

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
ROXBOROUGH VILLAGE METROPOLITAN DISTRICT
HELD
TUESDAY, JULY 19, 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, July 19, 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
Mark Rubic, Treasurer (via video teleconference)
Travis Jensen, Secretary
Calvin Brown, Assistant Secretary

Also in Attendance were:

Anna Jones 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.

Also in Attendance via video teleconference were:

Steven Bailey; Bailey Tree LLC
Bob Howey; Tree Analysis Group
Robert Venn; Resident at 7874 Canvasback Circle
Debbie Prysby; Resident at 7722 Kyle Way
Shelly Stevens; Resident at 9824 Falcon Lane
Anita Allen; Resident at 7836 Canvasback Circle

ATTENDANCE

Call to Order: The meeting was called to order at 6:05 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. The Board requested moving the Tree Inventory Report and the Bailey Tree Update to the top of the agenda after Public Comment and before Consent Agenda.

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

Public Comment and/or Guests: Scott Venn, resident, asked about the Public Financial Disclosure for Directors, indicating that it was too overbearing and did not contain relevant information. He was concerned it would keep residents from running for the Board and it did not address the information that would be appropriate.

Debbie Prysby, resident, discussed the Public Financial Disclosure for Directors with the Board, indicating that she believes it is inappropriate, presents privacy issues and has implications regarding Colorado Open Records Act.

Shelly Stevens, resident, asked about the Public Financial Disclosure for Directors and pavers in need of repair. The Board indicated the pavers issue is one to address with Douglas County directly.

Tree Inventory & Next Steps for Comprehensive Tree Planning: Mr. Howey reviewed the tree inventory report provided to the Board. He also discussed a cottonwood tree that is leaning significantly. Mr. Bailey indicated Bailey Tree will investigate and provide a proposal for the Board to consider at the August Board meeting. Director Glass asked Mr. Howey about GPS coordinates and accuracy. Director Glass will reach out to Mr. Howey to identify the missing information, indicating that he missed inventorying the smaller neighborhood parks.

Bailey Tree Monthly Report: Mr. Bailey presented the monthly report to the Board, indicating that tree replacement is recommended for spring 2023. Mr. Bailey will remove old trees and grind out the stumps first. Mr. Bailey will provide a proposal for the Board's consideration regarding the tree inventory report. The Board directed Mr. Bailey to review the leaning tree and remove immediately if dangerous by working with CLA.

CONSENT AGENDA

July 11, 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:

Ms. Jones reviewed the amended Consent Agenda with the Board. The Board directed CLA to make "Playground closed due to safety reasons" signs to be placed at Airplane and Community Parks. Director Glass indicated a typo needs to be fixed on the June 21, 2022 Regular Meeting Minutes.

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The July 11, 2022 minutes were removed from the agenda as they were not ready to review.

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

FINANCIAL MATTERS

2021 Audit: Ms. Karapetyan reviewed the 2021 Audit with the Board. The Board asked about the Auditor’s opinion. Director Rubic pointed out the audit states there is no investment strategy. Director Rubic requested the capital asset depreciation schedule. Director Rubic asked about Chatfield Farms reimbursement to which Attorney James replied.

Following discussion, upon a motion duly made by Director Jensen, seconded by Director Brown and, upon vote, unanimously carried, the Board approved the 2021 Audit.

Questions of Two Vendor Invoices and Whether Payment Should be Approved (Livable Cities Studio, Inc., and Folkestad Fazekas Barrick & Patoile P.C.): Following discussion, upon a motion duly made by Director Brown, seconded by Director Jensen and, upon vote, unanimously carried, the Board approved the payment of the invoice from Livable Cities Studio, Inc.

Following discussion, upon a motion duly made by Director Brown, seconded by Director Jensen and, upon vote, majority carried, the Board approved the payment of the invoice from Folkestad Fazekas Barrick & Patoile P.C. Director Rubic abstained.

The Board requested additional information regarding the ARK Ecological Invoice and tabled approval until more details were provided.

Insurance Claim for Tree Damage Loss in Storm: This item was not discussed.

Other: None.

ACTION ITEMS

Public Financial Disclosure for Directors: The Board discussed the pros and cons of the proposed Public Financial Disclosure for Directors submitted by Director Rubic. Attorney James advised that the proposed disclosure did not have a connection to Colorado law and went far beyond the law for disclosure of conflicts under Title 32. She explained that even if the Board adopted such a requirement, it would not be enforced on Directors to complete. She said Directors are elected officials and can’t be “fired” by other Board members.

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Attorney James will compile a list of potential conflicts of interest. The Board discussed that any questions about the Public Financial Disclosure for Directors/or conflict disclosure would be voluntary.

Following discussion, upon a motion duly made by Director Rubic, seconded by Director Jensen and, upon vote, unanimously carried, the Board directed Attorney James to revise the documents.

Providing Open Playgrounds with Required Amount of Surface Material, as Discussed at July 11th Meeting:

Rocky Mountain Playground Services Proposal for EWF Installation in the amount of \$16,510.90:

Metco Landscaping Proposal to Mulch Playgrounds in the amount of \$4,800.00:

Following discussion, upon a motion duly made by Director Brown, seconded by Director Jensen and, upon vote, unanimously carried, the Board approved the Metco Landscaping Proposal to Mulch Playgrounds in the amount of \$4,800.00.

