

# 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, March 11, 2024, 6:30 p.m.

#### **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 meeting was held in person at the community center, The Retreat 15250 W Evans Ave. Lakewood CO 80228. Mr. Birkeness inquired whether any of the Board members had any potential conflicts of interest on matters coming before the board. There were no conflicts disclosed other than those already filed. The following Directors were in attendance:

#### **District 1:**

Tom Waterman – President  
Dave McGraw – Vice President  
David Wilson – Treasurer  
Terry Larson – Secretary  
Mike Walker – Asst. Secretary

#### **District 2:**

Terry Larson – President  
Ted Michelsen - Vice President  
Alan Plumhoff – Treasurer  
Gerry Reese - Secretary  
Tom Waterman – Assistant Secretary

#### **District 3:**

Aaron Hochstein – President  
Andrew Amend – Vice President  
Mike McCleary – Treasurer  
Greg Taylor – Secretary (late arrival)  
Alana Bissonnette – Assistant Secretary

#### **Consultants:**

Mat Birkeness, District Manager, Community Resource Services  
Phil Schneider, Community Manager, Community Resource Services

#### **Others identified in attendance:**

Tom Donovan  
Tom Hales  
Denise Hales  
Clint Gaffney

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Karla Gaffney  
Ed du Bray  
Libby Vernon  
Kevin McLaughlin  
Terry Smith  
Debby Caine  
Larry Caine  
Peggy Waterman  
Nancy Reese

**Call to Order** Quorums of the Boards were present, and the Directors confirmed their qualifications to serve. Mr. Birkeness confirmed that the meeting has been properly noticed. The meeting was called to order at 6:30 p.m. Director Bissonnette disclosed she is serving on the HOA board as well.

District 3: Director Amend moved to excuse Director Taylor's late arrival. Upon second by Director McCleary, a vote was taken, and the motion carried unanimously. Director Taylor arrived at 6:59 pm.

**Public Comment** None.

**Consent Agenda** The Boards reviewed the consent agenda.

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

**Financial Matters** 2023 Year End Variance Reports: Director Reese reported and disclosed all funds have a positive balance and due to accrual accounting, there could be minor changes from late 2023 bills.

- District 1: Director McGraw moved to accept the reports as presented. Upon second by Director Wilson, a vote was taken, and the motion carried unanimously.
- District 2: Director Michelsen moved to accept the reports as presented. Upon second by Director Plumhoff, a vote was taken, and the motion carried unanimously.

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- District 3: Director Amend moved to accept the reports as presented. Upon second by Director Hochstein, a vote was taken, and the motion carried unanimously.

2023 Business Plan Update: Director Wilson presented to the boards regarding the plan and fiscal responsibilities outlined.

- District 1: Director Waterman moved to accept the report as presented. Upon second by Director McGraw, a vote was taken, and the motion carried unanimously.
- District 2: Director Reese moved to accept the report as presented. Upon second by Director Plumhoff, a vote was taken, and the motion carried unanimously.
- District 3: Director Bissonette moved to accept the report as presented. Upon second by Director McCleary, a vote was taken, and the motion carried unanimously.

Current Audit Engagement Letter with Haynie and Company: Director McCleary reported that last year, a three-year engagement letter was approved. 2022, 2023 and 2024 audit services will be performed with Haynie and Company.

## **Maintenance and Operations Matters**

Landscape Update: Mr. Birkeness updated the Boards on the Landscape Committee's report. Mr. Birkeness noted the Committee's efforts to xeriscape where available and the current weed killer product used by the contractor.

Retreat and Pool Update: Peggy Waterman presented the current Committee work and focus.

Retreat and Fireplace grate: Peggy Waterman presented the concerns regarding the glass at the outdoor fireplace overheating and causing a potential safety issue. Extensive discussion followed and questions were asked by the Boards for the Committee.

- District 1: Director Wilson moved to approve Option 4 outlined by the Committee with signage and a fashioned metal grate. Upon second by Director Walker, a vote was taken, and the motion carried unanimously.

Retreat and Community Report: Mr. Schneider presented the ongoing projects and recent work completed.

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Consideration of ADA Pool Lift Replacement: Mr. Schneider noted the current lift is no longer operational and in 2023 attempts were made to replace broken components. A proposal was discussed but further research will be ongoing to solve the issue.

Street Signs Update: Director Walker reported about a recent meeting with the City of Lakewood and costs associated for the custom designer black posts. Director Walker recommended the thoroughfare streets (striped streets) have posts replaced when damaged, to mimic City's posts, to reduce costs. An extensive discussion occurred.

- District 1: Director Walker motioned to mimic City posts when requiring replacement on the thoroughfare streets. Upon second by Director Wilson, a vote was taken, and the motion carried unanimously.

Social Committee Events Update: Mr. Birkeness shared about the upcoming Easter and Cinco de Mayo scheduled events. Multiple Directors shared their concerns regarding alcohol, capacity limits, dogs, and resident-only attendance. Extensive discussion took place and Director Waterman requested a draft for Board consideration for Cinco de Mayo to be distributed.

Community Backflow Thefts: Mr. Schneider reported and disclosed the Lakewood Police advice regarding the issue. Director Wilson added to the topic about the recent park bench vandalism and vehicle accident.

Engagement Committee Update: Director Reese gave an overview of the recent focus for the committee.

- Feedback from Property Tax Learning Session: Director McGraw noted 37 residents attended along with 9 board members and the session provided great value.
- Welcome Letter and FAQs: Director Michelsen noted the process is ongoing and out of date. Actions are being taken to create a one-page letter that is current.
- Solterra-Connect Update: Director Bissonnette noted the large capacity for the project and an update will be provided at the next schedule board meeting.
- Communications matrix: Director Plumhoff noted this is currently in a draft stage.

Engineer Report: Director Larson noted a reserve study proposal has been provided to overhaul the previous study.

- District 1: Director Walker moved to approve the proposal as presented. Upon

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second by Director Larson, a vote was taken, and the motion carried unanimously.

## **Legal Matters**

Litigation Update: Director Waterman provided an overview of the two legal cases against the District. He provided dates regarding the bond litigation case and discussed the status of the Green Mountain Water and Sanitation case with Brookfield.

## **Second Public Comment**

Kevin McLaughlin provided his support about the black decorative posts in the community streets. He also thanked the boards and offered to communicate with Directors on various items.

Tom Donovan discussed his opinion about the ADA pool lift and the idea of modifying the Cinco de Mayo event to eliminate alcohol.

Terry Smith asked about the investment accounts the Districts utilize and his support for the decorative black street posts. Multiple Directors updated Terry about the investment accounts.

Larry Caine asked about the recent backflow thefts and if the district can assist. Multiple Directors commented about the HOA and Districts have a separation of powers and recommended Larry to seek assistance from the HOA board.

Nancy Reese asked the Boards about communications via email and how to find out more about the community engagement activities.

Tom Hales asked specifics about the back flow thefts and why this is occurring in the Patio Homes. He also asked about the street sign replacement frequency and if Cinco de Mayo can utilize drink tickets.

## **Adjournment**

There being no further business to come before the Boards, the meeting was adjourned at 8:36 p.m. as follows:

- District 1: Director McGraw moved to adjourn. Upon second by Director Waterman, a vote was taken, and the motion carried unanimously.
- District 2: Director Michelsen moved to adjourn. Upon second by Director Reese, a vote was taken, and the motion carried unanimously.
- District 3: Director Hochstein moved to adjourn. Upon second by Director Amend, a vote was taken, and the motion carried unanimously.

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Respectfully submitted,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke.

Secretary of the Meeting