

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
ROXBOROUGH VILLAGE METROPOLITAN DISTRICT

HELD

Tuesday, April 21, 2020

A special meeting of the Board of Directors of the Roxborough Village Metropolitan District (referred to hereafter as the “Board”) was convened on Tuesday, April 21, 2020 at 6:00 p.m. via ZOOM. The meeting was open to the public.

ATTENDANCE

In Attendance were Directors:

Calvin Brown
Debra Prysby
Ron Bendall
Ed Wagner
Garry Cook

Also in Attendance were:

Katie James, Esq.; Folkestad Fazekas Barrick & Patoile, P.C.
Scott Barnett; Mulhern MRE Inc.
Bill Barr; Metco Landscaping
Steven Bailey and George Beidenstein; Bailey Tree
Kimberly Armitage; Denver YMCA
Rick Stanzyk; Evolution Builders
Todd Wenskoski and Yishuen Lo; Livable Cities Studio
Anna Jones and Andrew Williams; CliftonLarsonAllen LLP
Ephram Glass; resident

CALL TO ORDER

The meeting was called to order at 6:08 p.m. by Director Brown.

**DECLARATION OF
QUORUM/DIRECTOR
QUALIFICATIONS/
DISCLOSURE MATTERS**

Director Brown declared a quorum was present, all directors are qualified.

APPROVE AGENDA

Upon a motion duly made by Director Brown, seconded by Director Bendall, and upon vote unanimously carried, the Board approved the agenda with the addition of an item on the

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Consent Agenda to approve the March 10, 2020 Special Meeting minutes.

PUBLIC COMMENT and/or GUESTS

None.

CONSENT AGENDA

- A. Consider Approval of the March 24, 2020 Special Meeting Minutes
- B. Consider Approval of March 10, 2020 Town Hall Special Meeting Minutes
- C. Review and Accept the March 16, 2020 Cash Position and Property Tax Schedule

After review, upon a motion duly made by Director Prysby, seconded by Director Bendall, and upon vote unanimously carried, the consent agenda was approved.

DISCUSSION AGENDA ACTION ITEMS

- A. Review and Consider Approval of Current Claims, Approve Transfer of Funds, Ratify Payment of Autopay Claims and Ratify Approval of Previous Claims

Ms. Jones reviewed the claims with the Board. After discussion, upon a motion duly made by Director Prysby, seconded by Director Wagner, and upon vote unanimously carried, the Board approved current claims, approved the transfer of funds, ratified payment of autopay claims, and ratified approval of previous claims.

- B. Discussion Regarding Bill.com

Discussion ensued regarding the use of bill.com instead of traditional paper checks. After discussion, upon a motion duly made by Director Prysby, seconded by Director Bendall, and upon vote unanimously carried, the Board approved using bill.com moving forward, with the approvers being the Board President and Treasurer, with all Board members having access to review.

DIRECTOR ITEMS

- A. Fall Festival Updates
 - 1. Fireworks and DJ Status

Director Brown provided an update about the Fall Festival. The event will hopefully be on track for the scheduled September 12th date. Mr. Sangster will

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follow-up with Director Brown regarding the DJ updates.

- B. Town Hall Recap
1. Next Steps – Frequency

The Board agreed that quarterly Town Hall Meetings would be appropriate. Director Bendall noted that these could be conducted via ZOOM if needed. Director Prysby agreed.

- C. Steve Sherman Gift

Ms. Jones updated the Board.

- D. Other

Director Prysby suggested another monument be added at Waterton Canyon Road near Rampart Range Road, near the emergency access for Chatfield Estates. She suggested it be similar to Village Circle and Rampart Range Road, with posts for banners and ability to install holiday lights. She suggested the District reallocate some of the unused election budget for the new monument. Director Prysby will follow up with Mr. Barnett.

MANAGER MATTERS

- A. Website Updates – photos, bios of new members

Ms. Jones discussed the update with the Board noting that updates will be completed after the May 5th election. There were no questions.

- B. Discuss Master Plan Next Steps

1. Consider Resolution Approving the Final Master Plan

The Board thanked Mr. Wenskoski and team for their hard work. After discussion, upon a motion duly made by Director Prysby, seconded by Director Wagner, and upon vote unanimously carried, the Board adopted the Resolution Approving the Final Master Plan as it was presented by Livable Cities Studios by email dated April 16, 2020.

2. Website Platform Review

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Mr. Wenskoski and Ms. Lo reviewed the website platform with the Board. Director Prysby asked about the ability to update sections, and update as the plan is implemented. The website will be pushed via social media, newsletter and HOA's.

