

# RECORD OF PROCEEDINGS

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## MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE ROXBOROUGH VILLAGE METROPOLITAN DISTRICT HELD JULY 19, 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 Wednesday, the 19<sup>th</sup> day of July, 2023 at 6:00 p.m. at the Roxborough Library, 8375 N. Rampart Range Rd, Littleton, CO 80125 and via Zoom. The meeting was open to the public.

### ATTENDANCE

#### Directors In Attendance Were:

Mathew Hart  
Ephram Glass  
Travis Jensen  
Mark Rubic  
Debra Prysby

#### Also In Attendance Were:

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

Dino Ross, Esq.; Ireland Stapleton Pryor & Pascoe, P.C.

Alisha Bignell, Gemsbok Consulting Inc. (“Gemsbok”) (for a portion of the meeting)

### 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. The Board discussed the need to have an Executive Session and amend the agenda to include it.

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

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### PUBLIC COMMENTS

None.

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### CONSENT AGENDA

The Board considered the following actions:

- Minutes of the following meetings:
  - a. June 21, 2023

Following discussion, upon motion duly made by Director Rubic seconded by Director Jensen and, unanimously carried, the Board approved the Minutes as presented.

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### CONTRACTOR/ CONSULTANT REPORTS

**Landscaping Updates- CDI Landscape, LLC:** Director Rubic updated the Board regarding the repairs on a mainline break, which has been corrected. He also gave an update regarding the District's irrigation mainline and construction on the north side of Waterton Road. The retaining wall construction has continued; the District believes it is not covering the District's main line but will be doing more research. The Board also discussed issues with Utility locates as CDI stated they do provide utility locate services. Ms. Ripko stated that the locates have continued with Diversified Underground in order to assure that locates were completed. Following discussion, upon motion duly made by Director Prysby, seconded by Director Jensen, and unanimously carried, the Board directed that SDMS terminate the 3rd amendment with CDI and continue with SDMS as utility locates, who subcontracts with Diversified Underground. Director Rubic let the Board know that there was high usage for irrigation on Marmot Ridge. The Board directed CDI to investigate the reasons for the high usage.

**Engineering Updates:** The Board discussed Engineering Updates.

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### FINANCIAL MATTERS

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

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Fund	Period Ending June 30, 2023
Total Claims	\$62,930.78

Following discussion, upon motion duly made by Director Prysby, seconded by Director Jensen and, unanimously carried, the Board ratified approval of the claims, as presented.

**Unaudited Financial Report:** The Board reviewed the unaudited financial report for the period ending June 30, 2023.

Following discussion, upon motion duly made by Director Prysby, seconded by Director Jensen, and unanimously carried, the Board approved the unaudited financial report for the period ending June 30, 2023, as presented.

**Revised Audit Engagement Letter from Colorado CPA Company:** The Board reviewed the Revised Audit Engagement Letter from Colorado CPA Company.

Following discussion, upon motion duly made by Director Prysby, seconded by Director Jensen, and unanimously carried, the Board ratified the Revised Audit Engagement Letter from Colorado CPA Company.

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### **PRELIMINARY 2024 BUDGET PLANNING**

**Gemsbok Budget Model:** The Board deferred discussion at this time.

**Property Tax Revenue Projections Current Law / SB23 -303 & Proposition  
HH:** The Board deferred discussion at this time.

**Board Budget Priorities:** The Board deferred discussion at this time.

**Proposed Budget Preparation/Discussion Timeline:** The Board deferred discussion at this time.

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### **EXECUTIVE SESSION**

**EXECUTIVE SESSION:** Pursuant to 24-6-402(4), C.R.S., following discussion, upon motion duly made by Director Prysby, seconded by Director Hart, and unanimously carried, the Board moved that the regular public meeting of the Board of Roxborough Village Metropolitan District adjourn and, upon an affirmative vote of at least two-thirds of the quorum present, that the Board convened in executive session at 6:43 p.m. for the purpose of receiving from the Board's attorney legal advice on specific legal questions as authorized by Section 24-6-402(4)(b), C.R.S. regarding legal strategy and TABOR, uncompensated provision of maintenance services, and injury at Arrowhead Shores playground.

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Attorney Ross certified that the executive session will constitute a privileged attorney-client communication and will not be recorded.

Following discussion, upon motion duly made by Director Prysby, seconded by Director Rubic, and unanimously carried, the Board reconvened in regular session at 7:47 p.m.

### **AGENDA PRIORITIES**

**Playground Replacement:** Director Rubic discussed the result of the survey for the replacement of the equipment for Airplane Park, and Option A was the decision from the Homeowners.

Following discussion, upon motion duly made by Director Prysby, seconded by Director Hart, and unanimously carried, the Board approved the survey for the replacement of the equipment for Airplane Park, and Option A was the decision from the Homeowners.

The Board further discussed the District Engineer's report regarding replacement of Community Park playground equipment. The Board authorized Directors Rubic and Prysby to work with the District Engineer to ascertain the best place to install new equipment to ensure it is ADA accessible.

**Community Park Restroom Repair Proposals:** The Board deferred discussion at this time.

**Community Park Restroom Cleaning Proposals:** The Board deferred discussion at this time.

**ADA Compliant Port-a-Potty Units at Community Park and Chatfield Farms:** The Board deferred discussion at this time.

**Landscape Performance and Upkeep:** The Board deferred discussion at this time.

**Public Meeting Notice, Agenda, Meeting Packet and Director, Consultant, or**

**Board Only Meeting (July 10th) Priority Items:** The Board deferred discussion at this time.

### **OPERATION AND MAINTENANCE MATTERS**

**District Management Updates:**

*Current Approved and Requested Community Permits:* The Board reviewed the current and approved requested community permits (Sports Field Use, Park Areas

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& Gazebo, Food Truck Vendors, etc.).

SDMS Monthly Report: The Board deferred discussion at this time.

Monthly Invoice from Foothills Park & Recreation re: June 2023 Roxborough Village Resident Use: The Board deferred discussion at this time.

### **General Updates Regarding Ongoing Projects:**

Chatfield Farms Planter Facade Replacement: The Board deferred discussion at this time.

Electrical fixes on Rampart Median: The Board deferred discussion at this time.

Pickleball Court Striping: The Board deferred discussion at this time.

Pole Light Estimates: The Board deferred discussion at this time.

**Other**: None.

### **LEGAL MATTERS**

**Request and Agreement for Use of Sign/Banner Posts in Roxborough Village Metropolitan District**: The Board deferred discussion at this time.

**Graffiti/Vandalism Messages for Placement on District website and Dissemination to Community**: The Board deferred discussion at this time.

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

**Securing a District Account on the Local Community Facebook Forum**: The Board deferred discussion at this time.

### **DIRECTOR MATTERS**

**Turf Replacement**: The Board deferred discussion at this time.

**Supervision Zones**: The Board discussed upcoming meetings for a District walk through.

**Tree Care Agreement**: The Board discussed the Tree Care Agreement.

**Board Only Meeting Follow-up Items**: None.

**Other**: There were no other Director matters to discuss.

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OTHER MATTERS

Action Items and Spreadsheet: Mr. Ripko stated that the updated spreadsheet would be distributed to the Board for review.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made and seconded, and upon vote, unanimously carried, the Regular Meeting was adjourned.

Respectfully submitted,

By: Travis C Jensen  
Secretary for the Meeting

I hereby attest that the information communicated during the Executive Session, which was not recorded, constituted privileged attorney–client communications.

Dino A. Ross

Dino Ross, Esq.