

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

CUNDALL FARMS METROPOLITAN DISTRICT

Held: Tuesday, July 9, 2024 at 3:00 P.M. via Zoom
videoconferencing platform.

Attendance

The special meeting of the Board of Directors of the Cundall Farms Metropolitan District was called and held as shown above in accordance with the statutes of the State of Colorado. The following Directors, having confirmed their qualifications to serve on the Board, were in attendance:

Paula Jurhs
Darren Fresquez
Reuben Patrick Maes
Alan White

Absent: David Stribling

Also present were Elizabeth A. Dauer, Esq., Seter, Vander Wall & Mielke, P.C.; Melissa Kupferer, Advance HOA Management, Inc.; Alyssa Ferreira, CliftonLarsonAllen LLP; Matthew Koenig, City of Thornton; and approximately five members of the public.

Call to Order

Ms. Dauer noted that a quorum of the Board was present and called the meeting to order at 3:00 p.m.

Disclosure Matters

Counsel had previously advised the Board that pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board reviewed the agenda for the meeting, following which each Board member confirmed the contents of any written disclosure previously made, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting. The Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

Written disclosures of the Directors' interests had been filed with the Secretary of State prior to the meeting.

RECORD OF PROCEEDINGS

Approval of Agenda	Upon motion made, seconded and unanimously carried, the Board approved the agenda as presented.
Public Comment	District resident, Richard Sprouse, commented that motor vehicle speeding is becoming a dangerous issue in the community.
Approval of Minutes	Upon motion made, seconded and unanimously carried, the minutes of the May 7, 2024 regular meeting and the May 21, 2024 special meeting were approved as presented.
Financial Matters / Payment of Claims	<p>Ms. Ferreira presented the schedule of cash position and the claims in the amount of \$10,834.19 to the Board. Following discussion, and upon motion duly made and seconded, the Board unanimously accepted the schedule of cash position and ratified the claims as presented.</p> <p>Ms. Ferreira presented the draft 2023 audit and discussion ensued. Upon motion made, seconded and unanimously carried, the Board accepted the 2023 draft audit, subject to final legal review and approval.</p>
Director Matters	
- Discuss Landscape Area Behind Patio Walk-Out Homes	<p>Director Jurhs discussed the various photos of landscape issues behind the patio homes. She noted that this was further evidence of the prior landscaper's failure to perform services along with irrigation issues and failure to mow native grass. The Board then discussed the BrightView landscape termination and final payment, determining to table the matter until all figures are calculated and a full determination of the appropriate amount owed could be ascertained. Once a figure is determined, the Board directed legal to send a letter accompanying the final payment.</p> <p>Director Jurhs also noted the detour signs around the neighborhood and directed Ms. Kupferer to contact the City to request removal of same.</p> <p>Director Jurhs discussed that there are several dead trees in the main park. Director Fresquez discussed the need for more pet waste stations, trees, and landscaping enhancements. Upon motion made, seconded, and unanimously carried, the Board approved the removal and replacement of dead trees and landscaping and replacement and addition of pet waste stations</p>

RECORD OF PROCEEDINGS

in an amount not to exceed \$30,000 to be performed by Jeremy Jobs.

Management Matters

Ms. Kupferer presented the management report.

- Discuss Fence Staining in District and Design Guidelines Ms. Kupferer discussed that the current design guidelines provide for an option of six staining colors for fencing in the community. Ms. Kupferer also discussed ownership and maintenance responsibility of fencing in the community. The Board directed Ms. Kupferer to research fence maintenance responsibility. The Board directed Ms. Kupferer to rescind any notices of violation regarding the fence staining until this matter is further researched. The Board discussed that the preference would be to provide for only one uniform color for stain moving forward.
- Consider City of Thornton Traffic Engineering Right of Entry Ms. Kupferer presented the proposed Right of Entry. The Right of Entry permits the City of Thornton access to District property to establish electrical service to a traffic signal for the fire station. The Board discussed that Thornton may only access District property if all District property is restored to pre-construction levels. Mr. Koenig responded that the Right of Entry agreement reflects same. Upon motion, second, and discussion, the Board approved the Right of Entry Agreement as presented.
- Discuss Request for Jumpy Castle Use in Park Ms. Kupferer discussed that there had been a request to use a jumpy castle for a party in the park. The Board approved such a use, contingent on the completion of a liability waiver. The Board requested that Ms. Dauer review and revise the existing District liability waiver form.
- Review Delinquent Accounts Ms. Kupferer reviewed the delinquent accounts to be sent to collections and covenant enforcement legal counsel. The Board acknowledged and approved same.

Legal Matters

- Consider Approval of Resolution Adopting Digital Accessibility Policy and Designating Compliance Coordinator Ms. Dauer presented the Resolution Adopting Digital Accessibility Policy and Designating Compliance Coordinator. She discussed that this policy includes an accessibility statement and plan as required under the new website accessibility laws and designates AdvanceHOA as the compliance coordinator. Upon motion made, seconded and unanimously carried, the Board approved the Resolution Adopting Digital Accessibility Policy and Designating a Compliance Coordinator.
- Consider KB Homes Special Warranty Deed Conveying Ms. Dauer presented the special warranty deed from KB Homes conveying certain tracts to the District. The Board discussed requesting a phase one environmental assessment on the tracts

RECORD OF PROCEEDINGS

- Tracts to District with oil wells and landscaping to be conducted in accordance with the minor development plan prior to acceptance of the tracts. The Board directed Ms. Dauer to present the prerequisites to acceptance to counsel for KB Homes.
- 2023 Annual Report Ms. Dauer presented the 2023 annual report. She also noted that the District will be required to complete a quinquennial report in 2024.
- Adjournment There being no further business to come before the Board, and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 4:54 p.m.



David Strubling (Sep 12, 2024 08:27 MDT)

Secretary for the Meeting







00752909

Final Audit Report

2024-09-12

Created:	2024-09-11
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-  Signer davidryanstribling@gmail.com entered name at signing as David Stribling
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-  Document e-signed by David Stribling (davidryanstribling@gmail.com)
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