

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE ROXBOROUGH VILLAGE METROPOLITAN DISTRICT HELD SEPTEMBER 20, 2022

A Regular Meeting of the Board of Directors (referred to hereafter as the “Board”) of Roxborough Village Metropolitan District (the “District”) was convened on Tuesday, the 20th day of September, 2022 at 6:00 p.m. at Roxborough Library Meeting Room, 8357 North Rampart Range Road #200, Littleton, Colorado 80125. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Mathew Hart
Ephram Glass
Mark Rubic
Travis Jensen
Calvin Brown

Also In Attendance Were:

Peggy Ripko; Special District Management Services, Inc. (“SDMS”)

Katie James, Esq.; Folkestad Fazekas Barrick & Patoile, P.C.

Marcia Pryor; BrightView Landscape Services, Inc.

Colleen Itzen; Homeowner

CALL TO ORDER

At 6:00 p.m. the meeting was called to order.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Ms. Ripko noted that a quorum was present and requested that members of the Board disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute. It was noted that there are no Directors’ Disclosure Statements to be filed.

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ADMINISTRATIVE MATTERS

Agenda: Ms. Ripko reviewed with the Board the proposed Agenda for this Regular Meeting. It was suggested to remove several items from the Consent Agenda. Following discussion, upon motion duly made by Director Glass, seconded by Director Hart and, upon vote, carried with Directors Hart, Glass, Jensen and Brown voting aye and Director Rubic voting nay, items were removed from the Consent Agenda and the Board approved the agenda, as amended.

Confirm Location of Meeting/Posting of Meeting Notices: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the Board's meeting.

Following discussion, upon motion duly made by Director Glass, seconded by Director Hart and, upon vote, carried with Directors Hart, Glass, Jensen and Brown voting aye and Director Rubic voting nay due to the late posting of the notice of tonight's meeting. Although the notice complied with the legal requirements, he noted the meeting should be hybrid. The Board determined this Board meeting will be held in-person at the Roxborough Library Meeting Room, 8357 North Rampart Range Road #200, Littleton, Colorado 80125. The Board further noted that notice of this in-person only meeting was duly posted and that Director Rubic objected to this in-person only meeting format due to the later than usual posting of the notice of the meeting and because he feels the meeting should be hybrid of in-person and via zoom.

Excusal of Absence: There were no absences.

PUBLIC COMMENTS

Ms. Itzen requested a quote for grooming the field in 2023. Following discussion, the consensus of the Board was to take no action because the landscape contractor has not been confirmed.

CONSENT AGENDA The Board considered the following actions:

- Approve the Minutes of the September 7, and September 8, 2022 Special Meetings.

Following discussion, upon motion duly made by Director Glass, seconded by Director Hart and, upon vote, unanimously carried, the Board approved pulling the claims and proposal from Bailey Tree from the Consent Agenda.

Following discussion, upon motion duly made by Director Glass, seconded by Director Hart and, upon vote, unanimously carried, the Board approved the Minutes of the August 16 Regular Meeting, the Minutes of the August 17, August 23 and

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September 7 (Consent Agenda) Special Meetings, as presented, and the Minutes of the September 8 Special Meeting, as amended.

Claims: There were no claims available at this time.

District Manager Transition Update: Director Rubic mentioned the District's website needs to be updated with the transparency notice and election results. He also noted the election results are missing on the Department of Local Government's website.

FINANCIAL MATTERS

Accounting Services Transition Update: Ms. Ripko stated that Gemsbok received the needed information from CLA earlier in the day.

First Bank Account: The Board discussed adding Christina Griggs and Mellissa Christopher from the District's accounting firm of Gemsbok Consulting, Inc. to the First Bank account.

Following discussion, upon motion duly made by Director Glass, seconded by Director Jensen, and, upon vote, unanimously carried, the Board authorized adding Christina Griggs and Mellissa Christopher from the District's accounting firm of Gemsbok Consulting, Inc. to the First Bank account.

ColoTrust Account: The Board discussed giving Christina Griggs and Mellissa Christopher from the District's accounting firm of Gemsbok Consulting, Inc. access to the Bill.com.

Following discussion, upon motion duly made by Director Glass, seconded by Director Hart, and, upon vote, unanimously carried, the Board authorized giving access to Christina Griggs and Mellissa Christopher from the District's accounting firm of Gemsbok Consulting, Inc. to Bill.com.

Bill.com: The Board discussed adding Christina Griggs and Mellissa Christopher from the District's accounting firm of Gemsbok Consulting, Inc. to the ColoTrust account.

Following discussion, upon motion duly made by Director Glass, seconded by Director Hart, and, upon vote, unanimously carried, the Board authorized adding Christina Griggs and Mellissa Christopher from the District's accounting firm of Gemsbok Consulting, Inc. to the ColoTrust account.

Insurance Claim for Tree Damage/Loss in Storm: There was no update at this time.

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Reimbursement for Main Line Repairs: Attorney James will be updating Attorney Duke so that she can follow up with Sturgeon Electric on the reimbursement of approximately \$110,000 for main line repairs, not including consultant time.

Other: The Board discussed the preparation of the 2023 Budget. The Board requested that a representative from Gemsbok attend the October meeting for review of draft budget and the November meeting for the budget hearing.

