

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
ORCHARD FARMS METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
AUGUST 7, 2024

A regular meeting of the Board of Directors of the Orchard Farms Metropolitan District (referred to hereafter as the “Board”) was convened on August 7, 2024, at 5:00 p.m. This District Board meeting was held at via Zoom Video Conference. The meeting was open to the public.

ATTENDANCE

Directors in attendance were:

Randy Stutz, President
Ben Reiter, Treasurer
Brian McNelly, Secretary
Nate Watkins, Assistant Secretary
Ed Passini, Director

Also, In Attendance Were:

Celeste Terrell, Alex Clem and Lindsay Ross, CliftonLarsonAllen LLP (“CLA”)
Megan Murphy, Esq. and Marissa Peck, Esq.; White Bear Ankele Tanaka and Waldron (“WBA”);
Susie Ellis; Community Preservation Specialists, Inc.
Jeremy Wagner; Jeremy Jobs
Tiffany and Alan Goff, Ashton Wagner and Mary Passini; Members of the Public

ADMINISTRATIVE MATTERS

Call to Order:

The meeting was called to order at 5:00 p.m.

Quorum and Reaffirmation of Disclosures:

A quorum of the Board was confirmed. Attorney Murphy reported that disclosures for those Directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State’s Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Attorney Murphy inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Agenda:

The Board reviewed the agenda for the meeting. Following discussion, upon a motion duly made by Director Passini, seconded by Director Stutz and, upon vote, unanimously carried, the Board approved the agenda, as presented.

Public Comment:

Alan Goff expressed concerns regarding weeds around a drainpipe and concrete in the open space behind his home.

CONSENT AGENDA

June 5, 2024 Annual Meeting Minutes and June 5, 2024 Board Meeting Minutes
Claims Payable in the amount of \$126,019.95
Schedule of Cash Position
2023 Annual Report

The Board reviewed the consent agenda. Following discussion, upon a motion duly made by Director Stutz, seconded by Director Passini and, upon vote, unanimously carried, the Board approved the consent agenda listed above.

FACILITIES MANAGEMENT / DISTRICT OPERATIONS

Design Guidelines Review by Advisory Committee:

Ms. Passini from the Advisory Committee provided an update for the Board regarding the progress of revisions to the Design Guidelines.

Sports Courts and Patio Requirements:

The Advisory Committee proposed new language to the Board regarding sports courts. Discussion ensued. Following discussion, upon a motion duly made by Director Passini, seconded by Director Reiter and, upon vote, unanimously carried, the Board approved the sport court guidelines as follows “3.55 Sport Court Guidelines - Approval Required

1. Lighting must be turned off by 9pm.
2. No spotlights are allowed.
3. Lighting shall be placed so as not to disturb Owners of neighboring Units.
4. Must be located in the rear yard and at least 20 feet from adjacent dwelling property lines. For non-adjacent dwelling property lines, 3’ setback required.
5. Tall plant screening is required between sports courts and any neighboring properties.
6. Hours of court usage are between 8 am and 9 pm.

7. All sports equipment must be in good repair.
8. Sports courts are defined as "having permanent sports equipment installed including but not limited to Basketball hoops, tennis nets, etc."

Process for Amending Design Guidelines:

Attorney Murphy discussed the process to amend the Design Guidelines with the Board. Following discussion, Attorney Murphy directed the Advisory Committee to send the proposed, updated Design Guidelines to the Board and legal counsel for review. The Board directed CLA to schedule a work session to discuss the changes prior to the next Board meeting.

LEGAL MATTERS

None.

FINANCIAL MATTERS

None.

DIRECTORS' MATTERS

Flock Safety Proposals for License Plate Cameras:

Director Stutz provided an update for the Board regarding the feedback he's received. Discussion ensued. The Board determined to table this matter until the community feels like it is necessary.

Vandalism:

Director Stutz provided an update for the Board regarding vandalism within the community. No action was taken.

MANAGER MATTERS

Website and Proposal for Remediation Services:

Ms. Terrell provided an update on the District's website and PDF remediation services. No action was taken.

OTHER BUSINESS

Ms. Ellis provided an update for the Board regarding the fencing audit. Discussion ensued. The Board determined to hold two special meetings for hearings on the fencing audit, on September 10, 2024 at 6:00 p.m. and September 12, 2024 at 1:00 p.m., both via video teleconference.

ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director McNelly, seconded by Director Stutz and, upon vote, unanimously carried, the meeting was adjourned at 6:22 p.m.

Respectfully submitted,

By Signed by:
Nathaniel S. Watkins
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Secretary for the Meeting