLAGE METROPOLITAN DISTRICT  
HELD  
TUESDAY, FEBRUARY 15, 2022

A regular meeting of the Board of Directors of the Roxborough Village Metropolitan District (referred to hereafter as the “Board”) was convened on Tuesday, February 15, 2022 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, Shauna D’Amato and Gina Karapeytan;  
CliftonLarsonAllen LLP (“CLA”)  
Katie James, Esq.; Folkestad Fazekas Barrick & Patoile, P.C.  
Scott Barnett; Mulhern MRE, Inc.  
Bill Barr; Metco Landscape Inc.  
Steven Bailey; Bailey Tree  
Mark Rubic; Resident at 7735 Verandah Court  
Mat Hart; Resident at 7783 Verandah Court  
Michael Hruza; Resident at 8533 Liverpool Circle  
Brian Jordan; Resident at 8112 Dressage Road

CALL TO ORDER

The meeting was called to order at 6:06 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 and requested the addition of discussion regarding sports field use after public comment. Following review, upon a motion duly made by Director Prysby, seconded by Director Glass and, upon vote unanimously carried, the Board approved the Agenda, as amended.

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PUBLIC COMMENT and/or  
GUESTS

Mark Rubic, resident, addressed the Board regarding meeting minutes and public meeting protocols.

Michael Hruza, resident, discussed ice management in the public right-of-way in Chatfield Farms and noted that he also requested the management team to reach out to United Services regarding not driving vehicles on the grass in the park.

Brian Jordan, resident, requested use of the Community Park fields for little league games.

CONSENT AGENDA

**January 18, 2022 Special Meeting Minutes:**

Ms. Jones reviewed the Consent Agenda with the Board. Director Glass noted the January 18, 2022 meeting minutes should include verbiage that states “upon District Manager approval” and that he indicated the Metco contract dollar amount did not change when the overall scope was reduced.

Also, Director Glass noted the January 18, 2022 meeting minutes need to be corrected to accurately reflect that he objected to the Consent Agenda vote. Director Glass also requested the January 18, 2022 meeting minutes reflect Mark Rubic was in favor of the pavilion rather than recommending the addition to the Board.

Following discussion, upon a motion duly made by Director Glass, seconded by Director Wagner and, upon vote, unanimously carried, the Board approved the Consent Agenda, as amended.

**Cash Position and Property Tax Schedule for January:**

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

**Metco Landscaping Update:**

FINANCIAL MATTERS

**December 31, 2021 Unaudited Financial Statements:** Ms. Karapeytan reviewed the financial statements with the Board and addressed the Board’s questions. Following discussion, upon a motion duly made by Director Glass, seconded by Director Cook and, upon vote, unanimously carried, the Board accepted the December 31, 2021 Unaudited Financial Statements.

**Other:** None.

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ACTION ITEMS

**Playground Next Steps:** It was noted Mr. Wenskoski is working on revising the playground plans for Community Park as the previous location is no longer suitable based on Xcel's feedback. No action was taken.

**Correspondence Regarding Excel Easement:** No action was taken as the correspondence was included for informational purposes only.

DIRECTOR MATTERS

**Environmental Committee:** Director Glass reviewed the report provided to the Board. Director Glass requested Mr. Barr make adjustments to water requests in order to optimize water use. The Board discussed. Director Glass noted the bat box has been installed and requested CLA provide pricing for new bat box signage. Following discussion, it was decided that Directors Glass and Prysby will provide signage specifications for pricing.

**Wildfire Mitigation:** Director Brown reviewed his notes included in the packet with the Board.

**Other:** None.

MANAGER MATTERS

**Potential Disc Golf Course Planning:** Ms. D'Amato reviewed the information she provided to the Board. Following discussion, the Board determined a 9-hole course is preferable. Ms. D'Amato will follow up with the vendor to develop a preliminary sketch for the Board to review at the March Board meeting.

**Tree Inventory Information:** Ms. D'Amato reviewed the proposals provided to the Board. Following discussion, upon a motion duly made by Director Glass, seconded by Director Cook and, upon vote, unanimously carried, the Board determined to move forward with Tree Analysis Group to provide tree inventory information.

**Community Park Sports Field Use:** Mr. Jordan reviewed his proposal to utilize the playing fields for little league games from March 28, 2022 to June 13, 2022, Monday through Thursday from 5:00 p.m. to 8:00 p.m. Scheduling specifics will be dependent on enrollment. Director Brown polled the Board.

Following discussion, upon a motion, second and, upon vote unanimously carried, the Board approved moving forward with the request. CLA will work with Mr. Jordan to finalize the details and return to the March Board meeting for final discussion and consideration of approval.

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**Signage Regarding No Fires:** Following discussion, CLA will research “no fire” signage at hogback trailheads.

