

# RECORD OF PROCEEDINGS

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## MINUTES OF THE COMBINED REGULAR MEETING OF THE BOARDS OF DIRECTORS OF THE

### FOSSIL RIDGE METROPOLITAN DISTRICT NO. 1 FOSSIL RIDGE METROPOLITAN DISTRICT NO. 2 FOSSIL RIDGE METROPOLITAN DISTRICT NO. 3

Held: Monday, May 20, 2019, 5:30 p.m., at The Retreat at Solterra, 15260 W. Evans Avenue, Lakewood, Colorado 80228

**Attendance** The combined regular meeting of the Boards of Directors of the Fossil Ridge Metropolitan District Nos. 1-3 was called and held at 5:32 p.m., as shown, in accordance with Colorado law. The following Directors were in attendance:

**District 1:**

Tom Waterman – President  
Kim Hussey – Treasurer  
Dave McGraw – Secretary  
Terry Larson – Assistant Secretary

**District 2:**

Dave McGraw – President  
Terry Larson – Vice President  
Andrew Martin - Treasurer  
Theodore Michelsen – Secretary  
Tom Waterman – Assistant Secretary

**District 3:**

Kim Hussey – Vice President  
Mike McCleary – Treasurer  
Libby Anglin – Assistant Secretary  
Aaron Hochstein – Assistant Secretary

**Consultants:**

Sue Blair, District Manager, Community Resource Services  
Marcos Pacheco, Manager, Community Resource Services  
Jennie Heinze, Community Manager  
Kelley Duke, Esq., Attorney, Ireland Stapleton

**Also present were:**

Peggy Waterman; Resident  
Dennis Knskie; Resident  
Alan Bissonelte; Resident  
John Henderson; Resident  
Leean McGraw; Resident  
Libby Vernon; Resident  
Ed du Bray; Resident

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Pete and Marilou Hendel; Resident  
Pat and Rod Brewster; Resident  
Elaine Jones; Resident

## Call to Order

A quorum of the Boards was present, and the Directors confirmed their qualification to serve. Director Brown of Districts 1 and 3 was absent; his absence was excused.

## Approve Agenda

The Boards reviewed the Agenda.

- District 1: Director McGraw moved to approve the agenda as presented. Upon second by Director Hussey, a vote was taken and the motion carried unanimously.
- District 2: Director Martin moved to approve the agenda as presented. Upon second by Director McGraw, a vote was taken and the motion carried unanimously.
- District 3: Director McCleary moved to approve the agenda as presented. Upon second by Director Anglin, a vote was taken and the motion carried unanimously.

## Executive Session

The Boards of Directors motioned to enter into Executive Session at 5:35 p.m., pursuant to C.R.S. 24-6-402 (4)(b) to receive advice of legal counsel. Ms. Duke confirmed for the record that the Executive Session constitutes attorney-client communications and, therefore, will not be recorded.

- District 1: Director Waterman moved that the Board enter into Executive Session. Upon second by Director Larson, a vote was taken and the motion carried unanimously.
- District 2: Director Michelsen moved that the Board enter into Executive Session. Upon second by Director Waterman, a vote was taken and the motion carried unanimously.
- District 3: Director Hussey moved that the Board enter into Executive Session. Upon second by Director McCleary, a vote was taken and the motion carried unanimously.

At 6:34 p.m. the Boards of Directors motioned to reconvene into general session:

- District 1: Director McGraw moved that the public meeting be reconvened. Upon second by Director Larson, a vote was taken and the motion carried unanimously.
- District 2: Director Larson moved that the public meeting be reconvened. Upon second by Director Waterman, a vote was taken and the motion carried unanimously.
- District 3: Director Hussey moved that the public meeting be reconvened. Upon second by Director Anglin, a vote was taken and the motion carried



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Director McGraw, a vote was taken and the motion carried unanimously.

- District 2: Director McGraw moved that the Board approve the new Financial Committee members Swider and Nicolet. Upon second by Director Larson, a vote was taken and the motion carried unanimously.
- District 3: Director McCleary moved that the Board approve the new Financial Committee members Swider and Nicolet. Upon second by Director Hochstein, a vote was taken and the motion carried unanimously.

2018 Audit Update: Director Hussey (D 1&3) noted that Ms. Leeann Fabec has been working in conjunction with the Finance Committee to complete the audits for all three Districts. The only outstanding item at this point is the review of the District 1 audit. Further discussion on the audits of all Districts will be had at a Special meeting on July 15, 2019.

