

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
VAUXMONT METROPOLITAN DISTRICT (THE
“DISTRICT”)
HELD
MARCH 19, 2024

A regular meeting of the Board of Directors (referred to hereafter as “Board”) of the Vauxmont Metropolitan District (referred to hereafter as the “District”) was convened on Tuesday, March 19, 2024, at 5:00 p.m. at Candelas Parkview Swim & Fitness Club, 19865 W. 94th Avenue, Arvada, Colorado 80007. This District Board meeting was also held via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Anna Smith, Vice President
Craig Conway, Secretary
Travis Hart, Assistant Secretary

Director Peter Schulte, President, and Director Paul Hoisington, Treasurer, were absent and excused.

Also In Attendance Were:

Lisa Johnson, Alex Clem, Rachel Alles, Stephanie Odewumi and Alonso Duran Rodriguez; CliftonLarsonAllen LLP (“CLA”)
Christina Sandoval and Jerry Jacobs; Timberline District Consulting (“TDC”)
Barbara Vander Wall and Russell Newton; Seter, Vander Wall & Mielke, P.C.
Eric VanLaren; Environmental Designs, Inc. (“EDI”)
Jay Blackburn; Level Engineering, LLC
Harvey Newman, Marisa Connelly, Laura Vander Veen, Brian Levins, Kirk Bobo, Peter Dyer, Dale Meier and other members of the public

ADMINISTRATIVE MATTERS

Call to Order and Agenda: Director Smith called the meeting to order at 5:02 p.m. There was distributed for the Board’s review and approval, a proposed agenda for the District’s meeting. Following review, upon a motion duly made by Director Conway, seconded by Director Hart and, upon vote, unanimously carried, the Board approved the agenda, as presented.

RECORD OF PROCEEDINGS

Upon a motion duly made by Director Conway, seconded by Director Smith and, upon vote, unanimously carried, the Board excused the absence of Director Schulte and Director Hoisington.

Disclosures of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. The Board requested members of the Board disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute, if any.

Quorum, Location of Meeting, and Posting of Meeting Notices: It was noted that a quorum was present. The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. The Board determined that the meeting would be held in a hybrid manner, with participants attending both in person at the meeting location and by video/telephonic means. It was noted that the notice of the location and manner of the meeting was duly posted, and that no objections to the location and manner of the meeting or any requests that the location and manner of the meeting be changed by taxpaying electors within the District boundaries have been received. The Board further noted that the meeting was being held within the boundaries of the District.

CONSENT AGENDA

The Board considered the following item under the Consent Agenda:

- Minutes of the February 20, 2024 and March 7, 2024 Special Meetings

Upon a motion duly made by Director Conway, seconded by Director Hart and, upon vote, unanimously carried, the Board approved the Consent Agenda items, as presented.

PUBLIC COMMENT

Mr. Levins addressed the Board regarding updating the snow map to accurately reflect snow removal areas. He also expressed concern regarding ice buildup in front of mailbox kiosks and suggested repairs.

Ms. Vander Veen addressed the Board regarding concerns about the walkways toward the mailbox kiosks being cleared of snow

RECORD OF PROCEEDINGS

and ice to eliminate the risk of residents slipping. She also inquired about the repairs to solar streetlights that have not worked for a number of years and are the City of Arvada's responsibility.

Mr. Bobo commented on the guest Wi-Fi and lack of access to the community room at Parkview. Director Smith advised Mr. Bobo that his concerns regarding Wi-Fi were addressed and the Board is upgrading security to allow more access to the community room. She noted that she came to the clubhouse with additional devices and was able to connect, and with no other residents. Voicing the same concerns, there is no issue with the Wi-Fi to resolve.

OPERATIONAL MATTERS AND MAINTENANCE MATTERS

Landscape Report: Mr. VanLaren reviewed the EDI report with the Board, and noted that EDI would communicate with Timberline regarding damage to certain snow removal areas.

Mr. Blackburn presented bore data and provided an update to the Board on the Townview Pool Foundation Repair Study, noting that 20 feet of claystone fill may not have adequate density and they are looking at replacement and repair options. He will provide a full report summarizing the study and proposed solutions at the April meeting. Discussion ensued regarding timeline and associated costs.

