

**RESOLUTION
BOARD OF DIRECTORS OF THE
ROXBOROUGH VILLAGE METROPOLITAN DISTRICT**

A RESOLUTION URGING VOTERS AT ROXBOROUGH VILLAGE METROPOLITAN DISTRICT'S MAY 6, 2025 ELECTION TO APPROVE ITS CONTINUING TO PROVIDE LANDSCAPE MAINTENANCE AND SNOW REMOVAL SERVICES TO HOMEOWNER ASSOCIATIONS AT NO COST

WHEREAS, the Roxborough Village Metropolitan District ("*Roxborough Village MD*") is a local government organized under Colorado law to provide mosquito control, park and recreation, safety protection, and street improvement services to the community within Roxborough Village MD's boundaries;

WHEREAS, for over two decades Roxborough Village MD has provided landscape maintenance and snow removal services (collectively, "*Maintenance Services*") at no cost for private property and improvements owned by Arrowhead Shores Homeowners' Association, Village First Homeowners' Association, and Filing 14B Homeowners' Association (collectively, the "*HOAs*") in compliance with contracts between each HOA and Roxborough Village MD;

WHEREAS, in 2023 the Roxborough Village MD Board of Directors ("*Board*") began discussions about whether Roxborough Village MD should continue to provide the Maintenance Services at no cost to the HOAs. As the governing body of a local government, the Board has a fiduciary obligation to collect and spend taxpayer money for the benefit of all its residents. The Board cannot spend taxpayer money to provide services benefitting private corporations like the HOAs, unless the Board can clearly demonstrate the Maintenance Services benefit all Roxborough Village MD residents, not just the members of the HOAs, in a way that equals or exceeds the value of the taxpayer funds being spent;

WHEREAS, the Board discussed this issue at its public meetings in 2023 and throughout 2024. During that time, the Board determined that it needed certainty as to whether it is authorized to provide the Maintenance Services at no cost to the HOAs and to any other Homeowners' Associations within Roxborough Village MD that request the services. As a result, the Board did not appropriate taxpayer funds to provide the Maintenance Services to the HOAs in 2025, and all three contracts terminated on December 31, 2024;

WHEREAS, the Board then conducted two town hall meetings on January 28 and February 2, 2025 to educate the community on the issue and obtain their feedback. As part of those meetings, the Board and the attendees discussed the options for resolving this issue, one of which was to have a ballot on this issue included in the May 6, 2025 director election ("*Election*") the Board was already required by law to conduct. The attendees were overwhelmingly in favor of including such a ballot as part of the Election and at its February 26 special meeting, the Board voted to include the following ballot as part of the Election:

BALLOT

SHALL ROXBOROUGH VILLAGE METROPOLITAN DISTRICT BE REQUIRED TO PROVIDE, WITHOUT CHARGE AND IN PERPETUITY, LANDSCAPE MAINTENANCE AND SNOW REMOVAL SERVICES ON PROPERTY OWNED BY ANY HOMEOWNERS' ASSOCIATION WITHIN THE DISTRICT'S BOUNDARIES THAT REQUESTS IT, NOTWITHSTANDING THAT SUCH SERVICES SHALL CONSTITUTE MULTIPLE FISCAL YEAR OBLIGATIONS THAT WILL BE PAID FROM THE DISTRICT'S AD VALOREM PROPERTY TAXES THAT IT UNIFORMLY ASSESSES AND COLLECTS WITHIN ITS BOUNDARIES; PROVIDED THAT:

- A. THE DISTRICT SHALL NOT BE RESPONSIBLE FOR MAINTAINING DRAINAGE WAYS, DRAINAGE FACILITIES, DETENTION PONDS, OR OTHER DRAINAGE IMPROVEMENTS LOCATED WITHIN ANY PROPERTY OWNED BY A HOMEOWNERS' ASSOCIATION; AND,
- B. THE DISTRICT SHALL ONLY MAINTAIN A PLAYGROUND OWNED BY A HOMEOWNERS' ASSOCIATION IF IT IS CODE COMPLIANT AND IN GOOD REPAIR AT THE TIME THE DISTRICT IS ASKED TO ASSUME MAINTENANCE; AND,
- C. IF THE HOMEOWNERS' ASSOCIATION ADDS ANY IMPROVEMENTS OR ALTERATIONS THE DISTRICT HAS NOT AUTHORIZED, THE DISTRICT HAS NO OBLIGATION TO MAINTAIN THAT IMPROVEMENT OR ALTERATION; AND,
- D. TO THE EXTENT REASONABLY PRACTICABLE, THE DISTRICT'S BOARD OF DIRECTORS SHALL STRIVE TO PROVIDE THE SAME TYPES AND LEVELS OF LANDSCAPE MAINTENANCE AND SNOW REMOVAL SERVICES FOR ALL PROPERTY OWNED BY THE DISTRICT AND ALL PROPERTY OWNED BY A HOMEOWNERS' ASSOCIATION WITHIN THE DISTRICT'S BOUNDARIES THAT HAS REQUESTED SUCH SERVICES.

WHEREAS, the Colorado Fair Campaign Practices Act, C.R.S. § 1-45-117(1)(b), expressly authorizes the Board to adopt a Resolution advocating voter approval of the foregoing ballot during the Election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ROXBOROUGH VILLAGE METROPOLITAN DISTRICT:

1. The Board firmly believes the *status quo* should be maintained and Roxborough Village MD should be permitted to continue providing the Maintenance Services it has been providing for over two decades at no cost to any Homeowners' Association within Roxborough Village MD that requests the services.

2. Roxborough Village MD's residents do not distinguish between Homeowner Association owned land and improvements and Roxborough Village MD owned land and improvements and, historically, Homeowner Association land and events have not been restricted to HOA members and, instead, have been and are accessible to the rest of Roxborough Village MD's residents. This benefits all Roxborough Village MD residents.

3. Forcing the Homeowner Associations to separately contract with different companies for the Maintenance Services will be damaging to the unity of the community and could negatively impact property values and community services.

4. Allowing Roxborough Village MD to continue providing Maintenance Services to the HOAs **and** any other Homeowner Association that requests the services, will ensure a consistent level and scope of Maintenance Services to Roxborough Village MD's residents, which benefits the entire community.

5. Approving the ballot will ensure the Chatfield Farms HOAs will continue to receive the same Maintenance Services as the rest of the community after Roxborough Village MD's contractual obligation to provide the Maintenance Services to the Chatfield Farms HOAs ends in 2030.

FOR ALL THE FOREGOING REASONS, THE BOARD URGES VOTERS TO

VOTE 'YES'!!

ON THE MAINTENANCE SERVICES BALLOT AT THE MAY 6, 2025 ELECTION

ADOPTED this 7th day of April 2025, by the Board of Directors of Roxborough Village Metropolitan District.

☒Yes ☐No ☐Abstain ☐Absent

By: Signature Pending
Ephram Glass, President

☒Yes ☐No ☐Abstain ☐Absent

By: Signature Pending
Debra Prysby, Vice President

☐Yes ☐No ☒Abstain ☐Absent

By: Signature Pending
Mark Rubic, Treasurer

☐Yes ☐No ☐Abstain ☒Absent

By: Signature Pending
Travis Jensen, Secretary

☒Yes ☐No ☐Abstain ☐Absent

By: Signature Pending
Brendan Coupe, Assistant Secretary