**Bailey Tree Pathway Clearance Timing:** Mr. Bailey noted that pathway clearance timing is scheduled for next week, anticipating it to be a ten-day project, depending on weather. He also indicated that the problematic cottonwoods have been pruned and one more cottonwood is slated for removal next week, depending on weather.

**Other:** None.

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:** Attorney James explained the reason for having this item on the agenda. No action was taken.

**16B Easement:** Attorney James reviewed the easement document and photographs provided to the Board. Following discussion, the Board directed Mr. Barnett to find out a specific request from the homeowners association.

**Mulch Letter:** Attorney James provided an update to the Board and will update the Board again in March.

**Resident Correspondence:** Ms. James indicated the theme of the correspondence – recording meetings – will be discussed in Executive Session.

**Other:** None.

ENGINEERING MATTERS

**Phase 2 of Northside Spillway:** Mr. Barnett reviewed the drawings with the Board, noting it is approximately a \$200,000.00 project on the north side. He also indicated Douglas County will need to review and approve the plans.

Following discussion, upon a motion duly made by Director Cook, seconded by Director Wagner and, upon vote, majority carried, the Board directed Mr. Barnett to continue planning the project with Douglas County. Director Glass was opposed.

**Potential Landscape Map Updates:** Mr. Barnett reviewed the process underway with Attorney James. Mr. Barnett and Ms. James will bring an update on this item to the March meeting.

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**Placement of Boulders:** Mr. Barnett reviewed the potential placement of boulders. Following discussion, the Board determined interested Board members should send preferred plans prior to the March meeting for the Board to consider.

**Other:** Director Glass asked how to address other snow and ice remediations. He also requested additional snow removal in the parking lot near Chatfield soccer fields and the sidewalk adjacent to Waterton.

Following discussion, upon a motion duly made by Director Glass, seconded by Director Cook and, upon vote, unanimously carried, the Board approved the additional snow removal areas noted above.

**LANDSCAPING MATTERS**

**Other:** None.

**OTHER BUSINESS**

**Quorum for March 15, 2022 Regular Meeting:** A quorum was confirmed.

**EXECUTIVE SESSION**

**Executive Session Pursuant to C.R.S. Section 24-6-402(4)(b) for the Purposes of Receiving Legal Advice on the Specific Legal Question of Recording Meetings:** Upon a motion duly made by Director Brown, seconded by Director Wagner and, upon vote, unanimously carried, the Board entered into Executive Session at 9:01 p.m.

The Board exited Executive Session at 10:33 p.m. Director Brown asked if any person who participated in the Executive Session believed that any substantial discussion of any matters not included in the Motion to go into the Executive Session occurred during the Executive Session, or that any improper action occurred during the Executive Session in the violation of the Open Meetings Law. No concerns were stated for the record.

Director Wagner made the following motions: A Motion to update the Code of Conduct and a Motion to update District recording keeping of meetings.

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ADJOURNMENT

There being no further business to come before the Board, upon a motion duly made by Director Prysby, seconded by Director Brown and, upon vote, unanimously carried, the Board adjourned the meeting at 10:37 p.m.

Respectfully submitted,

DocuSigned by:  
By: Calvin Brown  
Calvin Brown, President

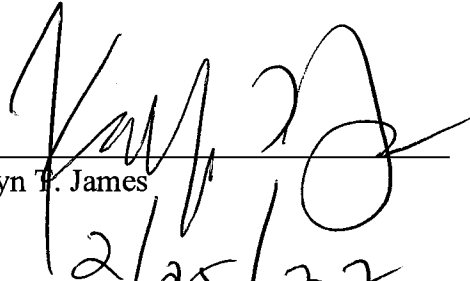
Attest:

DocuSigned by:  
By: Ed Wagner  
Ed Wagner, Secretary

**ROXBOROUGH VILLAGE METROPOLITAN DISTRICT  
ATTESTED STATEMENT OF ATTORNEY  
REGARDING EXECUTIVE SESSION**

Pursuant to C.R.S. § 24-6-402(4)(B) and (e), the undersigned, attorney for the Roxborough Village Metropolitan District, hereby attests that in her opinion the Executive Session of the Board of Directors of the Roxborough Village Metropolitan District which was held on Tuesday, February 15, 2022, at a regular meeting of the Board which Executive Session began at approximately 9:01 P.M. and which ended at approximately 10:33 P.M., which was not recorded, constituted a privileged attorney-client communication. The purpose of the Executive Session was for the Board of Directors to get legal advice on the specific legal question of recording meetings and for the Board to confer with its legal counsel for the purpose of receiving legal advice on specific legal questions related thereto.

FOLKESTAD FAZEKAS BARRICK & PATOILE, P.C.

By:   
Kathryn T. James

Date: 2/15/22