

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, JUNE 21, 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, June 21, 2022 at 6:00 p.m. at Douglas County Library – Roxborough, 8357 N. Rampart Range Rd. #200, Littleton, Colorado, 80125 and by Zoom. The meeting was open to the public.

**ATTENDANCE**

**In Attendance were Directors:**

Mat Hart, President  
Ephram Glass, Vice President (via video teleconference)  
Mark Rubic, Treasurer  
Travis Jensen, Secretary  
Calvin Brown, Assistant Secretary

**Also in Attendance were:**

Anna Jones and Nic Carlson; CliftonLarsonAllen LLP (“CLA”)  
Katie James, Esq.; Folkestad Fazekas Barrick & Patoile, P.C.  
Scott Barnett; Mulhern MRE, Inc.  
Bill Barr; Metco Landscape Inc.

**Also in Attendance via video teleconference were:**

Steven Bailey; Bailey Tree LLC  
Kathy Christensen; Property management for 16B HOA  
Gale Cramer; Resident at 7733 Rampart Way  
Kathleen Corderre; Resident at 7783 Verandah Court  
Colleen Itzen; Resident at 7096 Red Mesa Drive  
Diane & Matt Murphy; Residents at 8858 River Peak Circle  
Jen Wiencil; Resident at 7016 Red Mesa Drive

**ATTENDANCE**

**Call to Order:** The meeting was called to order at 6:00 p.m. by Director Hart.

**Quorum, Director Qualifications, Disclosure Matters:** A quorum was declared present. No new conflicts were disclosed.

**Agenda:** Ms. Jones reviewed the Agenda with the Board. Director Rubic requested the following amendments: Add discussion of plans for new District legal counsel, move resident request for an easement to public comment, add update on mosquito control status, add update on irrigation issues, add discuss meeting times for first and third

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Tuesdays, add consider adopting District policy on creating meeting agendas.

Upon a motion duly made by Director Brown, seconded by Director Jensen and, upon vote, unanimously carried, the Board approved the Agenda, as amended.

**Public Comment and/or Guests:** Colleen Itzen, resident, expressed interest in discussing the softball league and its preservation, handicapped access and requested the ability to fundraise. Director Rubic responded to her concerns.

Kathy Christensen requested on behalf of 16B HOA that the District take ownership of a tract of land. Attorney James and the Board discussed the process moving forward. Ms. Christensen also requested that Metco Landscaping be able to do some mowing work under the District contract as the HOA had trouble finding someone for the small job. It was agreed upon that 16B HOA would pay for the work by reimbursing the District. Following discussion, upon a motion duly made by Director Jensen, seconded by Director Glass and, upon vote, unanimously carried, the Board agreed to mow and weed the tract of land now and discuss formally accepting the tract at the next regular Board meeting.

**CONSENT AGENDA**

**May 17, 2022 Special Meeting Minutes and June 1, 2022 Special Meeting Minutes:**  
**Current Claims, Approve Transfer of Funds, and Ratify Payment of Autopay Claims and Ratify Approval of Previous Claims:**  
**Metco Landscape Inc. Monthly Report:**  
**Bailey Tree Proposal for Brush Chipping & Hauling in the amount of \$2,200.00:**  
**Resolution Rescinding Agreement with Western States Reclamation, Inc. for Pond Stabilization Work:**  
**Resolution Rescinding Agreement with EcoResource Solutions, Inc. for 2022 Annual Pond Management and PondHawk Solar Aeration System:**

Ms. Jones reviewed the amended Consent Agenda with the Board.

Director Rubic requested confirmation regarding the deposit for Ken Caryl Little League. Director Rubic requested the 2022 Priority Projects List be removed from the Consent Agenda and added to Action Items.

Director Glass asked about changes to the May 17, 2022 meeting minutes. Director Glass asked about an invoice from EcoResource Solutions and if EcoResource Solutions had been notified of the

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cancellation of the contract. Director Glass asked about the boulder placement project.

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

**FINANCIAL MATTERS**

**Other:** None.

**ACTION ITEMS**

**Homeowner Request for Access to Yard via District Open Space:** Following discussion, the Board determined to take no action until it received additional information.

**Resolution Approving an Application and Revocable Park Use Permit for Adult Sports for 2022:** The Board discussed the consumption of beer and wine in the Park Rules and Regulations. Director Brown requested the language permitting the consumption of wine and beer be removed and leave the rule to be implicitly State law.

Following discussion, upon a motion duly made by Director Glass, seconded by Director Rubic and, upon vote, majority carried, the Board approved the Resolution Approving an Application and Revocable Park Use Permit for Adult Sports for 2022. Director Brown abstained.

**Resolution Approving an Application and Revocable Park Use Permit for Youth Sports for 2022:** Following discussion, upon a motion duly made by Director Glass, seconded by Director Rubic and, upon vote, majority carried, the Board approved the Resolution Approving an Application and Revocable Park Use Permit for Youth Sports for 2022. Director Brown abstained.

**Proposals for Chatfield Farms Park Swale Enhancement:** This item was not discussed.

**Chatfield Farms 1A Detention Pond Draining:** Mr. Barnett and Director Glass discussed the Chatfield Farms 1A detention pond draining with the Board. Mr. Barnett indicated the water flows north under Rampart Range Road.

Mr. Barnett also noted the detention pond north of the channel is backed up. The property is owned by Chatfield Farms 1A HOA. Director Glass will notify Chatfield Farms 1A HOA about the drainage issue. Mr. Barnett will request help from Douglas County to clear the drain.

