

RECORD OF PROCEEDINGS

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

HELD

Tuesday, August 15, 2017

A regular meeting of the Board of Directors of the Roxborough Village Metropolitan District (referred to hereafter as the "Board") was convened on Tuesday, August 15, 2017 at 6:30 p.m., Roxborough Library, Roxborough Market Place, Meeting Room, 8537 N. Rampart Range Road, Littleton, CO 80125. The meeting was open to the public.

ATTENDANCE

In Attendance were Directors:

Judi Holden
Calvin Brown (attended telephonically)
Linda Goodrich
Bob Clinard
Ronald Bendall

Also in Attendance were:

Katie James, Esq.; Folkestad Fazekas Barrick & Patoile, P.C.
Steve Smith and Eric Keesen; BrightView Landscape
Scott Barnett; Mulhern Engineering
Cynthia Beyer; CliftonLarsonAllen LLP

Megan Lindholm, Colorado RUSH Soccer
Tim Schule, Colorado RUSH Soccer
Debbie Prysby, Resident

**CALL TO ORDER AND
APPROVE
AGENDA**

The meeting was called to order at 6:32 p.m. by Director Holden.

Upon a motion duly made by Director Clinard, seconded by Director Holden, and upon vote unanimously carried, the Board approved the agenda which was amended to include discussion regarding use of the Open Space Hogback Area above Red Mesa ("The Hill").

**PUBLIC
COMMENT and/or
GUESTS**

Megan Lindholm and Tim Schule from Colorado RUSH Soccer introduced themselves. Mr. Schule asked if the District had another park for fall soccer use since the soccer fields are not ready for the fall season. They are checking with Douglas County regarding field usage for the Fall of 2017.

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During this discussion the Board requested that the soccer goals be rotated to assist in the prevention of wear and tear on the fields, as well as the soccer organization potentially contributing to the cost of maintaining the fields for their use. Mr. Schule agreed to rotate the goals going forward and to Colorado RUSH Soccer contributing to the District's cost of maintenance for the field.

ADMINISTRATIVE MATTERS

- A. Consider Approval of the July 18, 2017 Regular Meeting Minutes and the July 26, 2017 Special Meeting Minutes

Following discussion, upon a motion duly made by Director Goodrich, seconded by Director Holden, and upon vote unanimously carried, the Board moved to table approval of both sets of minutes until the August 29, 2017 Special Meeting.

FINANCIAL MATTERS

- A. Review and Accept Updated Current Cash Position

Ms. Beyer reviewed the updated current Cash Position. After review, upon a motion duly made by Director Clinard, seconded by Director Holden, and upon vote unanimously carried, the Board accepted the current Cash Position.

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

Ms. Beyer reviewed the Current Claims, Transfer of Funds and asked the Board to Ratify the Payment of the Autopay Claims. After discussion, upon a motion duly made by Director Clinard, seconded by Director Goodrich, and upon vote unanimously carried, the Board approved the current claims, approved the transfer of funds and ratified payment of Autopay claims.

- C. Other

Ms. Beyer advised that there were no guests that paid under the current Foothills Agreement.

DIRECTOR ITEMS

- A. Discussion of The Hill

Director Clinard stated he had received an email from a resident regarding usage of The Hill by various residents. The resident was concerned regarding the after dark usage by various residents and the potential liability to the District. The Board directed the District Manager to research what verbiage is used by Douglas County on its signs for similar open spaces. The Board approved restricting access to the area after dark.

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Director Goodrich reminded the Board of the fundraising event for the Kiln on Saturday from 10:00 a.m. to Noon. The funds raised will contribute to the grant to stabilize the Kiln.

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

An Executive Session was not needed since the Board had a special meeting on July 26, 2017 to hear from the consultants.

- B. Review and Consider Approval of Agreement with Leonard Rice Consulting Water Engineers, Inc., D/B/A Leonard Rice Engineers, Inc. to Provide Continued Water Engineering Support

Mr. Barnett presented phases 1-3 for water due diligence, developed by Mr. Barnett and Mr. Roush. Director Bendall asked what the next steps are. Mr. Barnett stated he will consult with Mr. Roush and obtain a scope and the costs of monitoring equipment for the ponds and the time needed for data collection so that the Board may consider its options at the next regular meeting. Ms. James presented the Resolution and Services Agreement for Leonard Rice Engineers, Inc. Upon a motion duly made by Director Clinard, seconded by Director Bendall, and upon vote unanimously carried, the Board approved the Agreement in a not-to-exceed amount of \$2,000.00

- C. Review and Consider Approval of Engagement Letter for Hoskin Farina & Kampf, P.C.

