

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE ROXBOROUGH VILLAGE METROPOLITAN DISTRICT HELD MARCH 21, 2023

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 21st day of March, 2023 at 6:00 p.m. at Roxborough Intermediate School, Ridge Room, 7370 Village Cir E, Littleton, CO 80125 and via Zoom. The meeting was open to the public.

#### ATTENDANCE

#### Directors In Attendance Were:

Mathew Hart  
Ephram Glass  
Calvin Brown  
Travis Jensen  
Mark Rubic

#### Also In Attendance Were:

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

Kelley Duke, Esq.; Ireland Stapleton Pryor & Pascoe, P.C.

Brenna Karamigios; Gemsbok Consulting Inc. (“Gemsbok”)

Cory France and Dale Draper; Consolidated Divisions, Inc. d/b/a CDI Environmental Contractor (“CDI”)

Lee Johnson, Esq.; Carlson, Hammond, and Paddock, L.L.C.

Debra Prysby and Susan Gale Cramer; Residents

#### CALL TO ORDER

At 6:02 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. Mr. Loften noted that a quorum was present and requested that members of the Board disclose any potential conflicts of interest with

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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:** Mr. Loften reviewed with the Board the proposed Agenda for this Regular Meeting. Director Rubic noted that there was no item on the agenda for general comments from the public.

Following discussion, upon motion duly made by Director Glass, seconded by Director Brown, and, upon vote, unanimously carried, the Board approved the agenda, as amended to add Public Comments.

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### GUEST SPEEKER

**Presentation by Attorney Johnson, Water Attorney for the District, Regarding Renewal of the District's Water Rights:** Attorney Johnson introduced himself and reviewed the water rights process with the Board. He responded to questions from the Board and discussed what would be required to make additional water rights in the District permanent and absolute, including improvements in the system and an accounting of water use can improve options for obtaining absolute rights. Attorney Johnson further discussed existing plumbing within the current system and how the system is connected. The Board noted Reservoir 2 was never completed and the difficulty in completing this project in the planned location. Based on the information discussed, Attorney Johnson recommended that the Board focus on a due diligence filing for the May 2023 deadline as opposed to pursuing additional absolute rights which would include providing detailed information about the work and costs associated with the system since the previous filing. Following discussion, the Board determined an additional meeting would be beneficial and appointed Director Glass and Resident Prysby to meet with Attorney Johnson to provide additional information and for further discussion. It was noted Attorney Duke will work to coordinate a meeting time.

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### PUBLIC COMMENTS / HOMEOWNER REQUESTS

**Shrub Removal Request to Address Vole Infestation:** The Board entered into discussion regarding a request from a homeowner to remove shrubs on District property that were contributing to damage from Voles. Following discussion, the Board determined not to remove the shrubs and directed SDMS to reach out to the homeowner with recommendations to add an underground mesh barrier along the fence line. The Board also asked SDMS to communicate with the homeowner that they could pay to have the shrubs trimmed, but not removed.

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**Public Comment:** Ms. Kramer addressed the Board and requested additional information and updates from the Board regarding playgrounds and parks. Ms. Kramer indicated that many residents have questions and would appreciate additional information about what is being worked on, what is not in the budget, and an update on the timeframe.

The Board responded that parks and playgrounds are on the list of projects to be completed by the District and that Airplane Park should be addressed soon. The Board discussed the challenges presented during the pandemic and in finding contractors to complete the repairs. The Board noted that the District was exploring options with Great Outdoors Colorado (“GOCO”) and others to provide additional funding for improvements. Director Rubic clarified that, while the Board is aware of the concern, there is currently not a concrete plan or timeline in place. Ms. Kramer again asked that the Board provide additional updates and information to the community.

Ms. Kramer suggested to the Board that the District consider having regular food trucks in the District to build a community and provide additional food options to residents. The Board indicated that they would explore this option, but could not make a decision at this time.

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**CONSENT AGENDA** The Board considered the following actions:

- Minutes of the following meetings:
  - a. February 16, 2023
- Monthly Invoice from Foothills Park & Recreation re: February 2023 Roxborough Village Resident Use
- Updated action item
- SDMS Monthly Report

The Board pulled the Foothills Parks and Recreation invoice from the consent agenda. The Board discussed the potential that non/former residents were using the program at the District’s expense. The Board directed SDMS to work with Foothills to explore options to address this concern, including yearly checks and/or deactivating cards for individuals identified as no longer living in the District. The Board also discussed the Monthly Management Report and requested that the format from this month continue.

Following discussion, upon motion duly made by Director Hart, seconded by Director Glass and, unanimously carried, the Board approved the removal of the

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Foothills invoice, the Action Item List and the Monthly Management Report from the Consent Agenda and the Board approved the Consent Agenda items, subject to the completion of the revisions of the Minutes.

### **FINANCIAL MATTERS**

**Claims:** The Board considered ratifying the approval of the payment of claims as follows:

Fund	Period Ending February 28, 2023
Total Claims	\$ 149,861.47

Ms. Karamigios reviewed the claims and addressed questions from the Board. It was noted Ms. Karamigios will review and get back to the Board regarding the status of United Site Services and the Port-a-Potties, the \$929.86 Metco Invoice, and clarification of the dates for the Ireland Stapleton invoices. Director Rubic asked that additional information be included in the Claims in order to verify figures.

Following discussion, upon motion duly made by Director Hart, seconded by Director Brown and, upon vote, carried with Directors Hart, Brown, Jensen and Glass voting aye and Director Rubic opposing, the Board ratified approval of the payment of claims, as presented.

