

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

CUNDALL FARMS METROPOLITAN DISTRICT

Held: Tuesday, January 3, 2023, at 5:30 via Zoom video
conferencing 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:

Reuben Patrick Maes
Bradley Mark Nelson
Paula Juhrs
Darren Fresquez
David Stribling

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

Call to Order

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

Approval of Minutes

Upon motion made, seconded and unanimously carried, the minutes of the November 22, 2022 special meeting were approved as presented.

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Approval of Agenda	Upon motion made, seconded and unanimously carried, the Board approved the agenda as presented.
Public Comment	District resident, Jeff Korman, inquired regarding the potential installation of security cameras in the District. He volunteered to send information concerning potential security systems/cameras to the District manager to distribute to the Board for future consideration.
Financial Matters / Payment of Claims	Ms. Ferreira presented claims in the amount of \$109,000.38 to the Board for ratification. Ms. Ferreira presented the financial report and a schedule of cash position updated as of December 30, 2022. Following discussion, and upon motion duly made and seconded, the Board unanimously accepted the financial report and schedule of cash position, and ratified the claims as presented.
Annual Administrative Matters-2023	Mr. Mielke presented the 2023 Annual Administrative Resolution and noted the distribution of director qualification affidavits and general conflict forms for updating. Upon motion made by Director Juhrs, seconded by Director Nelson and unanimously carried, the Board approved the Annual Administrative Resolution as presented.
Director Matters	The Board discussed that the District was overcharged for certain items relating to the sprinkler repair and inspection performed by Schultz Industries. The Board requested that legal counsel draft a letter to Schultz demanding reimbursement, citing the analysis performed by BrightView. The Board also discussed bringing a small claims legal action if Schultz refuses to reimburse the District.
- Discussion regarding Schultz Landscaping Charges	
- Discussion regarding Damage from Fire Station Construction	Director Fresquez noted that he has spoken with Jennifer Cahill and plans to meet with her soon concerning the damage from the fire station construction.
- Discussion regarding Allocation of Consultant Responsibilities	Upon Board discussion, it was determined that Advance HOA will assume responsibility for all email communications regarding the District website.
Management Matters	Ms. Kupferer noted that Advance HOA will continue to look for new basketball court surfacing proposals.
- Account 1824450 Covenant Violation	

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Ms. Kupferer discussed account 1824450 covenant violation. The Board determined it is ready to proceed with legal action. The Board requested that the covenant enforcement legal firm provide an overview of the process and an estimate of costs for same. The Board determined that if anyone has a concern with the estimate they can email Ms. Kupferer to stop the process until the next meeting.

Legal Matters

- Discussion regarding Neighborhood Registry

The Board discussed the creation of a neighborhood registry to assist in contacting neighbors in emergency or other situations. Mr. Mielke noted that there are some privacy concerns with publishing District residents' personal information. The Board determined not to take action on this item at this time.

- Discussion regarding Basketball Court Construction Project

Mr. Mielke confirmed that the contract with Altitude Athletic Services was terminated. He noted that the District continues to gather new proposals for the basketball court surfacing project.

- Update regarding Prairie Dog Remediation

Mr. Mielke discussed the prairie dog remediation coordination with the City. The Board directed Mr. Mielke to deliver the City's contact information to Advance HOA for District management to oversee this item.

- Update regarding NorthPark 25

There was no update at this time.

- Review General Counsel Rates for 2023

Mr. Mielke presented Seter & Vander Wall, P.C.'s general counsel legal services rates for 2023.

- Ratification of 2023 BrightView Landscaping and Snow Removal Agreement

Mr. Mielke presented the BrightView landscaping and snow removal agreement for ratification by the Board. Following discussion, and upon motion duly made and seconded, the Board unanimously ratified the BrightView agreement as presented.

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 Stribling \(Jun 28, 2023 09:35 MDT\)](#)

Secretary for the Meeting







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Final Audit Report

2023-06-28

Created:	2023-06-27
By:	Catherine Bright (cbright@svwpc.com)
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-  Signer davidryanstribling@gmail.com entered name at signing as David Stribling
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