

# 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: Wednesday, March 4, 2020, 6:30 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 6:30 p.m., as shown, in accordance with Colorado law. The following Directors were in attendance:

#### **District 1:**

Tom Waterman – President  
Craig Brown – Vice President  
Mike McCleary – 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:**

Craig Brown – President  
Aaron Hochstein - Vice President  
Mike McCleary – Treasurer  
Daniel Dominic - Secretary  
VACANCY – Assistant Secretary

#### **Consultants:**

Sue Blair, District Manager, Community Resource Services  
Marcos Pacheco, District Manager, Community Resource Services  
Angie Kelly, Retreat Manager, Community Resource Services  
Mat Birkeness, Retreat Manager, Community Resource Services  
Jennie Heinze, Community Manager, Overlook Property Management

#### **Also present were:**

Robert Pris  
Peg O'Keefe  
Peggy Waterman  
Gerry Reese

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Helene Thompson  
Kevin McLaughlin  
Norm Avery  
Ed Da Bray  
Robert and Kathy Acks  
Al and Jeanine Plumhoff  
Robert Mero  
Gary Greaser  
Lark Birdsong  
Karla Gaffney  
Clint Gaffney  
Heidi Wendling  
Pete and Marilou Hendel  
Mac Parks  
Monica Jarrett  
Ryan Monzik  
Katy Neugebauer  
Elaine Jones  
Craig Poulter  
Linda Johnston

**Call to Order** A quorum of the Boards was present, and the Directors confirmed their qualification to serve.

**Approve Agenda** The Boards reviewed the meeting agenda.

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

**Public Comment** There was none

**Consent Agenda** Consent Agenda Item - 1

1. Approve the minutes of the January 13, 2020 Regular Meeting
  - District 1: Director McGraw moved to approve the agenda as presented. Upon second by Director Waterman, a vote was taken, and the motion carried unanimously.
  - District 2: Director Michelsen moved to approve the agenda as presented. Upon second by Director Larson, a vote was taken, and the motion carried

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unanimously.

- District 3: Director McCleary moved to approve the agenda as presented. Upon second by Director Brown, a vote was taken, and the motion carried unanimously.

## Legal Matters

Update on HEI Litigation: Director Hochstein (D3) gave the Board a quick update on this matter and said that this has been ongoing for a while. It arose out of dispute with Brookfield and the contractors in the area. The District was brought in as a third party and Brookfield has agreed to now pay HEI. Once payment is received, HEI will release the liens. He also stated that the case has been dismissed. Brookfield is now finishing the work.

Election Update - Self-Nomination Forms: Ms. Blair updated on the status of the elections for all three Districts. As of now, FRMD 2 and 3 will be going to election, but FRMD was able to cancel their election. Candidate Bio's have been requested from all candidates and will be posted to Solterra Connect.

Meet the Candidates: Director Michelsen (D2) reported that he and Director Hochstein (D3) were asked by Director Brown (D 1&3) to plan a meet and greet with the candidates. The proposed date for this will be April 21<sup>st</sup> at 7 p.m., at The Retreat. The goal would be for each District to have one hour for their candidates and this would be for only Districts 2 and 3.

Date of May Board Meeting – CRS: Ms. Blair commented that after speaking with folks, we should move the meeting date so that we get through the canvass of the election and certify the election. Director Waterman (D1) added that this makes sense so that there is no skewed vision in what is happening.

- District 1: Director Waterman moved that the Board approve the new meeting date. Upon a second by Director McGraw, a vote was taken, and the motion carried unanimously.
- District 2: Director Michelsen moved that the Board approve the new meeting date. Upon a second by Director Larson, a vote was taken, and the motion carried unanimously.
- District 3: Director Brown moved that the Board approve the new meeting date. Upon a second by Director Dominic, a vote was taken, and the motion carried unanimously.

## Financial Matters

Ratify Haynie and Co. Auditing Firm Contract: Ms. Blair reported that the contract required some changes which have since been made. The enclosure can be ratified, as is.

- District 1: Director McGraw moved that the Board ratify the contract. Upon a second by Director Waterman, a vote was taken, and the motion carried

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unanimously.

- District 2: Director Larson moved that the Board ratify the contract. Upon a second by Director Michelsen, a vote was taken, and the motion carried unanimously.
- District 3: Director Hochstein moved that the Board ratify the contract. Upon a second by Director McCleary, a vote was taken, and the motion carried unanimously.

