

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
SPRING MESA METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
AUGUST 17, 2023

A special meeting of the Board of Directors of the Spring Mesa Metropolitan District (referred to hereafter as the “Board”) was convened on Thursday, August 17, 2023, at 6:00 p.m. at West Woods Community Station, 6644 Kendrick Drive, Arvada, Colorado 80007 and via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Jo Gentry, President
Wayne Harris, Secretary
Lawrence Seidl, Treasurer
Georgia Magnera, Assistant Secretary

Also, In Attendance Were:

Lisa Johnson, Alex Clem, Rachel Alles and Yelena Primachenko;
CliftonLarsonAllen LLP (“CLA”)
Nichole Peykov; Spencer Fane
Erin Morris, Lisa Benning, Jerry Gentry, Jerry Rucker, Janet Rucker, Richard Oday; Members of the Public

ADMINISTRATIVE MATTERS

Call to Order and Agenda: The meeting was called to order at 6:01 p.m. Following review, upon a motion duly made by Director Gentry, seconded by Director Harris and, upon vote, unanimously carried, the Board approved the agenda, as presented.

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

Public comment: Erin Morris asked about the contract and scope of work the District has with Nu Style. Director Gentry provided information on the landscaping services contractors are providing.

Jerry Rucker asked about the mill levy related to property values. Ms. Johnson provided information about recent legislation and how it may affect assessed values. Mr. Rucker also asked about fire mitigation mowing to which Director Gentry provided an update.

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CONSENT AGENDA

Minutes of the June 15, 2023 Special Meeting:

Interim Check List in the amount of \$52,865.71:

Agreement for Services with TLC Land Care, Inc.:

Upon a motion duly made by Director Gentry, seconded by Director Magnera and, upon vote, unanimously carried, the Board approved and/or ratified approval of the Consent Agenda items.

FINANCIAL MATTERS

Unaudited Financial Statements for the Period Ending June 30, 2023: Ms. Primachenko reviewed the Financial Statements with the Board. Following review, upon a motion duly made by Director Gentry, seconded by Director Seidl and, upon vote, unanimously carried, the Board accepted the Unaudited Financial Statements for the period ending June 30, 2023, as presented.

2022 Audited Financial Statements and Execution of Management Representations Letter: Ms. Primachenko presented the 2022 Audit to the Board. Following discussion, upon a motion duly made by Director Gentry, seconded by Director Seidl and, upon vote, unanimously carried, the Board accepted the 2022 Audited Financial Statements, subject to receipt of a clean opinion from the auditor and final review by legal counsel and authorized the execution of the management representations letter.

DIRECTOR MATTERS

Landscape and Pond Maintenance Services: Director Gentry provided an update to the Board regarding landscape services. Director Harris provided an update to the Board regarding pond maintenance services, noting that a new pump and Variable Frequency Drive will be needed for the pond. No action was taken.

Landscape Services for 2024: Director Gentry recommended renewing the contract with Nu Style for 2024 landscape services. The Board determined to review the scope of work when the time comes to potentially renew the contract.

Underdrain Cleaning Services for 2023: Director Harris provided an update to the Board regarding underdrain cleaning services, noting that the underdrain has been cleaned.

Fire Mitigation for Native Open Space: Director Gentry provided an update to the Board regarding fire mitigation efforts for the native open space. Director Magnera reported she is working with the HOA on an evacuation plan.

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Irrigation System Replacement and Funding: The Board noted they are waiting for analysis from Nu Style before proceeding with a plan for replacement of the irrigation system. A phased approach was briefly discussed.

Internet Cable Installation and Impact on Irrigation System: Director Gentry provided an update to the Board regarding the internet cable installation, noting that following an on-site meeting, the District is working with TAK to resolve the damage caused by their work to District property.

Resident Request to Remove Trees on District Property due to Obstruction of View from their Home: The Board discussed a request from a resident to remove trees on District property that are behind their home. Ms. Johnson provided some history on similar requests, noting that a previous Board denied this same type of request. Ms. Johnson noted the trees were planted before the homes were built and the District has no current policy that would address this request.

The resident provided background information to the Board, noting that they paid a premium for a lot with a view and the trees on District property are blocking it.

Director Magnera recommended the District discuss and create a policy to remove and replace trees. The Board created a committee with Directors Magnera and Seidl to draft a policy regarding this issue. The draft policy will be presented at the next Board meeting for review.

Resident Request to Install Trees on West 77th Drive in District Property: The Board discussed the request to install trees in District property. Director Gentry has prepared a draft policy. The Board discussed the policy and was generally in support. Ms. Johnson will share the draft policy with legal counsel and schedule a call next week with Attorney Peykov and Director Gentry to finalize the policy and present to the Board at a future meeting.

Responsibility to Maintain the Tree Lawns on W. 76th Drive and W. 77th Drive: The Board discussed the who the responsible party is to maintain the tree lawns on W. 76th Drive and W. 77th Drive and discussed the research conducted by Director Gentry on this matter. It was determined that the District is not responsible for maintenance in this area. Ms. Johnson will work with Director Gentry and Attorney Peykov to draft a letter to these residents advising of such.

Landscape Enhancements to Round-a-bout Islands: Director Seidl presented his ideas to enhance the roundabouts to the Board. Discussion ensued regarding the potential installation of benches in the roundabout and related liability, if any. The majority of the Board was not in favor of installing benches

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in the roundabout due to liability issues. Director Gentry will work with the landscape provider to identify options for enhancements to the roundabouts to fill in bare areas, etc.

Garden Club to Manage Seasonal Additions to Front Entrance on 75th and Quaker: Director Seidl discussed the idea of asking the Garden Club to manage some seasonal flowers within the front entrance on 75th and Quaker. Ms. Johnson mentioned any work done by volunteers on District property will need to have volunteer insurance. Director Gentry noted the District will need to run irrigation to these areas. The Board requested the Garden Club provide a proposal to the Board regarding their desire to provide this service and the Board will consider at a future meeting.

Policy regarding Board Approval of Communications to Residents via HOA Email List: Director Seidl requested the District Board and management review any future correspondence to residents before it is distributed to the community. This will give the Board and staff an opportunity to comment on the message prior to distribution. There was discussion regarding asking the community street captains to distribute any approved communications to residents. Director Gentry will work with the HOA on this request.

LEGAL MATTERS

Recent Legislation: Attorney Peykov presented her memo regarding recent legislation to the Board. No action was taken.

MANAGER
MATTERS

None.

OTHER BUSINESS

None.

ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director Gentry, seconded by Director Magnera and, upon vote, unanimously carried, the Board adjourned the meeting at 9:07 p.m.

Respectfully submitted,

DocuSigned by:
GEORGIA MAGNERA
95F1D29593F845E
Secretary for the Meeting

Certificate Of Completion

Envelope Id: 65DEB0D5E7444FE395F678A27C2748D8	Status: Completed
Subject: Complete with DocuSign: SMMD - 2024 Annual Admin Reso & Minutes	
Client Name: Spring Mesa MD	
Client Number: A378382	
Source Envelope:	
Document Pages: 13	Signatures: 2
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped Stamping: Enabled	Natalie Herschberg
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 S 6th St Ste 300
	Minneapolis, MN 55402-1418
	Natalie.Herschberg@claconnect.com
	IP Address: 65.59.88.254

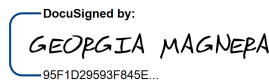
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Electronic Record and Signature Disclosure:

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In Person Signer Events

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Envelope Summary Events	Status	Timestamps
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Completed	Security Checked	2/23/2024 5:05:25 PM

Payment Events	Status	Timestamps
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