
MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
ROXBOROUGH VILLAGE METROPOLITAN DISTRICT
HELD

Tuesday, February 21, 2017

A regular meeting of the Board of Directors of the Roxborough Village Metropolitan District (referred to hereafter as "Board") was convened on Tuesday, February 21, 2017 at 6:30 p.m., at the West Metro Fire Station 15, 6220 N. Roxborough Park Road, Littleton, CO 80125. The meeting was open to the public.

ATTENDANCE

In Attendance were Directors:

Judi Holden
Calvin Brown
Bob Clinard
Ron Bendall
Linda Goodrich

Also in Attendance were:

Ed Yeats; Resident; 8049 Eagleview Drive, Littleton 80125
Steve Sherman; Resident, 10585 Cross Country Lane,
Littleton 80125
Katie James, Esq.; Folkestad Fazekas Barrick & Patoile, P.C.
Steve Smith; BrightView Landscape
Scott Barnett; Mulhern Engineering
Cynthia Beyer; CliftonLarsonAllen, LLP
Ray Sperger; Ark Ecological

**CALL TO ORDER
AND APPROVE
AGENDA**

The meeting was called to order at 6:30 p.m. by Director Holden.

The Board requested that the agenda be amended as follows: Item 6(B) "Update/Discussion on Memorial" is moved from the Legal Matters section to Item 2(C) of the Public Comment and/or Guests section and Item 8(A) "Planning and Coordination for 7 Acre Pond with Ark Ecological" was moved to 5(A) of the Director Items section.

Upon a motion duly made by Director Clinard, seconded by Director Brown and, upon vote, unanimously carried, the Board approved the agenda as amended.

RECORD OF PROCEEDINGS

PUBLIC COMMENT and/or GUESTS

A. 26th Annual Easter Egg Hunt - April 8th Ball Field & Gazebo

The Board directed the District Manager to add items "A" and "B" to the agenda as informational items only in the future. These are annual events that take place. The Board also directed the District Manager to check if a rain date was needed for either of these events.

B. 16th Annual Garage Sale Day - May 13th Park's Main Parking Lot & Gazebo

This item is referenced above.

C. Request for Memorial

Residents Steve Sherman and Ed Yeats requested information related to options for a Memorial. Ms. James discussed the approved Memorial Policy for the District. After discussion, the Board requested that Mr. Sherman and Mr. Yeats determine which memorial option would best suit their needs for the Board's review and consideration at the next Board meeting.

D. Other

Director Goodrich addressed the Board as a resident and member of the community and encouraged everyone to attend the Roxborough Archaeological Society Fundraiser. The group is looking to raise \$25,000.00.

ADMINISTRATIVE MATTERS

A. Consider Approval of Minutes of the January 17, 2017 Regular Meeting

Upon a motion duly made by Director Clinard, seconded by Director Holden and, upon vote, unanimously carried, the Board approved the minutes of the January 17, 2017 Regular Meeting.

B. Other

None.

RECORD OF PROCEEDINGS

FINANCIAL MATTERS

A. Review and Accept Financial Statements and Updated Cash Position as of December 31, 2016

Ms. Beyer discussed the Financial Statements and Updated Cash Position as of December 31, 2016. The Board directed Ms. Beyer to determine why the Landscape Irrigation Maintenance and the Repairs and Maintenance Line Items were over budget. The Board directed Ms. Beyer to inquire with the District's Accountant if a request had been made from Chatfield Farms for funds.

B. Follow-up on What Was this IRS Penalty Paid – A filing deadline for the 941 Form was missed (by one day) and the IRS assessed a penalty. The amount of the penalty was deducted from the CliftonLarsonAllen LLP December invoice for the District

Ms. Beyer discussed what happened with the IRS Penalty that was paid and the refund given to the District on its CliftonLarsonAllen LLP December invoice.