3. Discuss Feasibility Study and Spillway Design

Kimberly Armitage provided an update on the feasibility study and will provide more updates during the May 7th Special meeting. She will outline the timeline for projects, initial analysis and other sub-consultants that may be recommended.

Mr. Wenskoski provided a brief overview of the spillway design and provided some mapping and existing condition photos for initial feedback from the Board. The Board discussed the two options presented. Mr. Wenskoski indicated he would be able to look at a phased approach and a hybrid of Options 1 and 2. Director Wagner indicated Mr. Sherman had ideas regarding combining ponds 1 and 2. Discussion ensued. The Board directed Mr. Wenskoski to pursue the options outlined above.

C. Update of Rec Center Site Feasibility Study

Discussed above.

D. Update on Toilets and Fountains Approximate Install May 10th

Ms. Jones updated the Board..

E. Other

None.

LEGAL MATTERS

A. Election Related Items

Ms. James updated the Board. As of the May 5, 2020 election date, Calvin Brown and Ephram Glass will serve having both been elected by acclamation.

B. Douglas County Tax Deferments

Ms. James reviewed this with the Board.

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C. Update on Possible Encroachments

Ms. James sent the follow up letter to the Bingham's. Upon a motion duly made by Director Bendall, seconded by Director Wager, and upon vote unanimously carried, the Board authorized to move ahead with the survey if no response is received in 14 days.

D. Update Regarding 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.

E. Discuss Resident Project/Event Request Policy

Ms. James discussed this with the Board. She will have a structured framework for resident participation policy at the next meeting.

F. Discuss Park Playground Maintenance and Replacement

Ms. James reviewed this with the Board, indicating there was some confusion regarding District responsibility. Her recommendations were in her memo to the Board that was included in the packet. Director Prysby asked about Chatfield Farms and its dedicated budget. She also asked for a pro/con analysis regarding playground maintenance, equipment and District involvement. Director Bendall indicated the District has paid for repairs in the past. The Board agreed to repair the existing equipment in Crystal Lake Park per the HOA request. Ms. James will bring an analysis of the various contracts and governing agreements for all playground areas in the District to the May meeting so the Board can consider an overall consistent approach and policy for repairs.

G. Discuss HOA Mapping

Ms. James reviewed this with the Board. Her office has been working with Mulhern to gather information needed to create an accurate map.

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H. Ratify the Expenditures for Signs to Close Parks, Approve Resolution Ratifying Expenditures for Signs to Close Parks

After discussion, upon a motion duly made ty Director Prysby, seconded by Director Brown, and upon vote unanimously carried, the Board ratified approval of expenditures for sign to close parks and approved the Resolution Ratifying Expenditures for Signs to Close Parks.

I. Resolution Appointing Principal Executive Officer and Resolution Declaring a Local Disaster Emergency

After review and discussion, upon a motion duly made by Director Bendall, seconded by Director Wagner, and upon vote unanimously carried, the Board approved the Resolution Appointing Principal Executive Officer and appointed Director Brown as the Principal Executive Officer for the District.

Upon a motion duly made by Director Cook, seconded by Director Bendall, and upon vote unanimously carried, the Board approved the Resolution Declaring a Local Disaster Emergency to declare a disaster for a seven-day period and to automatically extend it to 30 days if possible. If needed, the Board will have a Special Meeting next week to evaluate extension.

J. Discuss Letter from Sterling Ranch CAB re: need for relocation due to road widening and conflicts regarding same

Mr. Barnett reviewed the process to reach an agreement with Sterling Ranch via a reimbursement agreement at the beginning of the project so that it is clear what the procedure is going forward. Mr. Barnett will oversee the project.

After discussion, upon a motion duly made by Director Prysby, seconded by Director Bendall, and upon vote unanimously carried, the Board authorized legal counsel and District Engineer to work with Sterling Ranch and to enter into a cost sharing/reimbursement agreement so that the project can move forward.

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K. Discuss Request from 7752 Rampart Way

After discussion, upon a motion duly made by Director Wagner, seconded by Director Prysby, and upon vote unanimously carried, the Board declined to make any changes to the existing easement.

L. Other

None.

ENGINEERING MATTERS

A. Review and consider approval of proposal from Chavez Services LLC for project at Halley Drive and Dusk Street - \$11,640

Mr. Barnett reviewed need to replace the trail. Discussion ensued, including questions regarding combining this project with other projects to possibly reduce the mobilization costs. After discussion, the Board tabled this item in order to look at other areas of the trail that could also be included.