Yucca and Foxtail Stormwater Facilities:

Level Engineering Update on Foxtail Stormwater Facility and Board Direction: Mr. Blackburn provided an update and reviewed survey results with the Board, noting planned and current depths. Discussion ensued. Mr. Blackburn will provide the full survey and report along with an estimate for dredge work to the Board in the next week.

EDI Change Order to Pump Water from Yucca Stormwater Facility: Mr. Dyer and EDI discussed the status of the Yucca Stormwater Facility and of the sprinklers at Foxtail with the Board. Updates will be provided at the April meeting and dredging will occur when the facility has adequately drained.

Engineer's Report: The Board acknowledged the Engineer's Report.

RECORD OF PROCEEDINGS

March 2024 Candelas Facilities Update:

Proposals from Bingle and Jellyfish Lighting and Possible Action: Ms. Sandoval reviewed the changes to both proposals since the February meeting with the Board. Discussion ensued. Following discussion, the Board determined to defer this item to the July meeting.

Pool Tile Repair and Replacement and Possible Action (Parkview): Ms. Sandoval reviewed the proposals with the Board. Discussion ensued. Following review and discussion, upon a motion duly made by Director Conway, seconded by Director Smith and, upon vote, unanimously carried, the Board approved the Cornerstone Tile proposal in an amount not to exceed \$2,000.00, subject to confirmation of work to be completed before pool season. It was noted that if the work cannot be completed before the start of the season, the Board conditionally approved the proposal from Complete Pools & Spas in the amount of \$3,275.00.

Proposals for Tankless Water Heater and Possible Action (Townview): Ms. Sandoval reviewed the proposals with the Board, noting that a third bid is forthcoming. Discussion ensued. The Board determined to defer this item to the April meeting when general counsel can provide a recommendation regarding utilizing Sustainability Funds for the installation.

Gym Equipment Pricing and Possible Action (Townview): Ms. Sandoval reviewed the resident feedback received for gym equipment and equipment proposals with the Board. Discussion ensued. Following review and discussion, upon a motion duly made by Director Conway, seconded by Director Smith and thereafter amended by Director Conway and seconded by Director Smith, upon vote, unanimously carried, the Board approved the Push Pedal Pull Bike proposal for one Peloton Commercial Bike with a one 3-year subscription and two P31 Treadmills in the total amount of \$13,046.54.

Additional Proposals from 303Networks for Card Readers (Townview and Parkview): Ms. Sandoval provided an update to the Board, noting that proposals are not ready yet but should be presented at the April meeting.

RECORD OF PROCEEDINGS

Additions or Revisions to the Timberline District Consulting

2024 Scope of Work: Legal counsel provided an update and detailed the proposed changes to the Board, noting Timberline will have more committee meeting administration duties, more detailed CDRC parameters, and additional inspection drives a night. Discussion ensued. Director Smith requested that a pool inspection log be posted for users to see. Following review and discussion, upon a motion duly made by Director Conway, seconded by Director Smith and, upon vote, unanimously carried, the Board approved the Timberline District Consulting 2024 Scope of Work including the revisions discussed. TDC agreed to post pool testing data on a regular basis.

DIRECTORS' MATTERS

Status of Communication to Delinquent Alley Lot Fee

Accounts: This item was deferred to the April meeting.

Administrative Access to Facebook Page:

This item was deferred to the May meeting.

Vandalized Sign and Parking Lot Lights at Townview:

Ms. Sandoval provided an update to the Board, noting that FastSigns is working on repairs to the signs and the invoice will be submitted to CLA for payment. Timberline is working on soliciting proposals for replacement of the parking lot lights, which will be presented at the April meeting. Discussion ensued regarding this as well as repairs needed to playground equipment due to misuse. The Board directed Ms. Johnson to work with TCW Risk Management on registering the District for a safety risk evaluation of the District's facilities and playground equipment with the District's insurance program.

Recent Repairs to Lights by FFM That Are No Longer

Working: Ms. Sandoval provided an update to the Board, noting that the gym will need to be closed for a couple of hours for the re-installation of lights. The ballast is covered under warranty but the District may pay for labor to perform the work. Discussion ensued regarding labor costs and whether it's possible to seek coverage from the manufacturer or a different replacement part.

Sprinklers Near Foxtail Stormwater Facility:

This item was previously discussed.

