

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

CUNDALL FARMS METROPOLITAN DISTRICT

Held: Tuesday, May 7, 2024 at 5:30 p.m. via Zoom
videoconferencing platform.

Attendance

The regular 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
Alan White
David Stribling

Also present were Colin B. Mielke, Esq., Seter, Vander Wall & Mielke, P.C.; Melissa Kupferer, Advance HOA Management, Inc.; and Gigi Pangindian, CliftonLarsonAllen LLP.

Call to Order

Mr. Mielke noted that a quorum of the Board was present and called the meeting to order at 5:30 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.

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Approval of Agenda Upon motion made, seconded and unanimously carried, the Board approved the agenda as presented, with an amendment to add prairie dog remediation proposal matters as an agenda item.

Public Comment There was no public comment at this time.

Approval of Minutes Upon motion made, seconded and unanimously carried, the minutes of the March 5, 2024 regular meeting were approved as presented.

Financial Matters /
Payment of Claims Ms. Pangindian presented claims in the amount of \$52,151.98 to the Board for ratification, noting that information regarding dates in which bills are incurred will be added to the payment of claims report going forward. Following discussion, and upon motion duly made and seconded, the Board unanimously ratified the claims as presented.

The Board reviewed and discussed the BrightView invoices listed in the payment of claims report. Ms. Pangindian and Ms. Kupferer clarified that an additional BrightView payment, in the amount of \$2,196.00, was for snow removal services between March 14 and March 17, 2024.

Ms. Pangindian presented the unaudited financial statements dated March 31, 2024, noting that the District has collected approximately 45% of taxes so far. The Board then discussed the District's mill levy reduction and Ms. Pangindian confirmed that the District is levying sufficient mills to pay its debt service. Upon request from Director Fresquez, Ms. Pangindian agreed to research whether the District can pay off smaller loans on the District's books.

Following discussion, and upon motion duly made and seconded, the Board unanimously accepted the financial report as presented.

Director Matters Director Jurhs and Director Stribling expressed their disappointment with BrightView's performance. Director Fresquez noted that aeration scheduled for May 1 had not yet occurred and that many trees in the District still have winter wraps that need to be removed. The Board directed Ms. Kupferer to inform BrightView of the Board's plan to replace them as the District's landscaping company if their performance does not improve.

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Director Fresquez questioned what triggers the District to the next level in delinquency status for past due accounts. Director Fresquez next questioned whether former Board members have access to the Board portal. Ms. Kupferer disabled access to the Board portal for former Board members.

Director Fresquez remarked that a resident of the District does not have a fence. Ms. Kupferer confirmed that the community's covenants do not require fences to be installed.

Director Fresquez discussed tree replacement matters on the south side of the District. Ms. Kupferer informed the Board that she has not received any proposals, but that she has requested proposals from Jeremy Jobs and BrightView.

Director Fresquez noted that he has not heard back from CSU regarding landscape design to qualify for City grant funding. Therefore, he requested Ms. Kupferer provide contacts for landscape consultants. Director Fresquez requested that Ms. Kupferer refrain from sharing pricing information with contractors when seeking proposals.

Management Matters

Ms. Kupferer provided her management report.

- Detention Pond Cleanout
Ms. Kupferer noted that the detention pond cleanout has been tabled while she inquires about the City performing the cleanout.
- BrightView Amended Scope of Work and Proposal for Landscaping
Ms. Kupferer informed the Board that BrightView is preparing a amended landscaping proposal for review.
- Discussion regarding Social Committee Volunteer Statement of Interest
The Board discussed Janice Sosias' interest to serve on the Social Committee. Upon motion duly made and seconded, the Board unanimously approved the appointment of Ms. Sosias to the District's Social Committee.
- Discussion of Prairie Dog Remediation Proposal from Rocky Mountain Wildlife Services
The Board reviewed the proposal for prairie dog remediation from Rocky Mountain Wildlife Services, noting the not-to-exceed amount of \$435.50 for spring fumigation and the not-to-exceed amount of \$646.00 for summer and fall fumigation. The Board expressed disappointment that the City of Thornton will

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not be fumigating prairie dogs this year. The Board determined to proceed with spring and fall fumigation and directed Ms. Kupferer to send the receipt to the City of Thornton, in addition to a \$7,000 receipt for electrical damage caused by prairie dogs, to show the importance of remediation and the damage caused by inaction of the City.

Upon motion duly made and seconded, the Board unanimously approved the proposal for Prairie Dog Remediation from Rocky Mountain Wildlife Services for spring and fall.

- Discussion of Delinquent Accounts

The Board discussed potential courses of action regarding delinquent accounts. Upon motion duly made, seconded and unanimously carried the Board determined to send the top three delinquent accounts on the list prepared by Advance HOA to the District's collections attorney, the fourth delinquent account on the list will be sent a third notice on Thursday, and the fifth delinquent account will receive a courtesy call to demand payment because the amounts are related solely to late fees and interest.

Legal Matters

- Update regarding Underdrain Ownership and Maintenance Responsibilities

The Board discussed the status of the underdrain system within the District. Mr. Mielke informed the Board that his office received from prior legal counsel a few hours prior to the meeting documentation confirming the District's ownership of the underdrain system. The Board discussed the proposed maintenance schedule set forth in the documentation. Mr. Mielke was directed to get a quote on the cost to insure the underdrain system and to obtain a scope video of the underdrains from former legal counsel.

- Consider KB Homes Colorado Special Warranty Deed Conveying Tracts to District

Director Juhrs stated that she would like a map of all the tracts proposed to be conveyed to KB Homes. Director Fresquez noted that the parcels were never landscaped according to City requirements. Mr. Mielke will inform KB Home that the District is not prepared to accept ownership of the tracts until landscaping is corrected, confirmation that there are no underdrain issues with those tracts, and additional research is completed regarding oil and gas wells located on some of the tracts.

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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 7:10 p.m.



David (Jul 25, 2024 13:46 MST)

Secretary for the Meeting






00744116

Final Audit Report

2024-07-25

Created:	2024-07-17
By:	Catherine Bright (cbright@svwpc.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAABnFtcYs-eX0OsvntyXMwKUJAvtbNzzvg

"00744116" History

-  Document created by Catherine Bright (cbright@svwpc.com)
2024-07-17 - 5:02:24 PM GMT
-  Document emailed to David (davidryanstribling@gmail.com) for signature
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-  Email viewed by David (davidryanstribling@gmail.com)
2024-07-25 - 7:43:49 PM GMT
-  Document e-signed by David (davidryanstribling@gmail.com)
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-  Agreement completed.
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