

# RECORD OF PROCEEDINGS

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## MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

CUNDALL FARMS METROPOLITAN DISTRICT

Held: Tuesday, May 21, 2024 at 10:00 a.m., via Zoom  
videoconferencing service.

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  
Alan White

Absent:  
Reuben Patrick Maes  
David Stribling

Also present were Elizabeth A. Dauer, Esq., Seter, Vander Wall & Mielke, P.C.; Melissa Kupferer, AdvanceHOA; and three 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 10:00 a.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 meeting agenda was approved as presented.

## Public Comment

District resident, Erin Truax, discussed the notice of noncompliance she received requiring her to stain her property fence. Ms. Kupferer noted that the architectural guidelines permit six different fence stain colors. Discussion ensued regarding modifying the guidelines to permit only one fence stain color. The Board determined to table this matter until the July meeting and directed Ms. Kupferer to grant extensions for compliance with fence staining requirements until the staining issue is considered by the Board.

## Director Matters

- Discussion Regarding Performance under 2024 Brightview Landscaping Agreement

Director Fresquez discussed that he is not satisfied with the services provided by Brightview under the 2024 landscaping agreement. Director Jurhs and Director White agreed. Upon motion duly made, seconded and unanimously carried, the Board determined to terminate the 2024 Brightview landscape services agreement. The Board directed Ms. Kupferer to draft a notice of termination of agreement, effective June 1, 2024 and authorized Ms. Kupferer to send the notice to Ms. Dauer for final review.

Director Fresquez discussed that he obtained a proposal and proposed contract for landscape services from Jeremy Jobs. Ms. Dauer discussed that the scope of work contains some inconsistencies, and that the agreement will require some modifications. Director Fresquez volunteered to obtain an updated scope of work. Upon discussion and motion duly made and seconded, the contract with Jeremy Jobs for landscape services from June 1, 2024 through December 31, 2024 was approved subject to final modifications identified by legal counsel.

## Other Business

Director Jurhs noted that the prairie dogs are increasing daily and inquired regarding scheduling the prairie dog remediation service. Director Jurhs also discussed that the underdrain scoping should be delayed until the completion of any work to fix any damage resulting from recent construction.

Director Fresquez directed Ms. Dauer to draft a letter to KB Homes concerning the request for District acceptance of remaining tracts.

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He directed the letter to be delivered prior to the Board's next meeting and directed that the letter includes all prerequisites for acceptance, including soil sampling and landscaping at previously promised levels.

## 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 10:45 a.m.

  
David L. Hill, 2024

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Secretary for the Meeting







# 00744117

Final Audit Report

2024-07-25

Created:	2024-07-17
By:	Catherine Bright (cbright@svwpc.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAOwF9la4ckaw8EIM7gqcwZ7AJxN-sYhGH

## "00744117" History

-  Document created by Catherine Bright (cbright@svwpc.com)  
2024-07-17 - 5:04:31 PM GMT
-  Document emailed to David (davidryanstribling@gmail.com) for signature  
2024-07-17 - 5:04:36 PM GMT
-  Email viewed by David (davidryanstribling@gmail.com)  
2024-07-25 - 7:44:02 PM GMT
-  New document URL requested by David (davidryanstribling@gmail.com)  
2024-07-25 - 7:44:06 PM GMT
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Signature Date: 2024-07-25 - 7:48:48 PM GMT - Time Source: server
-  Agreement completed.  
2024-07-25 - 7:48:48 PM GMT