

# RECORD OF PROCEEDINGS

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## MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE ROXBOROUGH VILLAGE METROPOLITAN DISTRICT HELD AUGUST 16, 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 16<sup>th</sup> day of August, 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

Following discussion, upon motion duly made by Director Rubic, seconded by Director Glass and, upon vote, unanimously carried, the absence of Director Prysby was excused.

#### Also In Attendance Were:

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

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

Brenna Karamigios, 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.

Following discussion, upon motion duly made by Director Rubic, seconded by Director Jensen, and, upon vote, unanimously carried, the Board approved the agenda, as amended with the Legal Matters being moved to earlier in the agenda.

### PUBLIC COMMENTS

None.

### CONSENT AGENDA

The Board considered the following actions:

#### A. Minutes

- June 6, 2023
- July 10, 2023
- July 19, 2023
- August 6, 2023
- August 9, 2023

#### B. ICA – SaveATree

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

### CONTRACTOR/ CONSULTANT REPORTS

Landscaping Updates- CDI Landscape, LLC: Director Rubic updated the Board regarding the metal edging, the edging along sidewalks (mohawk) and a lot of weeding, which is priority #1- 3 feet high.

Engineering Updates: Director Rubic updated the Board regarding engineering. It was noted that he and Director Prysby met with Farnsworth regarding ADA accessibility. They would like to do a survey of the area; Director Rubic asked them to provide a proposal.

### FINANCIAL MATTERS

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

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Fund	Period Ending July 31, 2023
Total Claims	\$67,839.00

Following discussion, upon motion duly made by Director Rubic, seconded by Director Glass and upon vote, 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 July 31, 2023.

Following discussion, upon motion duly made by Director Glass, seconded by Director Jensen, and upon vote unanimously carried, the Board approved the unaudited financial report for the period ending July 31, 2023, as presented.

**Update on 2022 Audit:** An extension for the 2022 Audit was filed and approved; the new due date for the Audit is September 30, 2023.

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### **LEGAL MATTERS**

**Request and Agreement for Use of Sign/Banner Posts in Roxborough Village Metropolitan District:** The Board reviewed the Request and Agreement for Use of Sign/Banner Posts in Roxborough Village Metropolitan District.

Following discussion, upon motion duly made by Director Jensen, seconded by Director Rubic, and upon vote unanimously carried, the Board approved the Request and Agreement for Use of Sign/Banner Posts in Roxborough Village Metropolitan District.

**Graffiti/Vandalism Messages for Placement on District Website and Dissemination to Community:** The Board discussed the graffiti/vandalism messages for placement on the District website and dissemination to community.

Following discussion, upon motion duly made by Director Rubic, seconded by Director Glass, and upon vote unanimously carried, the Board approved the graffiti/vandalism messages for placement on the District website and dissemination to community, subject to discussed changes.

**Revised Public Meeting Notice, Agenda, Meeting Packet and Director, Consultant, or Vendor Expectations:** The Board discussed the revised Public Meeting Notice, Agenda, Meeting Packet and Director, Consultant, or Vendor Expectations.

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

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Director Glass, and upon vote unanimously carried, the Board approved the revised Public Meeting Notice, Agenda, Meeting Packet and Director, Consultant, or Vendor Expectations.

**District Account on the Local Community Facebook Forum:** The Board discussed the District account on the local community Facebook forum. Attorney Ross recommended not allowing public comment. The Board directed SDMS to start the process of starting a District Facebook page.

**Updates on Agreements to have District Maintain Non-District Owned Areas:** The Board discussed the updates on agreements to have District maintain non-district owned areas (Douglas County medians, HOA parcels, templates) and if the District should charge for the services on the HOAs. This matter will be discussed at the next Board only meeting.

**Updates Water Due Diligence:** There were no new updates at this time.

**District Irrigation Mainline and Construction on the North Side of Waterton Road:** The Board discussed the District irrigation mainline and construction on the north side of Waterton Road. Attorney Duke and Director Rubic have scheduled a time to walk the area.

**Enforcement Authority of District Rules & Regulations:** The Board and Attorney Ross discussed the enforcement authority of District Rules & Regulations and options for enforcement of District rules. The Board directed Attorney Ross to reach out to the Douglass County District Attorney regarding options.

**Chatfield Farms Filing 1A, 3rd Amendment Referral Response Comments:** The Board discussed the Chatfield Farms Filing 1A, 3rd Amendment Referral Response Comments. It was noted that the comments have already been submitted to the County.

**Other:**

1. **Water Service of Non-Potable Water to the Marketplace:** The Board discussed water service of non-potable water to the marketplace. They will be working to hook up to a potable system.
2. **Chatfield Farms Estates:** The Board discussed the Chatfield Farms Estates and if tracts in this community are included in the Chatfield Farms maintenance agreement. The Board directed Attorney Ross to draft an appropriate maintenance agreement.

**EXECUTIVE SESSION:** Pursuant to 24-6-402(4)(b), C.R.S., following

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discussion, upon motion duly made by Director Glass, seconded by Director Rubic and upon vote, unanimously carried, the Board moved that the regular public meeting of the Board of Roxborough Village Metropolitan District be recessed and, upon an affirmative vote of at least two-thirds of the quorum present, that the Board convened in executive session at 7:41 p.m. for the purpose of receiving advice of legal counsel regarding Roxborough Ridge HOA activities on District property and TABOR compliance pursuant to Section 24-6-402(4)(b), C.R.S.

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 Rubic, seconded by Director Glass, and upon vote unanimously carried, the Board reconvened in regular session at 7:57 p.m.

### PRELIMINARY 2024 BUDGET PLANNING

**Budget from August 8, 2023 Special Meeting:** 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.

### AGENDA PRIORITIES

**Playground Replacement:** Ms. Ripko stated that the company is working on a full proposal, including ground cover.

**Playground Grants:** The Board deferred discussion at this time.

**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.

**Tree Care Agreement/Fertilization Proposals:** The Board deferred discussion at this time.

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### 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 & Gazebo, Food Truck Vendors, etc.).

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

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

**Weather Trak:** 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.

**Xcel Energy Maintenance Update:** The Board deferred discussion at this time.

**Bathroom Sewage Pump Update:** The Board deferred discussion at this time.

**Other:** None.

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### DIRECTOR MATTERS

**Turf Replacement:** The Board discussed the turf replacement, including the xeriscaping for Area 1 and native meadow plantings for Areas 6 & 7.

Following discussion, upon motion duly made by Director Glass, seconded by Director Hart, and upon vote unanimously carried, the Board approved the xeriscaping for Area 1 and native meadow plantings for Areas 6 & 7.

**District Signage/Committee Formation:** The Board deferred discussion at this

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time.

**Hiring Handyman**: The Board deferred discussion at this time.

**Roxborough Music Sponsorship**: The Board discussed the Roxborough Music Sponsorship (September 8th-9th) Information and elected not to sponsor this year.

**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.  
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### **ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made by Director Glass, seconded by Director Rubic, and upon vote, unanimously carried, the Regular Meeting was adjourned at 8:00 p.m.

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.

By: Dino A. Ross  
Dino Ross, Esq.

I hereby attest that the Executive Session, which was not recorded, was confined to the topics authorized for discussion in Executive Session pursuant to C.R.S. §24-6-402(4)(b).

Mark Rubic  
Mark Rubic, President