

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
ROXBOROUGH VILLAGE METROPOLITAN DISTRICT
HELD
TUESDAY, NOVEMBER 16, 2021

A special meeting of the Board of Directors of the Roxborough Village Metropolitan District (referred to hereafter as the “Board”) was convened on Tuesday, November 16, 2021 at 6:00 p.m. via ZOOM. The meeting was open to the public.

ATTENDANCE

In Attendance were Directors:

Calvin Brown, President
Debra Prysby, Vice President
Ephram Glass, Treasurer
Ed Wagner, Secretary
Garry Cook, Assistant Secretary

Also in Attendance were:

Anna Jones, Nic Carlson, Shauna DAmato, and Janece Soendker; CliftonLarsonAllen LLP (“CLA”)
Katie James, Esq.; Folkestad Fazekas Barrick & Patoile, P.C.
Scott Barnett; Mulhern MRE, Inc.
Bill Barr; Metco Landscape Inc.
Mark Rubic; Resident at 7735 Verandah Court
Kathleen Coderre; Resident at 7783 Verandah Court
Brendan Coupe; Resident at 8509 Kicking Horse Court
Shawn Benson; Resident at 9610 Lone Iris Place

CALL TO ORDER

Director Brown called the meeting to order at 6:01 p.m.

DECLARATION OF
QUORUM/DIRECTOR
QUALIFICATIONS/
DISCLOSURE MATTERS

A quorum was declared present. No new conflicts were disclosed.

APPROVE AGENDA

Following review, upon a motion duly made by Director Glass, seconded by Director Cook and, upon vote, unanimously carried, the Board approved the agenda, as presented.

PUBLIC COMMENT and/or
GUESTS

Mark Rubic, resident, addressed the Board.

CONSENT AGENDA

October 19, 2021 and October 21, 2021 Special Meeting Minutes:

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Cash Position and Property Tax Schedule for October:

Current Claims, Approve Transfer of Funds, Ratify Payment of Autopay Claims and Ratify Approval of Previous Claims:

Review Bailey Tree Update:

Review Metco Landscaping Update:

2022 Insurance Renewal

Ms. Jones reviewed the Consent Agenda with the Board. Following discussion, upon a motion duly made by Director Glass, seconded by Director Cook and, upon vote, unanimously carried, the Board approved the Consent Agenda, as presented.

FINANCIAL MATTERS

Public Hearing to Consider Amendment of 2021 Budget:

No amendment is needed.

Public Hearing to Consider Adoption of 2022 Budget; Appropriate Sums of Money and Set Mill Levy; Consider Approval of Resolution No. 2021-11-01 Resolution to Adopt 2022 Budget, Resolution No. 2021-11-02 Resolution to Appropriate Sums of Money, and Resolution No. 2021-11-03 Resolution to Set Mill Levy:

Upon a motion duly made by Director Brown, the Board opened the public hearing on the proposed 2022 Budget at 6:17 p.m.

It was noted that Notice stating that the Board would consider adoption of the 2022 budget and the date, time and place of the public hearing was published pursuant to statute. No written objections were received prior to the public hearing.

Mark Rubic, resident, spoke about the playground to be constructed.

Upon a motion duly made by Director Brown, the Board closed the public hearing at 6:20 p.m.

Ms. Soendker reviewed the 2022 Budget with the Board and noted the post packet budget has a minor tax abatement adjusted. Ms. Soendker reviewed the tax abatement adjustment with the Board. The Board asked questions regarding the Capital Budget Master Plan line item. The Board also discussed and celebrated the debt retirement.

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Following review and discussion, upon a motion duly made by Director Glass, seconded by Director Wagner and, upon vote, unanimously carried, the Boards approved the Resolution No. 2021-11-01 Resolution to Adopt 2022 Budget, Resolution No. 2021-11-02 Resolution to Appropriate Sums of Money, and Resolution No. 2021-11-03 Resolution to Set Mill Levy.

Other: None.

ACTION ITEMS

Resolution No. 2021-11-04 Resolution 2021 Audit Engagement Letter with Wipfli in the amount of \$5,250:

Attorney James reviewed the Resolution with the Board. Following review, upon a motion duly made by Director Glass, seconded by Director Wagner and, upon vote, unanimously carried, the Board approved of Resolution No. 2021-11-04 Resolution 2021 Audit Engagement Letter with Wipfli in the amount of \$5,250.

Resolution No. 2021-11-05, 2022 Annual Administrative Matters Resolution:

Attorney James reviewed the Resolution with the Board. Following review, upon a motion duly made by Director Glass, seconded by Director Prysby and, upon vote, unanimously carried, the Board approved of Resolution No. 2021-11-05, 2022 Annual Administrative Matters Resolution.

CliftonLarsonAllen LLP Master Services Agreement and Related Statement(s) of Work:

Attorney James reviewed the agreement with the Board. Following review, upon a motion duly made by Director Glass, seconded by Director Wagner and, upon vote, unanimously carried, the Board approved of CliftonLarsonAllen LLP Master Services Agreement and Related Statements of Work.