2020 Budget Review Process: Director Hussey (D 1&3) noted that there will be a budget meeting in August, with a specific date forthcoming, in which the budget will be discussed in a workshop setting in order to allow residents to ask questions.

## Operations and Maintenance Matters

Engineering Update – Director Larson (D 1&2) reported on the District’s engineering activities and noted that everything is going according to plan. Director Larson mentioned that the native grass in Orchard Park is on the punch list. He also noted that Cardel has 5 extra trees that the District could have placed in Orchard Park. He requested that District 1 approve an amount, not to exceed \$1,000, for the drip irrigation of these trees, subject to Landscape Committee approval. Director Waterman moved that the District approve an amount not to exceed \$1,000.00, pending the approval from the Landscape Committee, for the purpose of drip irrigation related to the 5 trees from Cardel. Upon second by Director Hussey, a vote was taken and the motion carried unanimously.

Retreat Fountain Update – Ms. Heinze presented the Board with a report on proposed repairs to the Retreat fountain as requested at past meetings. At this point in time, the recommended repair for the fountain is to replace the motor and impeller at a cost of \$1,639.35. Director McGraw moved to approve a new motor and impeller in the amount of \$1,639.35. Upon second by Director Waterman, a vote was taken and the motion carried unanimously.

Landscape Update – Ms. Heinze and Chris, the District’s landscaper, reported on the state of the District’s landscaping. Ms. Heinze presented the Board with proposals to perform landscaping throughout the District. Director Waterman asked Ms. Heinze if the money was available within the Budget to move forward with this proposed work. Ms. Heinze noted that it was. Director Waterman moved to approve the Schultz proposals totaling \$28,853.26. Upon second by Director Hussey, a vote was taken and the motion carried unanimously.

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Surveillance Camera Warning Signs – Director Anglin (D-3) reported that she along with others have received quotes on signage for the surveillance cameras. They have also received consultation as to where these signs should be placed. As such, she recommended that the Board approve option 3 with Image 360 in the amount of \$646.26. Director Waterman moved to approve the signs through Image 360 in the amount of \$646.26. Upon second by Director Hussey, a vote was taken and the motion carried unanimously.

Retreat Cabinet Locks – Director Waterman reported to the Board on the need of installing cabinet locks. He explained the type of lock that would be used and the cost associated with this project. After discussion amongst the Board, Director Waterman moved to approve the proposal from Double A Security in the amount of \$552.90 for cabinet locks. Upon second by Director Hussey, a vote was taken and the motion carried unanimously.

Retreat Stone Floor Cleaning – As part of the effort to restore the Retreat’s interior, estimates were sought from companies who specialize in cleaning stone floors. Director Waterman moved that the District approve the proposal from Fusion in the amount of \$2,247.00. Upon second by Director McGraw, a vote was taken and the motion carried unanimously.

Retreat Window Shades and Tinting Update – Director Waterman commented on the success of the window tinting and added how well everything is looking. Ms. Heinze added that she will help with contacting the contractors for all follow up.

Parking Lot Striping and Pool Touch Up – Ms. Heinze reported to the Board that she has obtained several proposals for pool touch up and parking lot striping. Because of the nature and complexity of these projects, the Board requested that further discussion on this item be deferred to a later meeting.

Amended and Restated Policies and Procedures Governing the Recreation Amenities for Solterra – Director Waterman (D 1&2) reported on the proposed amendments and explained why such changes are being recommended. After discussion amongst the Boards, it was requested that Director Waterman provide further clarification on these amendments to the Retreat/Pool Committee. Director Waterman moved that the amended and restated policies and procedures governing the recreation amenities for Solterra be adopted as presented, with the understanding that Director Waterman (D 1&2) will provide the needed clarifications to the Retreat/Pool Committee. Upon second by Director McGraw, a vote was taken and the motion carried unanimously.

Retreat Rental Contracts and Fee Schedule – Director Waterman discussed the synopsis of Retreat and Pool Policy revisions and explained the reasoning behind these revisions. Director Hussey moved to approve the revisions as presented. Upon second by Director Larson, a vote was taken and the motion carried

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unanimously.