Tree Planting Event:

The Board discussed community involvement in the tree planting event and implications related to

RECORD OF PROCEEDINGS

the addition of tree locations near the District's trails. It was noted that approximately 1000 trees require replacement and the Landscape Committee will look into appropriate replacement locations.

FINANCIAL MATTERS

January 31, 2024 Unaudited Financial Statements and Schedule of Cash Position as of March 13, 2024: Mr. Rodriguez reviewed the Unaudited Financial Statements and Schedule of Cash Position with the Board. Discussion ensued. Following review and discussion, upon a motion duly made by Director Conway, seconded by Director Smith and, upon vote, unanimously carried, the Board accepted the January 31, 2024 Unaudited Financial Statements and Schedule of Cash Position, as of March 13, 2024, as presented.

Payment of Claims In the Amount of \$97,860.35 through the Period Ending March 2024: Mr. Rodriguez reviewed the claims with the Board. Discussion ensued. Following review and discussion, upon a motion duly made by Director Conway, seconded by Director Smith and, upon vote, unanimously carried, the Board accepted the payments of claims in the amount of \$97,860.35 through the period ending March 2024, as presented.

2024 Auditor Engagement: Mr. Rodriguez presented regarding a recent communication CLA received from Haynie & Company related to a Public Company Accounting Oversight Board (PCAOB) review of the work performed by Haynie & Co., in connection with audits prepared for public companies in 2019, and certain violations found. Mr. Rodriguez noted that this company has served as the District's auditor for prior years and engaged to perform the 2023 audit. He noted that PCAOB standards are different than the standards required for local governments. CLA has not been aware of any violations from the oversight Board that oversee local government auditing requirements. Mr. Rodriguez inquired the Board's preference for replacement of its auditor for 2023, which may cause a delay in filing. Discussion ensued.

The Board suggested Mr. Rodriguez share the communication from Haynie & Co. to the Board and that Director Hart and Director Hoisington relay the discussion with the Finance Committee. Following discussion, upon a motion duly made by Director Smith, seconded by Director Conway and, upon vote, unanimously carried, the Board decided to continue with Haynie & Co. for the 2023 audit, with a different auditor within the company to perform the 2024 audit work. The Board directed staff

RECORD OF PROCEEDINGS

to solicit proposals from other auditing firms and to include Haynie & Co. in the solicitation to perform the District's 2024 audit. Mr. Rodriguez will communicate the decision back to Haynie & Co. and then report back to the Board with any new information.

LEGAL MATTERS

Legal Status Report: The Board acknowledged the Legal Status Report.

Draft Resolutions Regarding Committee Formation and Rules of Conduct: Legal counsel reviewed the draft resolutions and requirements regarding committee operations and conduct with the Board. Feedback received on the proposed resolutions from the various committees was shared with the Board; the Board discussed the limitations and permissible delegation of authority. Legal counsel is working with the District's covenant enforcement counsel on the Candelas Designs Review Committee charter resolution, which will eventually be presented to the Board when ready. Legal counsel recommended deferral of the resolutions for incorporation of any further applicable input from the committee members.

Resolution Regarding Formation of an Alley Lot Committee: This item was deferred.

Resolution Regarding Formation of Finance Committee: This item was deferred.

Resolution Regarding Formation of a Landscape Committee: This item was deferred.

Resolution Adopting Policy Regarding Conduct of Committee Meetings and Members: This item was deferred.

Resolution and Policy Regarding Requests for Public Records – Research and Retrieval: Legal counsel reviewed the Resolution and Policy with the Board. Following review, upon a motion duly made by Director Smith, seconded by Director Conway and, upon vote, unanimously carried, the Board adopted the Resolution and Policy Regarding Requests for Public Records – Research and Retrieval, as presented.

Resolution Regarding Personal Identifying Information Policy (PII): Legal counsel reviewed the Resolution with the Board.

RECORD OF PROCEEDINGS

Following review, upon a motion duly made by Director Smith, seconded by Director Conway and, upon vote unanimously carried, the Board adopted the Resolution Regarding Personal Identifying Information, as presented.

CORA Request: Legal counsel provided an update to the Board on recent CORA request received from a resident in the community. She noted that the request was complied with.

