

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
SPRING MESA METROPOLITAN DISTRICT (THE "DISTRICT")
HELD
JUNE 16, 2021

A special meeting of the Board of Directors of the Spring Mesa Metropolitan District (referred to hereafter as the "Board") was convened on Wednesday, June 16, 2021, at 5:00 p.m. **Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board meeting was held via Microsoft Teams. The meeting was open to the public.**

ATTENDANCE

Directors In Attendance Were:

Mark Entman, President
Sharon Miner, Vice President
Rich Waterman, Assistant Secretary
Wayne Harris, Secretary
Carrie Kilpatrick, Treasurer

Also, In Attendance Were:

Lisa Johnson, Rebecca Gianarkis & Yelena Primachenko; CliftonLarsonAllen LLP
Nicole Finco; Spencer Fane LLP
Theresa Scholz, David and Stacy Dhein & Joe Rausch; Residents

ADMINISTRATIVE MATTERS

Call to order and agenda: Ms. Johnson called the meeting to order at 5:08 p.m. Upon a motion duly made by Director Miner, seconded by Director Kilpatrick and, upon vote, unanimously carried, the Board approved the agenda as amended to include the addition of an item confirming the quorum for the next Board meeting, and an item discussing a resident request for the District to clean up private property due to open space mowing efforts in Torrey's Peak.

Quorum, Location of Meeting, Posting of Meeting Notices: A quorum was confirmed with the location of the meeting and posting of the meeting notice.

Public Comment: None.

CONSENT AGENDA

Minutes of the April 8, 2021 Special Meeting:

Interim Check List in the Amount of \$42,274.86:

Upon a motion duly made by Director Kilpatrick, seconded by Director Entman

RECORD OF PROCEEDINGS

and, upon vote, unanimously carried, the Board approved the Consent Agenda items.

FINANCIAL MATTERS

Unaudited Financial Statements for the period ending March 31, 2021 and Monthly Reports: Ms. Primachenko reviewed the Unaudited Financial Statements and Monthly Reports with the Board. Upon a motion duly made by Director Waterman, seconded by Director Kilpatrick and, upon vote, unanimously carried, the Board accepted the Unaudited Financial Statements for the period ending March 31, 2021 and Monthly Reports as presented.

2020 Draft Audit: Ms. Primachenko reviewed the 2020 Draft Audit with the Board. Following discussion, upon a motion duly made by Director Kilpatrick, seconded by Director Waterman and, upon vote, unanimously carried, the Board accepted the 2020 Draft Audit, subject to receipt of a clean opinion by the auditor.

Other: None.

DIRECTOR MATTERS

Landscape Update: Director Miner provided a landscape update to the Board, noting that the City of Arvada has not yet mowed native grass spaces. She stated that she will solicit extra work proposals from Metco and present them to the Board for review and approval. Director Kilpatrick suggested adding a statement and a map to the District website regarding the District's policy on native grass mowing in anticipation of resident inquiries. Director Miner and Ms. Johnson agreed. Ms. Johnson requested that the statement be sent to her to consult with Attorney Finco prior to posting.

Status of Underdrain Maintenance Responsibilities: Ms. Johnson and Director Harris reported that the underdrain jetting that was necessary earlier in the spring was completed. Director Harris suggested that the Board solicit bids in 2022 for this work, as the per-hour cost increased significantly from last year. The Board agreed with this suggestion.

Status of Solicitation of Firms Regarding Pond Design Rehabilitation: The Board discussed the lack of interest from design engineers in pond rehabilitation. The Board stated that they will continue to solicit interest for the project if possible. Director Harris provided a brief update to the Board on the pond status and maintenance that he completes daily.

Update on Grant Related to the Installation of Little Libraries: Ms. Scholz provided an update to the Board on the grant related to the installation of little libraries. She stated that the District did not receive the grant, but that it can apply again in the future. Consequently, residents are stepping forward to personally fund a few little libraries. Director Entman asked if residents in the vicinity of the proposed locations have been consulted regarding little library

RECORD OF PROCEEDINGS

placement. Director Kilpatrick stated that she will work with Ms. Scholz to consult residents and serve as a liaison to the Board regarding the little library projects. The Board agreed to the installation of little libraries, pending approval of final location consent by surrounding homeowners.

Status of Request for Proposals Related to Accounting Services: Director Kilpatrick stated that she wrote a letter requesting proposals for accounting services and will send it out once revisions have been made. Ms. Johnson noted that she will send a list of governmental accounting firms she has worked with in the past to Directors Kilpatrick and Waterman for inclusion in the solicitation for proposals.

LEGAL MATTERS

Collection of Delinquent Fees Update: Attorney Finco provided an update to the Board on the collection of delinquent fees. She stated that outstanding fees are approximately \$1,300 and that approximately half of that amount has been collected to date. Director Entman asked if the District will spend more funds pursuing the remaining fees rather than those they will collect. The Board discussed whether the District would eventually pursue placement of a lien for residents with outstanding fees. Attorney Finco suggested sending a second notice letter in attempt to collect the remaining delinquent fees, and the Board agreed. Attorney Finco noted that she will provide an update at the next meeting.

Other: None.

MANAGER MATTERS

Noise and Pond Quality Enforcement: Ms. Johnson presented the email from Ms. Scholz regarding the noise and pond quality enforcement, and Ms. Scholz provided further context. Discussion followed regarding the possibility of adding signs to the area including language requesting refrain from use of gas-powered vehicles. Topics also included sign cost, concerns about pedestrian safety in areas with gas-powered vehicle use, enforcement of new rules, and related liability. The Board acknowledged that it does not have enforcement power on this matter, and that the complaint has only been raised once thus far. The Board determined to defer any action and to monitor for any additional complaints from residents.

Agreement for Services with L.B. Ecological, Inc.: Director Miner asked if L.B. Ecological services the detention ponds. Director Harris confirmed that all three detention ponds are included in the Agreement for Services. Upon a motion duly made by Director Miner, seconded by Director Entman and, upon vote, unanimously carried, the Board ratified the Agreement for Services with L.B. Ecological, Inc. as presented.

Resident Request for District Clean-Up in Torrey's Peak: Ms. Johnson summarized the resident request concerning grass clippings on her property caused by open space trimming/landscape services and the potential barriers to

RECORD OF PROCEEDINGS

address the resident request. Director Miner suggested that the District cease string cutting the grass along the wall. Discussion followed regarding precedent, boundaries between private resident property and District property, and legal obligations. The Board directed Ms. Johnson to call the resident and inform her that the District will no longer string cut the grass in the area near her residence and will not be providing clean-up services on her property. Ms. Johnson agreed to report additional information to the Board if applicable.

OTHER BUSINESS

The Board confirmed a quorum for the next regular Board meeting on Thursday, August 12, 2021 at 5:00 p.m. Attorney Finco reported that she will create a WebEx link for this meeting as a new virtual platform.

ADJOURNMENT

There being no further business to come before the Board at this time, the Board adjourned the meeting at 7:05 p.m.

Respectfully submitted,

DocuSigned by:

Wayne Harris

49CF87E7EE784D1...

Secretary for the Meeting