

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

CUNDALL FARMS METROPOLITAN DISTRICT

Held: Tuesday, May 9, 2023 at 5:30 pm via Zoom
Teleconferencing services

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
David Stribling

Absent: Rueben Patrick Maes

Also present were Elizabeth A. Dauer, Esq., Seter & Vander Wall, P.C.; Melissa Kupferer, Advance HOA Management, Inc.; Alyssa Ferreira, CliftonLarsonAllen LLP; and approximately seven District residents.

Call to Order

Ms. Dauer 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.

Approval of Agenda

Upon motion made, seconded and unanimously carried, the Board approved the agenda as presented.

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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 7, 2023 regular meeting were approved as presented.
Financial Matters / Payment of Claims	Ms. Ferreira presented claims in the amount of \$38,089.47 to the Board for ratification. Ms. Ferreira presented the financial report and a schedule of cash position updated as of March 31, 2023. Director Fresquez requested that CoSmart receive payment as soon as possible. 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.
- Review and Accept 2022 Audit and Authorize Execution of Representation Letters	Ms. Ferreira presented the 2022 audit documents to be sent to the auditor to prepare the final 2022 audit. Following discussion, and upon motion duly made and seconded, the Board unanimously accepted the 2022 audit and authorized execution of representation letters.
Director Matters	Director Fresquez reported that this matter has been transferred to the City of Thornton for resolution.
- Update Regarding Repairs to Damage by Fire Station	
- Discussion Regarding Cameras at Development and Trail Entrances	District resident, Alan White, discussed the installation of security cameras at entrances of the development and trails. He suggested that the District engage a company known as Flock to install and maintain the proposed cameras. Upon discussion, the Board determined to table this discussion until the July meeting. Alan White offered to invite a representative of Flock to the July meeting to address questions of the Board and provide a proposal.
- Review and Discuss BrightView Landscape Plant Health Proposal Recommendations from Walk Through	Director Fresquez reported that he sought a proposal from BrightView for additional plant health recommendations because he believes it would be efficient to contract with one company for landscaping services rather than two or three. The Board discussed that once the current contract with SavaTree is complete the Board will request a proposal from each company for the same work to generate a fair comparison of the pricing.
- Discuss Pickleball Court Striping and Sound Levels	Director Juhrs reported that she was contacted by a District resident concerning the loud sounds associated with pickleball. The Board discussed the concern but determined that the majority of residents had expressed that they were in favor of the

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District providing pickleball.

Director Fresquez discussed the proposal from ZBRA for pickleball striping. Following discussion, and upon motion duly made and seconded, the Board approved the proposal from ZBRA Striping and Sealcoating LLC to restripe the basketball court and stripe a pickleball court in the amount \$3,536.22.

- Other

Director Juhrs reported that the social committee was anticipating that it may exceed its budget for an event because they could not book a satisfactory food truck. Therefore, the committee will purchase hot dogs, buns, condiments, chips, etc. to distribute during the event. The Board approved the potential additional expenditure of funds so that the social committee could provide kid-friendly food at the event.

The Board discussed the City of Thornton site meeting. Following discussion, and upon motion duly made and seconded, the Board authorized that the identified drains on District property should be cleaned as soon as possible in an amount not to exceed \$1,800. The Board also directed Ms. Kupferer to obtain a proposal for an inspection and maintenance schedule for the underdrains.

Director Juhrs inquired whether sheds are authorized on patio home lots. Ms. Kupferer replied that they are not banned by the District, but that the patio home HOA would govern this matter.

Director Fresquez presented photos of places throughout the District where the grass has died due to irrigation failures. Director Fresquez noted that he will obtain proposals from CoSmart for sod replacement in two of the identified areas. He will also obtain a proposal from CoSmart for bushes/xeriscaping in another identified area.

Management Matters

Manager's Report

- Discuss Covenant Violation- 15961 St. Paul Street

Ms. Kupferer presented her management report.

Ms. Kupferer discussed the covenant violations at 15961 St. Paul Street. She noted that the homeowners have started to make improvements, but that none of the improvements fix the violations. She also noted that the District has received no response to all violation letters over the past six months. Upon discussion, motion and second, the Board authorized its covenant enforcement attorneys to proceed with filing a lawsuit.

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- Legal Matters
- Discuss Potential BBB Complaint Against Schultz Industries for Irrigation System Defects Ms. Dauer discussed the procedure for filing a complaint with the Better Business Bureau against Schultz Industries for irrigation system defects. Upon discussion, the Board authorized Ms. Dauer to prepare the Better Business Bureau letter and filing of same.
 - Discuss Safety and Loss Prevention Grant Fund Ms. Dauer reported that the Safety and Loss Prevention grant allocation from the Special District insurance pool is \$912.22.
 - Discuss Next Meeting Date Upon motion made and seconded, the Board determined to cancel its July 4 regular meeting and call a special meeting for July 11, 2023 at 5:30 pm.
 - Other Ms. Dauer discussed that there is a vacancy on the Board, which the Board may fill by appointing someone to fill the seat.
- 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 7:23 p.m.


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Secretary for the Meeting



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Final Audit Report

2023-08-07

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By:	Catherine Bright (cbright@svwpc.com)
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