## **Committee Reports**

Finance Committee – Director Hussey (D 1&3) reported that most of the report has been covered in other parts of this meeting. There will be a date set for a public budget meeting. She also thanked those involved for all of their hard work.

Social Committee – Director Anglin (D3) reported that the Committee is taking a step back and reevaluating the types of events and also the frequency of events. While there has been growth of the Committee, they are working to improve their outreach and involvement.

Retreat/Pool Committee – The Committee reported on several items surrounding the Retreat and the Pool. The first item was the need to power wash the moss from the sidewalks. This can be done, depending on frequency, for \$450-\$600/ cleaning. The Committee will obtain estimates and decide on the frequency of such cleanings. Ms. Heinze also presented a proposal from Aquatic Chemical Solutions that would replace an automated chemical controller which is currently non-functioning. This device must be replaced prior to the pool opening for the season. Director Waterman moved that the proposal to replace the automated chemical controller be approved in the amount of \$3,300.00. Upon second by Director McGraw, a vote was taken and the motion carried unanimously. The Committee continued by noting there are concrete steps in the amphitheater that need to be repaired. Ms. Heinze will reach out to concrete contractors that can quote the work. Finally, the Committee recommended that the Board approve keeping the pool open for additional time at the end of the summer, contingent upon finding proper manpower. Director Waterman moved that the District keep the pool open for additional time at the end of the season contingent upon finding qualified lifeguards to work the additional hours and the Committee presenting an addendum to the YMCA contract. Upon second by Director Hussey, a vote was taken and the motion carried unanimously.

Landscape Committee – Mr. Hendel reported on the Committees quarterly report. It was requested that the Board approve the appointment of Pat Brewster to the Committee. Director Hussey moved that Pat Brewster be appointed to the Landscape Committee. Upon second by Director McGraw, a vote was taken and the motion carried unanimously. The report continued and noted that the native grasses will be mowed in the early Fall. Lastly it was recommended that the District contract with Save A Tree to deal with suffering trees. Director McGraw moved to approve \$875 to deal with suffering trees. Upon second by Director Hussey, a vote was taken and the motion carried unanimously.

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**Other**

District 3 Director Resignation: Director Anglin addressed the Boards and informed them that she would be resigning from her position as a Director of District 3. She noted that this resignation came as a bittersweet moment as she pursues a new chapter in her life. She will continue to stay involved within the Districts. The District 3 Board accepted Director Anglin's resignation and thanked her for all of her hard work and dedication while serving on the Board of Directors.

**Adjournment**

There being no further business to be brought before the Boards, the meeting was adjourned at 8:42 p.m.

Respectfully submitted,



Secretary of the Meeting

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THESE MINUTES ARE APPROVED AS THE OFFICIAL MAY 20, 2019 MINUTES OF THE FOSSIL RIDGE METROPOLITAN DISTRICT NO. 1 BY THE BOARD OF DIRECTORS SIGNING BELOW:

  
Tom Waterman

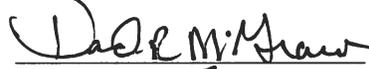
*NP*  
\_\_\_\_\_  
Craig Brown

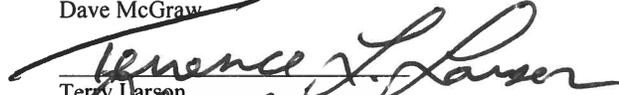
  
Dave McGraw

  
Kim Hussey

  
Terry Larson

THESE MINUTES ARE APPROVED AS THE OFFICIAL MAY 20, 2019 MINUTES OF THE FOSSIL RIDGE METROPOLITAN DISTRICT NO. 2 BY THE BOARD OF DIRECTORS SIGNING BELOW:

  
Dave McGraw

  
Terry Larson

  
Andrew Martin

  
Theodore Michelsen

  
Tom Waterman

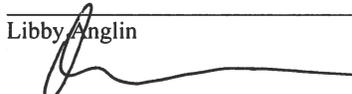
THESE MINUTES ARE APPROVED AS THE OFFICIAL MAY 20, 2019 MINUTES OF THE FOSSIL RIDGE METROPOLITAN DISTRICT NO. 3 BY THE BOARD OF DIRECTORS SIGNING BELOW:

*NP*  
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Craig Brown

  
Kim Hussey

  
Mike McCleary

\_\_\_\_\_  
Libby Anglin

  
Aaron Hochstein