**Unaudited Financial Report:** Ms. Karamigios reviewed the unaudited financial report for the period ending February 28, 2023.

The Board requested that Ms. Karamigios adjust the various charts and reports to include additional information. It was noted Director Glass will work with Ms. Karamigios on examples of charts and reports for future meetings.

Following discussion, upon motion duly made by Director Glass, seconded by Director Hart, and unanimously carried, the Board approved the unaudited financial report for the period ending February 28, 2023, as presented.

### **OPERATION AND MAINTENANCE MATTERS**

#### **Landscaping Updates- CDI Landscape, LLC:**

*Update Regarding Spring Preparation:* Mr. Draper provided an update on the spring preparation efforts, including cleaning Crystal Lake and general clean-up. The Board requested an update when CDI completes the removal of pine needles in order to verify the work is complete. Mr. Draper discussed with the Board the potential timeline for turning on the irrigation system and how this would determine the timeline for aeration, fertilization, the softball field, and other items. CDI will continue to monitor the weather and provide updates. The Board also requested

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that CDI continue to remove trash from the property and discussed working with Roxborough Water and Sanitation District (“RWSD”) to remove traffic cones and barrels that blow into the property. Director Rubic also requested that CDI and SDMS work on obtaining keys to the bollards in order to reduce potential damage from vehicles. At this point in time only the Fire Department has a key.

Replacement of Non-Potable Irrigation Box Covers: There was no update at this time.

Utility Locate Services: The Board discussed the engagement of CDI to provide utility locate services.

Following discussion, upon motion duly made by Director Glass, seconded by Director Jensen and, unanimously carried, the Board approved the engagement of CDI for utility locate services, subject to an agreement of the terms and an updated contract.

Electric Vehicle: The Board approved giving CDI another two months to purchase an electric UTV and to investigate where they could house it. Mr. Loften was directed to contact the Arrowhead Shores HOA to see if they would be ok expending the pump enclosure for that purpose.

**Grants from Douglas County and GOCO to Support a Playground and/or Other Improvements in the District:** The Board reviewed the funding process and options for GOCO grants for various projects within the District, including playgrounds and trails. The Board discussed the immediate needs of the community and how the grant process could further delay needed improvements. No action was taken by the Board.

### **Ongoing Projects:**

Chatfield Farms Planter Facade Replacement: The Board directed SDMS to provide a written update on the Chatfield Farms planter facade replacement. The Board deferred further discussion.

Electrical Fixes on Rampart Median: The Board directed SDMS to provide a written update on the electrical fixes on the Rampart median. The Board deferred further discussion.

Pickleball Court Lining: The Board reviewed a proposal from Coatings, Inc. to stripe the pickleball lines.

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

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Director Glass, and unanimously carried, the Board approved the proposal from Coatings, Inc. to stripe the pickleball lines, in the amount of \$1,100. The board directed Coatings, Inc. to paint the pickleball lines in a single-court configuration like the existing striping on the other tennis court.

Playground Repairs: The Board deferred discussion.

RWSD: The Board deferred discussion.

Proposals for Tree Care: The Board deferred discussion.

Other: There were no other items to discuss.

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### ENGINEERING MATTERS

Proposals from Engineers: Mr. Lofton reported to the Board that SDMS has not yet received any proposals from engineers; however, three firms confirmed that they would be submitting proposals by the deadline.

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### LEGAL MATTERS

Required Signatures on Board Approved Resolutions: The Board entered into discussion regarding options for executing documents. Attorney Duke clarified that it was not required that all Board members sign documents. The Board determined that documents would be signed by the President and Secretary and include information on the vote for the item being signed. Attorney Duke will work with SDMS to implement this change.

Sturgeon Electric Failure to Pay for Main Line Repairs: Attorney Duke discussed with the Board options for addressing Sturgeon Electric's failure to pay for main line repairs. The Board reviewed the cost information provided by Attorney Duke and determined to take no further action.

RWSD Installation of Fence Around Pump Station: Attorney Duke reviewed with the Board the updated proposal for the fence and indicated that it seemed reasonable. The Board determined they will move forward with the meeting with RWSD on March 31, 2023 to walk the site. SDMS will confirm the meeting date with RWSD. The Board directed SDMS to include additional information about the purpose of the meeting and the proposed fence style and plan on the notice that is posted on the website.

Code of Conduct: The Board deferred discussion.

Other: There were no other legal matters to discuss.

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### DIRECTOR MATTERS

**Flock Cameras and Installing Cameras in Problem Spots:** The Board deferred discussion.

**Various Small Jobs (Fence Repair, Paint, etc.):** The Board deferred discussion.

**Public Calendar File:** The Board deferred discussion.

**Mosquito Treatment Maps/Scope:** The Board deferred discussion.

**Proposed Revisions to Softball Field Reservation Forms:** The Board deferred discussion.

**Proposed Update to the Rules & Regs Regarding Vehicles 1.17:** The Board deferred discussion.

**Proposed Public Meeting Notice, Agenda, Meeting Packet and Director, Consultant, or Vendor Expectations:** The Board deferred discussion.

### OTHER MATTERS

**Actions:** Ms. Ripko reviewed the tasks to complete from this meeting with the Board.

### ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Hart, seconded by Director Jensen and, upon vote, unanimously carried, the Regular Meeting was adjourned at 7:59 p.m.

Respectfully submitted,

By: Travis C Jensen  
Secretary for the Meeting