C. Review and Consider Approval of Current Claims, Approve Transfer of Funds, and Ratify Payment of Autopay Claims

Ms. Beyer presented the claims, transfer of funds and ratification of autopay claims. The Board requested that the District Manager inquire as to what the payment in the amount of \$504.00 to IREA was for.

Following review, upon a motion duly made by Director Goodrich, seconded by Director Clinard and, upon vote, unanimously carried, the Board approved the current claims, transfer of funds, and ratified payment of the autopay claims, subject to the research Ms. Beyer will be conducting with regard to the difference in the IREA amount paid for the month of December.

D. Review and Consider Approval of Audit Engagement Letter from L. Paul Goedecke P.C. to prepare 2016 Audit

Ms. Beyer explained to the Board the increase in fees for audit preparation services as compared to the prior year.

Following review, upon a motion duly made by Director Clinard, seconded by Director Goodrich and, upon vote, unanimously carried, the Board approved the Audit Engagement Letter from L. Paul Goedecke P.C. to prepare 2016 Audit.

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E. CLA ADP Payment and Notifications

Ms. Beyer explained to the Board the issue with the ADP Payment and apologized for any inconvenience the notifications may have caused. Ms. Beyer will request that notifications are sent for only those Board members who desire it.

F. Other

None.

DIRECTOR ITEMS

A. Other

Scott Barnett informed the Board about his meeting with Ray Sperger, who discussed the various options and pricing for the proposed remediation in the 7 Acre Pond. Mr. Sperger advised that the price for the work is \$15,000 which would include the planting materials and planting the plants in the pond and that the timing for completion is weather dependent. The Board expressed their concerns regarding the lack of follow through for prior years' commitments to completing the work that was outlined in the Services Agreements.

Mr. Sperger was asked to provide notification when he sprays and it was agreed that he will contact the District Manager with his schedule, who will then post it on the webpage and notify the Board members by email, as well.

LEGAL MATTERS

A. Update Regarding Final Water Due Diligence Filing and Executive Session Pursuant To C.R.S., Section 24-6-402(4)(B) and for the Purposes of Receiving Legal Advice on Specific Legal Questions, if requested

No Executive Session was required. Ms. James advised the Board that the decree is being prepared by Mr. Cyran. Ms. James stated she has not heard from the water attorney on status of the decree preparation, but will follow up with him.

B. Update/Discussion on current Memorial Policy

This item was moved to 2(C) under Public Comment and/or Guests section.

RECORD OF PROCEEDINGS

C. Review and Consider Approval of Amended 2017 Annual Administrative Matters Resolution

Following review, upon a motion duly made by Director Clinard, seconded by Director Goodrich and, upon vote, unanimously carried, the Board approved the Amended 2017 Annual Administrative Matters Resolution.

D. Review and Consider Approval of Resolution Ratifying the January 2017 Meeting Agenda, Meeting, and Meeting Minutes

A question had arisen with regard to whether or not the posting of the Notice of Regular Meetings for 2017 had taken place prior to the January meeting. It was determined that it had not and to avoid any issues, Ms. James recommended approval of this resolution which would ratify all discussion and actions taken at the January meeting.

Following review, upon a motion duly made by Director Clinard, seconded by Director Goodrich and, upon vote, unanimously carried, the Board approved the Ratification of the January 2017 Meeting Agenda, Meeting, and Meeting Minutes.

E. Review and Consider Approval of Two Changes to the CLA Accounting Engagement Letter with clarification from Janece Soendker regarding Preparation Services versus Compilation Services (both enclosed):

Ms. James reviewed the explanation provided by Ms. Soendker.

i. CliftonLarsonAllen, LLP Accounting Engagement Letter Amendment

Following review, upon a motion duly made by Director Clinard, seconded by Director Goodrich and, upon vote, unanimously carried, the Board approved CliftonLarsonAllen, LLP Accounting Engagement Letter Amendment.

ii. Cash Access Addendum

Following review, upon a motion duly made by Director Clinard, seconded by Director Goodrich and, upon vote, unanimously carried, the Board approved the Cash Access Addendum.