Following discussion, upon motion duly made by Director Glass, seconded by Director Hart and, upon vote, unanimously carried, the Board appointed Gemsbok Consulting, Inc. to prepare the 2023 Budget.

LEGAL MATTERS

Conflict-of-Interest Questionnaire: It was noted the Conflict-of-Interest Questionnaire is pending with legal counsel and will be available at the October 2022 meeting.

Other: There were no other legal matters to discuss.

CAPITAL IMPROVEMENT MATTERS OPERATION AND MAINTENANCE MATTERS

There were no capital improvement matters to discuss.

Report and Project Planner from Brightview: Ms. Pryor provided an update to the Board regarding the Report and Project Planner from Brightview. She reported they are tracking the 20 hours/week for irrigation repairs that is included in the contract base pricing. They are going through the irrigation system systematically to make repairs. She noted the large gushers have been fixed and are working on the smaller repairs. She further noted it will take 90 hours to reprogram all of the controllers. The work on the beauty band started last week and should be done next week. BrightView will mow 2 times in October and aeration is tentatively scheduled for October 20, 2022, along with fertilization. Director Glass confirmed that the mowing schedule will be conveyed to the contractor applying the herbicide (Ark Ecological/Ray Sperger).

Fence Repairs in Roxborough Village First: Director Glass reported to the Board the fence repairs in Roxborough Village First have been repaired.

Correcting Mulch Volcanos on Trees: Director Glass reported to the Board the correcting of the mulch volcanos on trees was complete.

Supplemental Watering for New Trees: The Board o discussed the supplemental

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watering for new trees. No action was taken by the Board but it was noted that the new landscape contract will address the matter.

Playground Committee:

Playground Removal, Replacement, Repair and Maintenance Search: The Board discussed the playground removal, replacement, repair and maintenance search. Director Rubic noted he requested information from Highlands Ranch Metropolitan District on their playground replacement program. The Board decided there is no need for a separate committee at this time, since vendor options are so limited. They will keep this item on the regular agenda with the full Board as the search for playground vendors and equipment continues.

Repair/Replacement of Remaining Deteriorated Concrete Paths: The Board discussed the repair/replacement of the remaining deteriorated concrete paths. Director Hart reported he did an audit of the deteriorated concrete paths. It was noted an updated survey will be available once the water construction is complete on North Rampart Range Road and the updated survey will be used to prioritize future repairs.

Roxborough Water & Sanitation District Staging Area Concerns: The Board discussed the Roxborough Water and Sanitation District staging area concerns. The Board directed staff to request the plan for restoration from Roxborough Water and Sanitation District prior to work being done.

Mosquito Contract: The Board discussed the status of the revised mosquito contract. It was noted the company started spraying for adults and they forgot to note it on the invoice.

Tennis Court Cleaning Contract Renewal: The Board discussed the tennis court cleaning contract renewal. It was noted the company has not cleaned the tennis courts since the Spring.

Proposal from Mission Communications for Pump Station Controller Cellular Service: The Board deferred discussion.

Proposal from BrightView Landscape Services for Boulder Adjustments: The Board deferred discussion.

Agreement between the District and Acme Fix-It, LLC to Assemble Green House: The Board reviewed an Agreement between the District and Acme Fix-It, LLC to assemble green house.

Following discussion, upon motion duly made by Director Glass, seconded by

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Director Brown and, upon vote, unanimously carried, the Board approved the Agreement between the District and Acme Fix-It, LLC to assemble green house.

Volunteer Water Quality Testing Agreement with Chris Prodis: The Board discussed a proposed Volunteer Water Quality Testing Agreement with Chris Prodis.

Following discussion, upon motion duly made by Director Brown, seconded by Director Glass and, upon vote, carried with Directors Hart, Glass, Jensen and Brown voting aye and Director Rubic voting aye pending review of the final agreement, the Board approved the Volunteer Water Quality Testing Agreement with Chris Prodis, in an increased amount of \$325.

Request for Proposal (“RFP”) for Snow Removal Services: The Board reviewed the proposed RFP for snow removal services.

Following discussion, upon motion duly made by Director Jensen, seconded by Director Brown and, upon vote, unanimously carried, the Board approved the RFP for snow removal services, subject to Director Hart’s revisions, if any, and final approval from legal counsel.

RFP for Landscape Services: The Board reviewed the proposed RFP for landscape services, subject to Director Hart’s revisions, if any, and final approval from legal counsel.

Following discussion, upon motion duly made by Director Jensen, seconded by Director Brown and, upon vote, unanimously carried, the Board approved the RFP for landscape services.

Other: There was no other business to discuss.

OTHER BUSINESS

Request to Plant Two Memorial Trees: The Board deferred discussion until the next regular meeting. The Board requested a copy of the existing memorial tree policy and directed staff to notify the person requesting the trees that the item will be discussed at the October meeting.

SDA Conference Takeaways:

Engineering Firms: The Board deferred discussion.

GIS: The Board deferred discussion.

Website: The Board deferred discussion.

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Ballot Measures and Surveys: The Board deferred discussion.

USDA: The Board deferred discussion.

Broadband: The Board deferred discussion.

Rescheduling the October 18, 2022 Regular Meeting: The Board deferred discussion.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Jensen, seconded by Director Brown and, upon vote, unanimously carried, the Regular Meeting was adjourned at 8:12 p.m.

Respectfully submitted,

By: Travis C Jensen
Secretary for the Meeting