Resolution No. 2021-11-08 Engagement Letter with Folkestad Fazekas Barrick and Patoile, P.C. for 2022 Legal Services:

Attorney James reviewed the Resolution with the Board. Following review, upon a motion duly made by Director Glass, seconded by Director Wagner and, upon vote, unanimously carried, the Board approved of Resolution No. 2021-11-08 Engagement Letter with Folkestad Fazekas Barrick and Patoile, P.C. for 2022 Legal Services.

Resolution No. 2021-11-09, Approving Renewal of Foothills Intergovernmental Agreement for Roxborough Village District use of Foothills recreation Amenities for 2022:

Attorney James reviewed the Resolution with the Board. Following review, upon a motion duly made by Director Prysby,

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seconded by Director Glass and, upon vote, unanimously carried, the Board approved of Resolution No. 2021-11-07, Approving Renewal of Foothills Intergovernmental Agreement for Roxborough Village District use of Foothills recreation Amenities for 2022.

Resolution No. 2021-11-10, Approving 2022 Maintenance Agreement with Bailey Tree, LLC: This item was deferred until the December meeting.

Bailey Tree Proposal for Cottonwood Removal and Stump Grind in the amount of \$1,200: Ms. Jones and Attorney James reviewed the proposal with the Board. Following review, upon a motion duly made by Director Cook, seconded by Director Wagner and, upon vote, unanimously carried, the Board approved the Bailey Tree Proposal for Cottonwood Removal and Stump Grind in the amount of \$1,200. Director Glass noted the address on the proposal was incorrect and asked for a photo and map on all proposals.

Code of Conduct at District Board Meetings: Attorney James reviewed the Code of Conduct with the Board. The Board discussed and members of the public expressed their opinions. Following discussion, upon a motion duly made by Director Brown, seconded by Director Cook, the Board approved the Code of Conduct at District Board Meetings. Director Glass objected.

Requests by Resident to Review Softball and Soccer Field Permits and Fees: Attorney James reviewed with the Board. Director Prysby inquired about the permitting system and asked if it is intended to provide a management and scheduling tool and whether the fees are intended to offset maintenance fees or generate revenues. The Board discussed and agreed the fees are intended to provide a scheduling and logistics tool.

Metco Proposal for Rut Repair at Community Park: Mr. Barr reviewed the proposal with the Board. Director Glass discussed replacing bollards. It was noted the excess boulders from the spillway can be utilized to restrict access and a bollard can be replaced by the contractors currently on site. Following discussion, upon a motion duly made by Director Prysby, seconded by Director Wagner and, upon vote unanimously carried, the Board approved the Metco Proposal for Rut Repair at Community Park as amended to include using existing rocks and to adjust the dollar amount to reflect the reduction of the costs of boulder and increase cost of labor to move rocks.

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Rampart Transmission Main Replacement Project Agreement: Attorney James reviewed the agreement with the Board. Following review, upon a motion duly made by Director Prysby, seconded by Director Glass and, upon vote, unanimously carried, the Board ratified approval of the Rampart Transmission Main Replacement Project Agreement.

DIRECTOR MATTERS

Environmental Committee: Director Glass provided an update regarding greenhouse construction. Director Prysby discussed the spreadsheet outlining all of the items identified in the landscape walk items and asked the Board for approval for the Environmental Committee to price and establish potential timeframes for various projects with the support of Mr. Barr, Mr. Barnett, Ms. Jones, and others as needed. The Board agreed with that direction. Director Glass indicated this could change the Metco contract.

Other: None.

MANAGER MATTERS

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 taken.

Other: None.

ENGINEERING MATTERS

Spillway Follow-Up:

Spillway Construction Status Update: Mr. Barnett updated the Board.

North Spillway Improvements: Mr. Barnett provided an update to the Board.

Concrete Trail Repairs Update: Mr. Barnett reported the concrete trail repairs are underway.

Other: None.

LANDSCAPING MATTERS

Other: Mr. Barr provided an update for the Board.

OTHER BUSINESS

Other: Resident Shawn Benson discussed the mulch placed on the trails without consent of the District and his efforts to remove the same. Following discussion, upon a motion duly made by Director Wagner, seconded by Director Glass and, upon vote,

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unanimously carried, the Board approved Mr. Barr to finish the cleanup of the excess mulch.

Upon a motion duly made by Director Brown, seconded by Director Wagner and, upon vote, unanimously carried, the Board authorized reimbursement of \$80 dump fee to resident Shawn Benson.

Quorum for December 7, 2021 Regular Meeting via Zoom: A quorum was confirmed.

EXECUTIVE SESSION

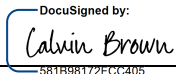
Executive Session Pursuant to C.R.S. Section 24-6-402(4)(B) for the Purposes of Receiving Legal Advice on the Specific Legal Question of CORA Requests and Responses by District Custodian

An Executive Session was not needed.

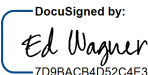
ADJOURNMENT

There being no further business to come before the Board, upon a motion duly made by Director Prysby, seconded by Director Wagner and, upon vote, unanimously carried, the Board adjourned the meeting at 8:21 p.m.

Respectfully submitted,

By:  _____
Calvin Brown, President

Attest:

By:  _____
Ed Wagner, Secretary