

RECORD OF PROCEEDINGS

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MINUTES OF A SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF THE  
ROXBOROUGH VILLAGE METROPOLITAN DISTRICT  
HELD  
TUESDAY, DECEMBER 7, 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, December 7, 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 and Shauna DAmato;  
CliftonLarsonAllen LLP (“CLA”)  
Katie James, Esq.; Folkestad Fazekas Barrick & Patoile, P.C.  
Scott Barnett; Mulhern MRE, Inc.  
Bill Barr; Metco Landscape Inc.  
Steven Bailey; Bailey Tree  
Mark Rubic; Resident at 7735 Verandah Court  
Travis Jensen; Resident

CALL TO ORDER

Director Brown called the meeting to order at 6:02 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 Prysby, seconded by Director Glass and, upon vote, unanimously carried, the Board approved the agenda, with the suggested move of the Metco Contract from the Consent Agenda to discuss under Action Items.

Attorney James noted there is no updated Code of Conduct document for the item listed on the Consent Agenda.

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PUBLIC COMMENT and/or GUESTS

Mark Rubic, resident, addressed the Board commenting on the Code of Conduct.  
Travis Jensen made comments regarding the agenda and the Code of Conduct.

CONSENT AGENDA

**November 16, 2021 Special Meeting Minutes:**

**Cash Position and Property Tax Schedule for November:**

**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:**

**Code of Conduct at District Board Meetings**

**Resolution No. 2021-11-02, Approving 2022 Metco Snow Removal Agreement**

**Resolution No. 2021-11-03, Approving 2022 Mulhurn Service Agreement**

**Pay Application Number 1 for Spillway/ Boulder Installation from 53 Corporation, LLC in the Amount of \$39,240**

**Resolution No. 2021-11-04, Approving 2022 Election Resolution**

Ms. Jones reviewed the Consent Agenda with the Board. Following discussion, upon a motion duly made by Director Glass, seconded by Director Wagner and, upon vote, unanimously carried, the Board approved the Consent Agenda, with the revision of the 2022 budgeted amount for the greenhouse and Director Glass's position on the Code of Conduct in the November Minutes.

FINANCIAL MATTERS

**Other:** None.

ACTION ITEMS

**Resolution No. 2021-11-05 Resolution Approving 2022 Maintenance Agreement with Bailey Tree, LLC:**

**Bailey Tree Proposal for Emerald Ash Borer/ Ash Bark Beetle Premier Tree Injection Treatment in the Amount of \$21,360.00:** This item was deferred.

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**Bailey Tree Proposal for Tree Service and Fertilizer Program in the Amount of \$28,130.00:** Following review, upon a motion duly made by Director Glass, seconded by Director Wagner and, upon vote, unanimously carried, the Board approved of the Bailey Tree Proposal for Tree Service and Fertilizer Program in the Amount of \$28,130.00.

The Board discussed the opportunity to hire an arborist to map and create an inventory of the District's trees and asked CLA to obtain estimates for mapping.

**Playground Planning, consider a Motion to Approve Consultants to Move Forward with Public Bid Preparation and Related Tasks:** Ms. Jones reviewed the reasons to initiate the bidding process with the Board. Ms. Jones will reach out to Mr. Wenskoski to define an outreach/survey strategy for discussion at the next meeting.

**Amendment to Resolution Regarding Colorado Open Records Act Rules and Policy (CORA):** Item was deferred as the updated policy is not ready for review.

**Open Space Management Proposal from Ark Ecological Services, LLC in the Amount of \$35,750.00:** Following review, upon a motion duly made by Director Glass, seconded by Director Brown and, upon vote, unanimously carried, the Board approved of the Open Space Management Proposal from Ark Ecological Services, LLC in the Amount of \$35,750.00, subject to final legal review.

**Metco Winter Water Proposal in the Amount of \$7,200.00:** Following review, upon a motion duly made by Director Prysby, seconded by Director Glass and, upon vote, unanimously carried, the Board approved the Metco Winter Water Proposal in the amount of \$7,200.00.

**Resolution No. 2021-11-01, Approving 2022 Metco Service Agreement:**

**DIRECTOR MATTERS**

**Environmental Committee:** Director Glass provided an update regarding the Greenhouse permitting status. Director Prysby reviewed the landscape maintenance process.

**Other:** None.

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MANAGER MATTERS

**Landscape maintenance and Future Planning:** This item was deferred.

**Exploration of Frisbee Golf Course:** CLA will look into pricing for design and construction of a Frisbee Golf Course.

**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:** Attorney James explained the reason for having this item on the agenda. No action taken.

**Other:** None.

ENGINEERING MATTERS

**Scope of 53 Corporation, LLC Spillway Project:** Mr. Barnett provided an update.

**Phase 2 of Northside Spillway:** Mr. Barnett recommended improving the north side of the spillway and continuing the project. Following discussion, upon a motion duly made by Director Wagner, seconded by Director Cook and, upon vote, unanimously carried, the Board approved Mr. Barnett putting together drawings for the Northside Spillway.

**Other:** None.

LANDSCAPING MATTERS

**Other:** The Board discussed the Metco Contract. Attorney James indicated the Board could approve the contract through January 2022 as currently drafted. Ms. James will make minor changes in scope of service and bring the revised Contract for approval at the January Meeting. Following discussion, upon a motion duly made by Director Brown, seconded by Director Prysby and, upon vote, unanimously carried, the Board approved the Metco Contract through January 2022, in order to approve for all of 2022 minor scope revisions at the January Meeting.

OTHER BUSINESS

**Other:** Director Prysby requested that CLA get 3-4 landscape walks on the calendar for 2022.

**Quorum for January 18, 2022 Regular Meeting:** 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**

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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 Cook and, upon vote, unanimously carried, the Board adjourned the meeting at 7:31 p.m.

Respectfully submitted,

By: DocuSigned by:  
Calvin Brown  
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Calvin Brown, President

Attest:

By: DocuSigned by:  
Ed Wagner  
769BACB4B6264E3...  
Ed Wagner, Secretary