RECORD OF PROCEEDINGS

F. Other

Ms. James discussed the letter dated February 20, 2017 from Adam Brown at Hindman Sanchez. The Roxborough Village Filing No. 14B Homeowners Association requested an initial discussion with the District as to whether the District would consider accepting the responsibility for maintenance of common area tracts within the Homeowner's Association. The Board directed staff to review the License Agreements previously entered into with the Homeowner's Association to determine what, if any, potential legal issues there are concerning this possible acquisition from the HOA. The Board tabled the matter until the Aerial Maps could be reviewed and the Board has more information.

LANDSCAPE MAINTENANCE

A. BrightView Landscape Report for February - Steve Smith

Mr. Smith provided the February Monthly Maintenance Report and proposed work orders to the Board

Following review by the Board, the proposed work order was not approved.

B. Other

None.

ENGINEERING MATTERS

A. Planning and Coordination for 7 Acre Pond with Ark Ecological

This item was moved to the Director Items section.

B. Irrigation Pump Station Update

Scott Barnett updated the Board that the coating was complete.

C. Other

Mr. Barnett indicated that he had contacted another biologist regarding solutions for the 7 Acre pond restoration project. Director Holden asked the Engineer if inlets to the culverts posed any issues at the 7 acre pond.

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Following review, upon a motion duly made by Director Clinard, seconded by Director Holden and upon vote, unanimously carried, the Board approved a Services Agreement with Ark Ecological, subject to legal counsel review and approval and composed of two parts: 1) to complete the work in the proposed larger area above water level; and 2) completion of the work below the water level.

The District Engineer is to provide 3-5 days notice to Ark Ecological when the pond depth is at a level acceptable for the underwater work, and allow 2-5 days for Ark to complete the work. The above water work must be completed within 60 days and the below water work must be completed by August 2017 and was not to exceed \$15,000.

Discussion ensued regarding the use of BrightView Landscaping Services for mowing the areas surrounding the 7 acre pond.

Following review, upon a motion duly made by Director Clinard, seconded by Director Goodrich and, upon vote, unanimously carried, the Board approved BrightView Landscaping to mow the border area of the 7 acre pond and not to exceed the amount of \$500.00. BrightView will review the current maintenance map of the areas to determine if this is already included in their contract.

MANAGER MATTERS

A. Pricing for other Field Rentals in Surrounding Area

Ms. Beyer provided information as to the pricing for the field rental in the surrounding areas.

B. RUSH Fees Update

Ms. Beyer presented the current field use fees for RUSH Soccer. Board directed the District Manager and BrightView to coordinate a price for maintaining the soccer and ball field to better determine what the price for the rentals should be.

C. Sterling Ranch ,LLC Notification regarding Tree Removal

Ms. Beyer will contact the representative for Sterling Ranch, LLC to get the dead trees removed.

D. Damages to Restroom

Ms. Beyer informed the board of the failure of the District Manger to request winterization of the restrooms. A claim has been filed with the insurance company, but the amount of damage cannot be assessed until

RECORD OF PROCEEDINGS

spring. CLA is taking responsibility for payment for any associated required repairs.

E. Other

None.

**OTHER
BUSINESS**

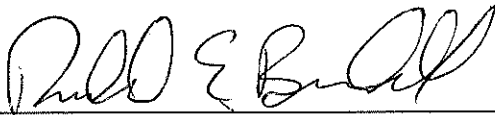
A. Confirm Quorum for Next Meeting – March 21, 2017 at 6:30 p.m. at the West Metro Fire Station 15

Directors Clinard and Holden may not be present at the March Meeting.

ADJOURNMENT

Upon a motion duly made by Director Holden, seconded by Director Goodrich and, upon vote, unanimously carried, the Board adjourned the meeting at 9:28 p.m.

Respectfully submitted,

By: 

Ronald E. Bendall/Secretary for the Meeting