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### **Chavez Services Change Order No. 1 Summary for Phase 3**

**Trail Repairs:** Mr. Barnett provided context regarding the Chavez Services Change Order No. 1 Summary for Phase 3 Trail Repairs for the Board and recommended including wire mesh. Following discussion, upon a motion duly made by Director Jensen, seconded by Director Brown and, upon vote, unanimously carried, the Board approved the Phase 3 items in Chavez Services Change Order No. 1 in the amount of \$44,850.00 and approved the installation of wire mesh reinforcement at Rampart Range Road in an amount not to exceed \$2,000.00.

**Priority of Northside of Spillway:** The Board discussed the priority of improvement to the northside of the spillway as Mr. Barnett requested clarification. Upon a motion duly made by Director Rubic, seconded by Director Jensen and, upon vote, unanimously carried, the Board determined to keep the northside of the spillway on the radar, but tabled action for the time being.

**Resolution Amending Rules and Regulations:** Following discussion, the Board determined to strike the language referring to alcohol use. Upon a motion duly made by Director Jensen, seconded by Director Glass and, upon vote, majority carried, the Board approved the Resolution Amending Rules and Regulations subject to the changes discussed above and final legal review. Director Rubic was opposed.

### **Updated Chavez Services LLC Proposal for Greenhouse**

**Foundation:** Following discussion, upon a motion duly made by Director Glass, seconded by Director Rubic and, upon vote, unanimously carried, the Board approved the updated Chavez Services LLC proposal for the greenhouse foundation in the amount of \$13,872.00 as amended to remove item two and approved the background check verification expenses in an amount not to exceed \$2,800.00.

### **Resolution Approving Intergovernmental Agreement between the District and the Douglas County School District and First Amendment to Intergovernmental Agreement between the District and the Douglas County School District:**

Attorney James reviewed the resolution and amendment with the Board. Following discussion, upon a motion duly made by Director Glass, seconded by Director Rubic and, upon vote, unanimously carried, the Board approved the Resolution Approving Intergovernmental Agreement between the District and the Douglas County School District and First

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Amendment to Intergovernmental Agreement between the District and the Douglas County School District.

**Playground Repairs:** Mr. Carlson reviewed the recommended playground repairs with the Board. Following discussion, upon a motion duly made by director Rubic, seconded by Director Hart and, upon vote, unanimously carried, the Board directed Mr. Barr to close Airplane Park and Community Park playgrounds and post a sign of closure.

The Board further directed CLA to solicit bids to remove the two parks and solicit bids for all playground repairs. CLA will send bids to the Board upon receipt. CLA will send an eblast and post a notice on the website regarding the closure of the two parks.

**Annual Roxborough Music Festival:** This item was not discussed.

**Amendments to Code of Conduct:** This item was not discussed.

**Amendments to Colorado Open Records Act Policy:** This item was not discussed.

**Miscellaneous District Procedures:** This item was not discussed.

**Public Financial Disclosure:** This item was not discussed.

**Plans for New District Legal Counsel:** Following discussion, the Board directed Management and Legal to develop a Request for Proposal and send to as many law firms as possible. The Board requested this be done prior to the next regular Board meeting.

**DIRECTOR MATTERS**

**Environmental Committee:** This item was not discussed.

**Chatfield Farms Electricity Box:** This item was not discussed.

**Digital Collaboration Platform:** This item was not discussed.

**District Board Representation/Attendance of One Roxborough Meetings:** This item was not discussed.

**Other:** None.

**MANAGER MATTERS**

**Process of Signage Replacement:** This item was not discussed.

**Tree Inventory and Next Steps for Comprehensive Tree Planning:** This item was not discussed.

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**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:** No action was taken.

**Chatfield Farms Estates Irrigation Water Service Agreement:** This item was not discussed.

**Site Improvement Plan Referral:** Director Jensen provided three items for consideration. Attorney James will draft a letter on behalf of the Board. Board members are to submit comments by the end of the day tomorrow to Attorney James to include in the letter. The final letter will be provided at the next Board meeting.

**Background Check Requirements:** This item was discussed previously under the Chavez Services greenhouse proposal.

**Other:** None.

**ENGINEERING MATTERS**

**Resident Request for Easement Access:** This item was previously discussed under Action Items.

**Mainline Repair:** Mr. Barnett reviewed the mainline repairs with the Board. Attorney James reported she will draft a letter to Sturgeon Electric requesting reimbursement for the District's expenses to repair the mainline. CNL, Mulhern MRE and Metco Landscaping will provide the costs incurred by the project. Following discussion, upon a motion duly made by Director Rubic, seconded by Director Jensen and, upon vote, unanimously carried, the Board directed legal counsel to proceed and provide an update at the next regular Board meeting.

**Other:** None.

**LANDSCAPING MATTERS**

**Other:** The Board discussed irrigation issues. It was noted that divers will install, inspect and clean the inlet pipes. Mr. Barr noted he would like to be present when divers perform the work.

**OTHER BUSINESS**

**Quorum and Location for July 19, 2022 Regular Meeting:** A quorum was confirmed.

The Board scheduled a special Board meeting for July 11, 2022 at 6:00 p.m. at the Roxborough Douglas County Library. The Board and consultants discussed the review process for agendas.

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**ADJOURNMENT**

There being no further business to come before the Board, upon a motion duly made by Director Brown, seconded by Director Jensen and, upon vote, unanimously carried, the Board adjourned the meeting at 8:57 p.m.

Respectfully submitted,

DocuSigned by:  
By: Matthew Hart  
Mat Hart, President

Attest:

DocuSigned by:  
By: Travis C Jensen  
Travis Jensen, Secretary