Ms. James presented the Engagement Letter for the services of John Cyran, the water attorney, to the Board. After review, upon a motion duly made by Director Bendall, seconded by Director Clinard, and upon vote unanimously carried, the Board approved the Engagement Letter for Hoskin Farina & Kampf, P.C.

- D. Discuss Potential for Approval of Fishing in Drainage Ponds

Ms. James presented a summary of the research done by her firm regarding the fishing in the drainage ponds and will follow up with a memo regarding same. Upon a motion duly made by

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Director Holden, seconded by Director Clinard, and upon vote unanimously carried, the Board tabled discussion on this matter.

E. Chatfield Farms Annual Report and Approve for Payment to Developer

Ms. James presented her research and findings on the payments to the Chatfield Farms. In 2012, the Board ratified payment of the Chatfield Farms expenses and payments for that year. Ms. James summarized that it is permissible to pay as District funds are available and will send the Board the information received from Ms. Soendker for their review. It was also discovered that Mr. Fishman is no longer with Land Securities Investors LTD, the developer for Chatfield Farms and that the address change for the developer had been filed with the Colorado Secretary of State office. The developer is still in business and we now have the address to send the check if the Board desires.

F. Update on the Mainline Repair and Damage

Ms. James gave an update on the mainline repair and the damages sustained by the District. BrightView had estimated costs of \$168 to turn off the water, but no repairs were done by BrightView. There is believed to be approximately \$410.96 in additional claims. Ms. James will send a demand letter to Douglas County for the \$165.00 for the repair cost due to the District.

G. Services Agreement for Outfield Work for Scott Maynard

Ms. Beyer mentioned that her office had received requests to extend the softball season past September 17th, but because of the strict timing requirements of Outfield Refurbishing Project and the need to establish the newly laid turf before the cold weather sets in, the Board declined. Mr. Maynard indicated he could complete the project within a two week timeframe. Upon a motion duly made by Director Clinard, seconded by Director Goodrich, and upon vote unanimously carried, the Board approved the Services Agreement for the Softball Outfield Refurbishing Project for Scott Maynard Productions, LLC.

H. Clarification of the Safeway Meters and Chatfield Farms Maintenance

Ms. James and Mr. Barnett explained their findings regarding the Chatfield Estates meters. Both will investigate the matter further

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to determine the rights and responsibilities of the parties involved, for use and maintenance.

I. Other – No additional legal matters.

A. BrightView Landscape Report for July

Mr. Smith presented the July Landscape Report, noting that the majority of the turf is looking much better than it was in June. Mr. Smith clarified what BrightView's current process is with regard to the beauty bands in the District and the Board reminded BrightView that according to paragraph 3.1.a of their contract the areas adjacent to road rights-of-way are to be treated as turf and beauty bands are to be mowed weekly. It was agreed that BrightView would provide the spray MSDS information sheets for Ms. Beyer to publish on the webpage for the District. BrightView will also be cutting the low hanging branches and trimming the trees.

In addition, Director Clinard requested that the dead areas be cleaned up in the gravel areas of the medians and Director Holden asked for confirmation of the watering schedule at Crystal Lake as it appears to be going off in the early morning hours.

B. Proposed Work Orders:

1. Removal of Dead or Declining Trees - \$15,709.09
2. Tree Replacement - \$4,941.66
3. Sod and Miscellaneous Projects - \$12,993.74
4. Aerate Seed Top Dress - \$11,510.07
5. Seed Option - \$3,222.80
6. Convert and Repurpose Rampart Playground - \$8,879.57

C. Overseeding/Reseeding on Soccer Field

D. Discuss Crystal Lake and Arrowhead Shores Maintenance Issues

Upon a motion duly made by Director Holden, seconded by Director Clinard, and upon vote unanimously carried, the Board tabled Landscape Maintenance Items B, C and D to the September 19th regular meeting.

A. 7 Acre Pond Update

B. Irrigation Pump Station Update

LANDSCAPE MAINTENANCE

ENGINEERING MATTERS

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C. Water Rights Brainstorming Session

D. Other

The Board tabled these items to the September 19th regular meeting.

MANAGER MATTERS

A. Playground Updates

B. Update on B & B Builders to Install Ceramic Tiles in Community Park Restroom

C. Discuss Landscape Bids

D. Water Fountain Pricing

E. Suggested Plumbers

F. Property Tour Dates

G. Other

The Board tabled these items to the September 19th regular meeting.

OTHER BUSINESS

None.

ADJOURNMENT

Upon a motion duly made by Director Goodrich, seconded by Director Clinard, and upon vote unanimously carried, the Board adjourned the meeting at 9:05 p.m.

Respectfully submitted,

By: P. E. Clinard
9/19/17, Assistant Secretary