## **Operations and Maintenance Matters (D1)**

Engineering Report: Director Larson reported that on Orchard Park there was a hold up with the bill of sale and he is still waiting. In filing 13, The City of Lakewood has accepted it. Brookfield has not requested acceptance from the District. Brookfield is finishing work on Alameda and McIntyre. Recently they completed the guardrail modifications and now they can absorb a larger impact as required. No work has been done on McIntyre settlement issues. Turn lanes have been opened into Filing 17 from McIntyre. There was a lost sign at LaSalle and McIntyre which was replaced. He also reported on the infrastructure assessment and said Merrick is still working on it. They were missing some paperwork that has since been supplied. Director Dominic (D3) noted that a stop sign at S Orion and Vassar is missing. There was continued discussion about the potential replacements amongst the board.

GMWSD Sewer Pipe Cleaning and Scoping: Director Larson spoke and said GMWSD Sewer is under contract with the District. Every third year, they clean pipes and run a camera down them. He updated that the process started at the first of the year. Due to weather and other factors, they are only a third of the way done. They are hoping to be done by April. The only issue so far is that there is a manhole which was paved over and needs to be uncovered.

Informational Session for MFA Snow Removal: Director Brown updated the Board on the snow removal and the maintenance fee areas. He would like to host an additional informational session so that when homeowners are ready, they can make an informed decision of opting in or out. He is looking at sometime in May to decide.

Amenities Survey: Director Dominic reported to the Board that he has been happily tasked with administering a survey that goes out to everyone in the community. The purpose is to gather information on what everyone wants and then study the feasibility. The Board wants to make sure that people love living here.

Landscape Update: The Board discussed the playground safety and the annual maintenance which has been performed in the past; new mulch will also be needed this year. Ms. Heinze reported that the annual budget is \$8000 for the playground and the inspection will cost \$1500. Director Waterman moved that the Board

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allocate \$1500.00. Upon a second by Director McGraw, a vote was taken, and the motion carried unanimously.

Filing 12 Native Seed Renovation: It was recommended by the Landscape Committee and Schultz that hydro-seeding in Filing 12 be performed. Pete Hendel also spoke about why this was needed. Director Brown moved that the District allocate monies, already in the budget, for reseeding, in the amount of \$46,500 as well as pre-approval of an amount not to exceed \$22,000 for plants in plant beds, in order to be on the landscaper's schedule for April. Upon a second by Director McCleary, a vote was taken, and the motion carried unanimously.

## COMMITTEE REPORTS

Retreat/Pool: Angie Kelly and Mat Birkeness were introduced as the new Managers of The Retreat. Ms. Kelly provided a brief summary of what has happened since the management of The Retreat was taken over by CRS. Ms. Kelly and Mr. Birkeness answered questions from the Board and the community.

Re-Keying Retreat: There were two formal bids received to re-key the entire Retreat, but they are waiting on others. There is an option now to re-key the actual barrels of the locks. Director McGraw moved that the Board approve \$1500 to re-key the locks. Upon a second by Director Waterman, a vote was taken, and the motion carried unanimously.

Closure of the Retreat: Mr. Birkeness reported that he and Ms. Kelly have drafted a new policy for the Retreat, to be reviewed at a later date.

Pool Contract: Ms. Blair reported that everything is on track with the new pool contractor.

Pool Deck and Lighting Proposals: Elaine Jones reported to the Board that replacing the lights fell through the cracks last year. She handed out a list of items that were needed, within the already established budget. Director Brown moved that the Board approve the recommended items with the exception of the platform in the amphitheater, in an amount not to exceed \$30,000. Upon a second by Director McCleary, a vote was taken, and the motion carried unanimously.

Social Committee: Heidi Wendling spoke and stated that the next event is April 11<sup>th</sup> for Easter. The committee will continue to update the Board as events are planned.

Planting Flowers: Flowers will be planted the weekend before Memorial Day weekend. The District already has \$5,000 budgeted. Director McCleary moved that the Board approve this item. Upon a second by Director Waterman, a vote was taken, and the motion carried unanimously.

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## **Adjournment**

There being no further business to be brought before the Boards, the meeting was adjourned at 8:15 p.m.

Respectfully submitted,



Secretary of the Meeting

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