Amended Code of Conduct: This item was tabled.

Amended Colorado Open Records Act Policy: This item was tabled.

Miscellaneous District Procedures: This item was tabled.

Other: None.

DIRECTOR MATTERS

Environmental Committee: There were questions on the report, so this item was not discussed.

Hiring Additional Help for the District, i.e. General Contractor: This item was tabled.

Formation of Additional Committees. Suggested Committees: Public Engagement, District Maintenance, Project Management, Wildfire Mitigation, etc.: The Board discussed creating a development plan for identifying appropriate software to use to track projects and to evaluate the options for project management.

Following discussion, upon a motion duly made by Director Rubic, seconded by Director Jensen and, upon vote, unanimously carried, the Board formed the Project Management Committee and appointed Directors Hart and Glass to serve on the Committee.

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Playground Removal, Replacement, Repair and Maintenance

Search: The Board requested Rocky Mountain Playground to come back to the next meeting to discuss options. Ms. Prysby indicated the original play structures were from a company in Titan Industrial Park.

Mosquito Control. Details of Revised Contract with Vendor and any Additional Information on Chemical Use/Restrictions:

This item was not discussed.

Graffiti and Vandalism Issues. Strategies to Reduce or Correct the Problem:

Following discussion, upon a motion duly made by Director Glass, seconded by Director Brown and, upon vote, unanimously carried, the Board directed CLA to have the graffiti removed and repair the electrical box in the gazebo and directed Metco to remove the broken picnic table.

Communication Topics:

Resident Communications. Notifying and keeping Board informed of such communications:

Agenda Item Explanations. Providing more detail of the topic to be discussed:

Informing Board of events, issues, notices affecting District (as they occur and not waiting until next meeting):

Information on District requests such as CORA, Permit Applications, etc. (Tracking Listing):

These items were not discussed.

Repair/Replacement of Remaining Deteriorated Concrete Paths:

This item was not discussed.

Community Park Sidewalk/Path Stone/Rock Installation and Safety Corrections:

Tire Rut Repair in Community Park (seeded area issues):

Completed Mulch Application (done incorrectly) and Remedies:

These items were not discussed.

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Irrigation Issues:

Creation of a comprehensive plan (map of all irrigation controllers and the sprinkler heads associated with such controller with the schedule (days, times, and cycles) for each) and making it available to the Board.

These items were not discussed.

Other: None.

MANAGER MATTERS

New Legal Counsel: This item was not discussed.

Management Services: This item was not discussed.

Process of Signage Replacement – Regulatory and Interpretive:
This item was not discussed.

Pickleball Striping: This item was not discussed.

Contract with Game-Set-Match to Clean Tennis Courts Four Times Per Year at \$1340: This item was not discussed.

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.

Possible Payment to Scott Snow: This item was not discussed.

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

Site Improvement Plan Referral: This item was not discussed.

Acceptance of Tract from 16B HOA: This item was not discussed.

Chatfield Farms Electricity Box: This item was not discussed.

Propriety of Sterling Ranch Signs on District Owned/Maintained Areas and Remedies:

Attorney James will contact Sterling Ranch counsel pending confirmation that the signs are on District property. Attorney James will confer with Mr. Barnett on location.

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Roxborough Water Staging Area. Staging area use is beyond the area Roxborough Water depicted in its diagram when requesting such use: This item was not discussed.

Other: Director Rubic requested the Rules and Regulations be updated per previously agreed upon language regarding alcohol consumption. Attorney James will correct.

Director Rubic indicated a vehicle was driving on the softball field and requested permit holders be sent an email to not drive on to the field.

Following discussion, upon a motion duly made by director Brown, seconded by Director Jensen and, upon vote, majority carried, the Board approved the striping of the softball field in an amount not to exceed \$175.00. Director Rubic was opposed.

EXECUTIVE SESSION

Executive Session pursuant to §24-6-402(4)(b), C.R.S., for the specific legal question of ratifying election-related legal fees. An Executive Session was not taken.

ENGINEERING MATTERS

Mainline Repair and draft letter to Sturgeon Electric: This item was not discussed.

Concrete Replacement at Roxborough 16B: This item was not discussed.

Chavez Phase 3: This item was not discussed.

Irrigation Pump Intake: This item was not discussed.

CDR Construction Proposal for Bridge Railing Replacement ranging from approximately \$15,750 to \$18,250: This item was not discussed.

Other: None.

LANDSCAPING MATTERS

General landscape Issues (Grass cutting, beauty bands, weeds, driving on grass areas) Reassess what is mowed and what is not: This item was not discussed.

Landscape Maintenance and Snow Removal Map Changes: This item was not discussed.

Other: None.

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OTHER BUSINESS

Quorum and Location for August 16, 2022 Regular Meeting: A quorum was confirmed for the August 16th regular meeting. The Board determined to hold the next special meeting on August 4, 2022 from 6:00 p.m. to 9:00 p.m. via Zoom.

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 8:45 p.m.

Respectfully submitted,

DocuSigned by:
MatheW Hart
By: _____
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Mat Hart, President

Attest:

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