B. Status of Leaking 6 Inch Main Line Valve

Mr. Barnett reported that this has been completed

C. Update on Bids for Dugout and Approve a NTE \$ for the work

Mr. Barnett updated the Board, indicating Jay Fells has been able to go out to the site and indicated the least expensive cost was \$16,000 to \$18,000. The Board has \$4,200 in donated funds to apply toward the work. Ms. Jones mentioned the feasibility study may not be concluded and could cause a conflict with adding the dugouts if they could possibly need removal during any future work on site.. Director Cook indicated he was not present when the original proposal was brought to the Board. The Board tabled this item until the next meeting when Mr. Fells can provide a detailed proposal for review and approval.

D. Irrigation Plan Updates

Mr. Barnett updated the Board.

E. Proposal from Hydrosystems for District Aerials.

Mr. Barnett reviewed with the Board. Upon a motion duly made by Director Bendall, seconded by Director Wagner, and upon

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vote unanimously carried, the Board approved the proposal from Hydrosystems for the District aeriels.

F. Other

Mr. Barnett discussed 7 Acres Pond proposal for \$75,000 of embankment work for 500 feet distance. The Board decided to stay within the \$60,000 cost parameters decided at the last meeting and asked for a reduced proposal.

**LANDSCAPE
MAINTENANCE**

A. Metco Landscape Report

Mr. Barr reviewed the status of landscaping work in the District, noting that Metco and Bailey met together and Bailey is planting trees per that meeting. The irrigation system is running.

B. Discuss Park Closures and Skate Park Remedies and Consider Approval of \$15,000 Proposal for Cedar Mulch

Mr. Barr noted that the play areas have been taped off. He proposes putting 50 yards of mulch in the skatepark and can reuse later for the planting beds. He will tape off all drains before putting in mulch. Director Wagner and Director Cook indicated they would prefer to leave the parks as is and not use mulch.

C. Bailey Tree Updates

Mr. Bailey discussed the new tree plantings and the documentation moving forward so that successes/failures will be documented.

D. Other

None.

OTHER BUSINESS

A. Confirm Quorum for May 19, 2020 Regular Meeting at the Library

Upon a motion duly made by Director Prysby, seconded by Director Wagner, and upon vote unanimously carried, the Board confirmed a quorum for the May 19, 2020 Regular Meeting at the Library.

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ADJOURNMENT

Upon a motion duly made by Director Prysby, seconded by Director Wagner, Board adjourned the meeting at 9:06 p.m.

Respectfully submitted,

DocuSigned by:
Calvin Brown _____
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Calvin Brown, President

Attest:

DocuSigned by:
Ed Wagner _____
7D9BACB4D52C4E3...ner, Secretary

Certificate Of Completion

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| Subject: Please DocuSign: 4-21-20 minutes.pdf | |
| Client Name: Roxborough Village MD | |
| Client Number: 011-070155 OS02-2020 | |
| Source Envelope: | |
| Document Pages: 9 | Signatures: 2 |
| Certificate Pages: 5 | Initials: 0 |
| AutoNav: Enabled | Envelope Originator: |
| Envelope Stamping: Enabled | Kathy Suazo |
| Time Zone: (UTC-06:00) Central Time (US & Canada) | 220 South 6th Street |
| | Suite 300 |
| | Minneapolis, MN 55402 |
| | Kathy.Suazo@claconnect.com |
| | IP Address: 67.137.57.251 |

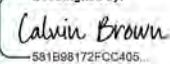
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Signer Events

Calvin Brown
 cbrown8556@hotmail.com
 Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

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 Signature Adoption: Pre-selected Style
 Using IP Address: 97.122.79.242

Timestamp

Sent: 6/26/2020 4:04:56 PM
 Viewed: 6/28/2020 10:45:35 AM
 Signed: 6/28/2020 10:54:44 AM

Electronic Record and Signature Disclosure:
 Accepted: 6/28/2020 10:45:35 AM
 ID: 3cf166e2-1359-4ad5-bc2a-07e7bb0cda60

Ed Wagner
 edward.wagner99@gmail.com
 Security Level: Email, Account Authentication (None)

DocuSigned by:

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 Signature Adoption: Pre-selected Style
 Using IP Address: 73.169.16.204

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| In Person Signer Events | Signature | Timestamp |
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| Editor Delivery Events | Status | Timestamp |
| Agent Delivery Events | Status | Timestamp |
| Intermediary Delivery Events | Status | Timestamp |
| Certified Delivery Events | Status | Timestamp |
| Carbon Copy Events | Status | Timestamp |
| Witness Events | Signature | Timestamp |
| Notary Events | Signature | Timestamp |

| Envelope Summary Events | Status | Timestamps |
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| Signing Complete | Security Checked | 6/28/2020 10:54:44 AM |
| Completed | Security Checked | 6/28/2020 10:54:44 AM |

| Payment Events | Status | Timestamps |
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