

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
ORCHARD FARMS METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
OCTOBER 2, 2024

A regular meeting of the Board of Directors of the Orchard Farms Metropolitan District (referred to hereafter as the “Board”) was convened on October 2, 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.
Betsy Carr and other members of the public

ADMINISTRATIVE MATTERS

Call to Order:

The meeting was called to order at 5:03 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 McNelly, seconded by Director Stutz and, upon vote, unanimously

carried, the Board approved the agenda, as presented.

Public Comment:

None.

CONSENT AGENDA

August 7, 2024 Board Meeting Minutes, September 10, 2024 Board Meeting Minutes and September 12, 2024 Board Meeting Minutes
Claims Payable in the amount of \$129,182.14
Schedule of Cash Position

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

FACILITIES MANAGEMENT / DISTRICT OPERATIONS

District Manager's Report:

Ms. Terrell presented the Manager's Report to the Board. Ms. Terrell requested the Board's direction regarding a resident's request to reserve a portion of the park at the same time as the painting in the park event. Director Watkins will work with Courtney Turner from the Social committee and get back to Ms. Terrell.

Ms. Terrell also requested the Board's direction on the frequency of port-o-potty cleaning for upcoming months. The Board determined to clean them once a month from November until springtime.

Committee Reports:

Social Committee:

Director Watkins provided an update from the social committee for the Board, noting that the ice cream events were a big success over the last couple of months and the committee hopes to have more events like this in 2025. He reported there are two more events for the year - painting in the park and the harvest festival, both in October.

Landscaping Committee:

Director Stutz provided an update for the Board, noting that the landscaping committee did a walkthrough through of all the open tracks. The landscaping committee is working with Lennar & Jeremy Jobs to make sure the necessary improvements are made before the District accepts these tracks.

Proposal from Jeremy Jobs for 2025 Landscape Maintenance:

The Board discussed the 2025 landscaping maintenance contract with Jeremy Jobs and the potential maintenance of tracks that the District may take over in 2025. Jeremy Jobs provided rates for these areas as they are accepted by the District.

Following discussion, upon a motion duly made by Director McNelly, seconded by Director Passini and, upon vote, unanimously carried, the Board approved the proposal from Jeremy Jobs for 2025 landscape maintenance.

Advisory Committee:

Amended Design Guidelines:

Ms. Carr provided an update for the Board, noting that the draft Design Guidelines are still being revised and should be finished in another couple of committee meetings.

LEGAL MATTERS

Resolution Regarding Policies, Procedures and Penalties for the Enforcement of the Governing Documents:

Following review and discussion, upon a motion duly made by Director McNelly, seconded by Director Reiter and, upon vote, unanimously carried, the Board adopted the Resolution Regarding Policies, Procedures and Penalties for the Enforcement of the Governing Documents.

May 6, 2025 Director Election and HB 24B-1001 Regarding Revenue Limits:

Attorney Murphy provided an overview of the May 6, 2025 election and explained to the Board the revenue limitation found in Senate Bill 24-233 and House Bill 24-B1001. The Board discussed the option to vote out of the revenue limitations at the May 6, 2025 election or later and determined to defer a decision to call a TABOR election until the next Board meeting. No action was taken.

FINANCIAL MATTERS

June 30, 2024 Unaudited Financial Statements:

Ms. Ross presented the financial statements to the Board. Following discussion, upon a motion duly made, seconded and, upon vote, unanimously carried, the Board accepted the June 30, 2024 Unaudited Financial Statements.

DIRECTORS' MATTERS

Director Passini brought up an advertiser who entered the community and started throwing flyers in homeowners' driveways. Director Passini asked Legal Counsel if the District can post signs for no soliciting. Attorney Murphy indicated it is very hard to enforce no soliciting restrictions on public streets. Ms. Ellis agreed that regulating and enforcing no solicitation restrictions is very difficult.

MANAGER MATTERS

Website and Proposal for Remediation Services:

Ms. Terrell reviewed the proposal with the Board. Following discussion, upon a motion duly made by Director McNelly, seconded by Director Passini and, upon vote, unanimously carried, the Board approved the Allyant proposal for remediation, as amended, in an amount not to exceed \$2,500.00.

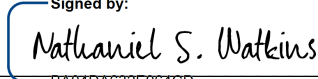
OTHER BUSINESS

None.

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 6:29 p.m.

Respectfully submitted,

By  Signed by:

BA04DA632E964CD...
Secretary for the Meeting

Certificate Of Completion

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 Subject: Complete with Docusign: OFMD - 6 Documents approved 12/4/2024
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 Client Number: A369002
 Source Envelope:
 Document Pages: 48
 Certificate Pages: 5
 AutoNav: Enabled
 Envelopeld Stamping: Enabled
 Time Zone: (UTC-06:00) Central Time (US & Canada)

Status: Completed
 Envelope Originator:
 Natalie Herschberg
 220 S 6th St Ste 300
 Minneapolis, MN 55402-1418
 Natalie.Herschberg@claconnect.com
 IP Address: 67.162.148.150

Record Tracking

Status: Original
 12/10/2024 11:03:11 AM
 Holder: Natalie Herschberg
 Natalie.Herschberg@claconnect.com
 Location: DocuSign

Signer Events

Randall Stutz
 randall.stutz@orchardfarmsmetrodistrict.com
 Treasurer
 Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

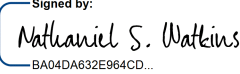
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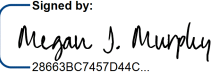
Nathaniel S. Watkins
 nate.watkins@orchardfarmsmetrodistrict.com
 Security Level: Email, Account Authentication (None)

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Megan J. Murphy
 MMurphy@wbapc.com
 Treasurer
 Security Level: Email, Account Authentication (None)

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 Using IP Address: 75.166.143.29

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Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Alyssa Rios arios@wbapc.com Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 1/2/2025 9:55:44 AM
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Records Team sdrrecordsretention@claconnect.com Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Accepted: 10/5/2023 9:27:44 AM ID: 2eeab7cf-9041-488d-bed0-8baedf289723	COPIED	Sent: 1/2/2025 9:55:45 AM Viewed: 1/2/2025 10:50:32 AM
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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	1/2/2025 9:55:27 AM
Signing Complete	Security Checked	1/2/2025 9:55:41 AM
Completed	Security Checked	1/2/2025 9:55:45 AM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
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