COVENANT CONTROL AND ENFORCEMENT/COMMUNITY MANAGEMENT

Community Manager Report: Ms. Sandoval reviewed the report with the Board.

Proposal for Mailbox Lights: Ms. Sandoval reviewed the proposal with the Board, noting that TDC recommends McCarrick Electric's proposal. Discussion ensued. Following review and discussion, upon a motion duly made by Director Smith, seconded by Director Conway and, upon vote, unanimously carried, the Board approved McCarrick Electric's proposal in the amount of \$3,633.64, as presented. Director Conway noted that Cimarron Metropolitan District owns the mailboxes and should know where there is no electricity. He also suggested that the mailboxes could be an asset that is transferred in the early stages of the Cimarron and Vauxmont transition process.

School Bike Racks: Ms. Sandoval provided an update to the Board, noting that TDC is tracking down the original installer to have them provide a proposal to install the new bike racks. An update will be provided at the April meeting.

Variances Deferred to Future Meeting Scheduled for April 4, 2024: The Board acknowledged the deferral. There was no further discussion.

2024 and 2025 Proposals and Map for Fence Repairs: Ms. Johnson reviewed the 2024 work approved at the last meeting and the 2025 proposed work and associated maps with the Board, noting that the fencing work will only be able to be completed in the summer of 2024 and 2025. The Board acknowledged.

MANAGER MATTERS

District Website: The Board discussed Streamline and Wix website hosting plans and capabilities. Following discussion, upon a motion duly made by Director Smith, seconded by Director Conway and, upon vote, unanimously carried, the Board approved

RECORD OF PROCEEDINGS

engagement of Streamline through Seter, Vander Wall & Mielke, P.C. with the cost and contract form negotiated by general counsel. Discussion ensued regarding records retention timeline for purposes of public access. It was noted that the District's website is not where the entirety of the public records are located.

COMMITTEE UPDATES

Committees and Reports from the Same:

Social/Events Committee: No update was provided.

Upcoming Committee Events:

Alley Lots Committee: No update was provided.

Finance/Audit Committee: Mr. Dyer inquired about term limits for committee members.

Sustainability Committee: No update was provided.

Landscape Committee: Mr. Meier provided an update.

DRC Committee: No update was provided.

PUBLIC COMMENT

None.

OTHER BUSINESS

None.

ADJOURNMENT

Upon motion duly made by Director Conway, seconded by Director Smith and, upon vote, unanimously carried, the Board adjourned the meeting at 8:57 p.m.

Respectfully submitted,

DocuSigned by:

Craig Conway

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Secretary for the Meeting

Certificate Of Completion

Envelope Id: 833F5AAAEFCE4FE5B98B46A5F761CE54	Status: Completed
Subject: Complete with DocuSign: 2A. Minutes 03-19-2024.pdf	
Client Name: Vauxmont MD	
Client Number: A128604	
Source Envelope:	
Document Pages: 9	Signatures: 1
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped Stamping: Enabled	Chelsea Bojewski
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 S 6th St Ste 300
	Minneapolis, MN 55402-1418
	Chelsea.Bojewski@claconnect.com
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Record Tracking

Status: Original	Holder: Chelsea Bojewski	Location: DocuSign
4/17/2024 1:23:41 PM	Chelsea.Bojewski@claconnect.com	

Signer Events

Craig Conway
 craig.conway.vmd@gmail.com
 Board Secretary
 Security Level: Email, Account Authentication (None)

Signature

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 A7E6733349A144B...
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 Viewed: 4/24/2024 1:05:48 PM
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Electronic Record and Signature Disclosure:
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In Person Signer Events	Signature	Timestamp
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Editor Delivery Events	Status	Timestamp
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Agent Delivery Events	Status	Timestamp
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Intermediary Delivery Events	Status	Timestamp
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Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Records
 sdrecordsretention@claconnect.com
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Electronic Record and Signature Disclosure:
 Accepted: 10/5/2023 9:27:44 AM
 ID: 2eeab7cf-9041-488d-bed0-8baedf289723

Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	4/24/2024 1:05:48 PM
Signing Complete	Security Checked	4/24/2024 1:05:56 PM

Envelope Summary Events	Status	Timestamps
Completed	Security Checked	4/24/2024 1:05:56 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

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