

RECORD OF PROCEEDINGS

MINUTES OF THE COMBINED SPECIAL 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: Thursday, May 28, 2020, 6:30 p.m.

Attendance The combined special 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 meeting was conducted as a virtual meeting. 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
David Wilson – New Director

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

Others identified in attendance:

Pete Hendel
Mike Kienker
Peggy Waterman

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Deb Korzen
Kris Howland
Alana Bissonnete
Julie Brisson
Andrew Amend
Gary
Alex
Gary
Shawna
Kimberly

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

Approve Agenda The Boards reviewed the meeting agenda. Director Brown (D 1&3) would like to speak during the financial segment on the schedule of fees and Director McGraw (D 1&2) would like to file a motion under 7.A Landscaping Proposal Filing 12.

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

Public Comment There was none.

Consent Agenda

Consent Agenda Item 1 - 2

1. Ratification and approval of the payment of claims for the period ending May 21, 2020
2. Approve the minutes of the April 8, 2020 Special Meeting

- District 1: Director Waterman moved that the Board the consent agenda. Upon a second by Director Larson, a vote was taken, and the motion carried unanimously.
- District 2: Director McGraw moved that the Board approve the consent agenda. Upon a second by Director Larson, a vote was taken, and the motion carried unanimously.
- District 3: Director Dominic moved that the Board approve the consent agenda. Upon a second by Director McCleary, a vote was taken, and the motion carried unanimously.

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Legal Matters

Election Results – CRS: Ms. Blair reported on the results of the May 5, 2020 election. She reviewed the election certification with the Boards and answered questions.

Election of Officers – CRS: The following Officer positions were proposed for each District:

FRMD No. 1

- President – Tom Waterman
- Vice President – Craig Brown
- Treasurer – Mike McCleary
- Secretary – Dave McGraw
- Assistant Secretary – Terry Larson

FRMD No. 2

- President – Dave McGraw
- Vice President – Terry Larson
- Treasurer – Alan Plumhoff
- Secretary – Ted Michelsen
- Assistant Secretary – Tom Waterman

FRMD No. 3

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

The Boards voted unanimously to elect the officers as noted above.

Farewell to Director Andy Martin – Director McGraw: Director McGraw (D 1&2) spoke to the Boards and would like to recognize and acknowledge the contributions of Director Andrew Martin. Due to work and family time constraints, Director Martin chose to retire from his District 2 Board position as Treasurer and not run for another term. The community is a better place because of Andy’s time and effort, and we will be forever grateful. Andy was always community first. Thank you, Andy, for your service.

Financial Matters

Update on Financial Advisor Ehlers – Director McCleary: Director McCleary (D 1&3) spoke to the Board and commented that the Districts are looking at the Fall timeline for potential new bonds or refinancing. All options are being thoroughly evaluated by the Board and the Finance Committee.

Update on 2019 Audit – Director McCleary: Director McCleary (D 1&3) updated the Board that this week, Haynie is hoping to get trial balances so they can perform some

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of the field work. Director McCleary noted that he is requesting the audit be prepared so the Finance Committee can review it in early July.

Emergency Expenditure of Funds – Director Waterman: Director Waterman (D 1&2) noted that there are provisions in the bylaws that allow the District to spend emergency funds. This year, there has been a pool pump failure therefore the pool cannot be put into operation until one of the five pumps is repaired. The District has made an expenditure of \$1,800. The pump has since been repaired and the pool will be operational.

Update on Fee Deferral – Overlook: Director Waterman (D 1&2) noted that the Board had made a decision to defer any fees for individuals financially impacted by COVID-19. Ms. Heinze reported that no one has applied for the deferral yet.

Schedule of Fees: Director Brown (D 1&3) reviewed the maintenance fee area enclosures with the Boards. He proposed minor changes as the initial numbers provided were estimates only. By going this route, there would be less likeliness that a special assessment would be needed. There was extensive discussion surrounding the fees and what is included. Director Brown (D1&3) proposed that the District No. 1 Board adopt this fee schedule as presented.

- District 1: Director McCleary moved that the Board adopt the fee schedule, effective July 1, 2020, as presented. Upon a second by Director Waterman, a vote was taken, and the motion carried unanimously.

