

ROXBOROUGH VILLAGE METROPOLITAN DISTRICT

141 Union Boulevard, Suite 150
Lakewood, Colorado 80228-1898
Tel: 303-987-0835 • 800-741-3254
<https://roxvillagemetro.colorado.gov/>

NOTICE OF SPECIAL MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expires:</u>
Ephram Glass	President	2027/May 2027
Debra Prysby	Vice President	2027/May 2027
Mark Rubic	Treasurer	2025/May 2025
Travis Jensen	Secretary	2025/May 2025
Brendan Coupe	Assistant Secretary	2025/May 2025

DATE: February 2, 2025

TIME: 6:30 p.m. – 8:30 p.m.

LOCATION: West Metro Fire Protection District Station 15
Community Room
6220 N Roxborough Dr.
Littleton, CO 80125

And virtually

Google Meet joining info

Video call link: <https://meet.google.com/gqe-bydp-bqo>

Or dial: (US) +1 225-800-3336 PIN: 731 717 491#

More phone numbers: <https://tel.meet/gqe-bydp-bqo?pin=8539497813033>

** Agenda is preliminary and subject to change by majority vote of the Board at the meeting.*

** Individuals requiring special accommodation to attend and/or participate in the meeting please advise the District Manager (pripko@sdmsi.com or 303-987-0835) of their specific need(s) before the meeting.*

I. ADMINISTRATIVE MATTERS (5 minutes)

A. Disclosure of Potential Conflicts of Interest

B. Additions/Deletions/Approval of Agenda

II. PRESENTATION OF DISTRICT HOA MAINTENANCE ISSUES

III. PUBLIC COMMENTS/HOMEOWNER REQUESTS (15 minutes) *

- A. Members of the public may express their views to the Board on matters that affect the District. Comments will be limited to three (3) minutes. Questions may be asked of the Board but will not be answered at this time. Please refer to the Meeting Code of Conduct for additional guidelines.
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- B. Time permitting, after all attendees that wish to address that Board have had an opportunity within the allotted time, the Board will allow for a Question & Answer to be moderated by the Board President. Any person desiring to ask a question shall raise their hand and wait to be selected by the Board President before speaking.
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VI. ADJOURNMENT

**THE NEXT REGULAR MEETING IS SCHEDULED FOR WEDNESDAY,
FEBRUARY 19, 2025**

In 2023, the RVMD Board began discussions about RVMD's contractual obligation to provide landscape maintenance and snow removal services at no cost for private land and improvements owned by the Arrowhead Shores, Filing 14B, and Village First homeowner associations, which are private corporations. The contracts that impose these services obligation on RVMD were entered into two decades ago. Since then, RVMD has been using the tax money it collects from all its residents to provide the services to the three HOAs. As such, the taxes RVMD collects from half its residents are being spent to maintain land and improvements owned by private corporations for the benefit of their private landowner members.

RVMD is a local government. As such, RVMD's 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 and their private landowner members, unless the Board can clearly demonstrate all those services benefit all of RVMD's residents -- including the half who are not members of those HOAs -- in a way that equals or exceeds the value of the taxpayer funds being spent.

Since 1992, local governments like RVMD are subject to the Taxpayer's Bill of Rights, a Colorado Constitution law commonly called "TABOR." TABOR prohibits RVMD from entering into a multiple-fiscal year financial obligation without prior approval of its voters. Each HOA contract imposes a multiple-fiscal year obligation on RVMD. RVMD has never conducted an election for voter approval to provide in perpetuity the services to the three HOAs at no cost. To avoid violating TABOR the contracts with the Arrowhead Shores and Village First HOAs expressly entitle the Board to terminate those contracts by not appropriating taxpayer funds necessary for RVMD to provide services to the three HOAs in the next calendar year. The contract with the Filing 14B HOA does not contain the same provision and likely is invalid. Regardless, the Board still has the constitutional right to terminate that contract through non-appropriation of taxpayer funds.

The RVMD Board discussed this issue at its public meetings in 2023 and throughout 2024. It invited the three HOAs' boards to attend the RVMD Board's public meetings to provide their input. Some of those HOAs' members attended a few of the RVMD Board's public meetings and provided input. In late 2024, representatives of the HOAs' boards attended a RVMD Board meeting to provide their input. The 2025 budget the RVMD Board adopted did not appropriate taxpayer funds to provide services to the three HOAs and all three contracts terminated on December 31, 2024.

The Board has identified the following potential solutions:

- The HOAs pay RVMD to provide the services (new contracts).
- The HOAs pay for any services they want for the property they own.
- RVMD conducts an election in May 2025 to ask all its voters if RVMD should continue to provide the three HOAs services for their privately owned areas without charge, as well as for any other HOA that may want the same services.
- One or more of the HOAs and RVMD agree that certain HOA owned property will be conveyed to RVMD without charge.