Operations and Maintenance Matters

Landscape Update – Overlook/Landscape Committee: Pete Hendel reviewed his report with the Boards. With some of the suggestions, The Districts will contact Barney Fix, District Engineer, to get his opinion. There have been several items discussed as needing attention by the Districts or other agencies in order to maintain proper landscaping. Director McCleary (D1&3) noted that if they stay within budget, he would support what is happening.

- Director McCleary moved that the Board approve an amount not-to-exceed \$26,000 for landscaping. Upon a second by Director Waterman, a vote was taken, and the motion carried unanimously.
- Director McGraw moved that Board approve the Landscape Committee’s plan to be submitted to the City of Lakewood. Upon a second by director Larson, a vote was taken, and the motion carried unanimously.

Bench Proposal: The bench proposal was discussed as part of the landscape update.

Filing 12 Landscape Proposal: The filing 12 landscape proposal was discussed as part of the landscape update.

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Engineer Update – Director Larson: Director Larson (D 1&2) spoke and said the water feature and pond are still under Brookfield control. He covered what is needed and what will be done with each. There will be an aeration system installed by Brookfield. On Norris Ct., Brookfield has agreed to replace the entire alley, in four sections, starting with concrete, then replacing the sub-base. This will start mid-June. Filing 1-12 have been accepted into Solterra. Lakewood has accepted Filing 13, but Solterra/FRMD has not yet done so. Filing 14, Filing 15, Filing 16N, Filing 16S have not been accepted by FRMD. He also noted there is a dilemma with snow removal but he is gathering further information on the topic. He added that he is meeting with representatives from Cardel to look at a number of different items within the District. Orchard Park, a few months ago, it was close to acceptance. At this point, we still have not completed the acceptance process. We are waiting on the bill of sale, but it is tied up with the legal teams. In the meantime, Schultz is taking care of it. Director Dominic (D3) commented that the stop sign at Washburn and Orchard has not been replaced. Director Larson will look into this.

Plowing Standard Meeting – Director Brown: Director Brown (D 1&3) noted that he will be hosting an informational workshop to discuss the service level for each maintenance fee area.

Retreat/Pool Monthly Update – CRS: Mr. Birkeness shared his spreadsheet for events held at The Retreat. He noted some consequences due to COVID-19 and related cancellations of events. He shared his report on pool and retreat projects. He noted several projects that have been completed as well as other items that are still pending along with other newly needed repairs.

Social Committee Update – Social Committee/Director Waterman: Director Waterman (D 1&2) reported that unfortunately, we are stuck in a situation where we don't know when we can host events at The Retreat. He has spoken with the Social Committee to establish policies and procedures for mandatory group sizes, etc. There is not a definitive answer for when anything will take place, but the Board and Social Committee will continue to evaluate the situation.

Amenities Survey – Director Dominic: Director Dominic (D3) noted that due to COVID 19, there has been a delay with getting everyone together to discuss the survey. We have lost one person due to relocation; we are now down to three individuals. He will publish a call for other residents to join the survey. Director Waterman (D 1&2) clarified that the intent of this survey is to solicit input from the community as to what they would like to see done within the community. Director Dominic will continue reporting as things progress.

Fire Suppression Proposal – CRS: Mr. Birkeness reported that there is a fire sprinkler leak that has been identified. Two fire suppression heads are leaking minorly, one in the dining room and one in the entry way. The repairs can be performed in a single

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day. He proposed an approval of an amount not-to-exceed \$750 to remedy the issue. Because the current system is filled with a sort of anti-freeze, he suggested that these repairs should be completed as expediently as possible.

- District 1: Director Waterman moved that the Board allocate funds in an amount not-to-exceed \$750 to repair the fire suppression system. Upon a second by director McGraw, a vote was taken, and the motion carried unanimously. Director McCleary clarified that this expenditure will come out of Retreat Maintenance.

Review of Chat Box Inquiries – Director Brown: Director Brown (D 1&3) reviewed questions submitted through the chat feature. All questions were addressed and closed out by the Boards and Directors.

Adjournment

There being no further business to come before the Boards, the meeting was adjourned at 8:47 p.m. by unanimous vote.

Respectfully submitted,



Secretary of the Meeting

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