

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE VISTA RIDGE METROPOLITAN DISTRICT HELD JANUARY 21, 2016

A regular meeting of the Board of Directors of the Vista Ridge Metropolitan District (referred to hereafter as the "Board") was convened on Thursday, the 21st day of January, 2016, at 6:00 P.M., at the Vista Ridge Community Center, 2750 Vista Parkway, Erie, Colorado. The meeting was open to the public.

Directors In Attendance Were:

James R. Spehalski
Michael Lund
Scott Wood
Brian Laird
Christopher Koch

Also In Attendance Were:

Lisa A. Johnson, Divena Mortimeyer, and Dan Cordova; Special District Management Services, Inc.

Tim Hedahl; Vista Ridge Master Homeowner's Association ("HOA") Board Member.

**DISCLOSURE OF
POTENTIAL
CONFLICTS OF
INTEREST**

Disclosure of Potential Conflicts of Interest: The Board noted it was in receipt of disclosures of potential conflict of interest statements for each of the Directors and that statements had been filed with the Secretary of State at least seventy-two hours in advance of the meeting in accordance with the statute. Ms. Johnson requested that the Directors consider whether they had any new conflicts of interest which had not been previously disclosed. There were no additional disclosures made.

**ADMINISTRATIVE
MATTERS**

Agenda: Ms. Johnson requested that the Board review and approve the proposed Agenda for the District's regular board meeting.

Following discussion, upon motion duly made by Director Spehalski, seconded by Director Koch and, upon vote, unanimously carried, the Agenda was approved as amended.

Minutes: The Board reviewed the Minutes of the November 12, 2015 Special Meeting.

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Following discussion, upon motion duly made by Director Spehalski, seconded by Director Laird and, upon vote, unanimously carried, the Minutes from the November 12, 2015 Special Meeting were approved, as presented.

CONSENT AGENDA **Consent Agenda:** The Board considered the following actions:

- Ratify approval of adding Director Brian Laird as an authorized signer on the District’s operating account

- Ratify approval of an Engagement Letter with Alex Brown Consulting to provide advice on the structure, timing and terms for refunding obligations to be issued by the District for the purpose of refunding existing obligations

- Ratify approval of a Service Agreement with Colorado Lighting, Inc. for 2016 Site Lighting Inspections and Maintenance Services

- Ratify approval of a Service Agreement for Phoenix Masonry, Inc. for fence column stone veneer repairs.

Following discussion, upon motion duly made by Director Spehalski, seconded by Director Wood and, upon vote, unanimously carried, the Board approved the Consent Agenda.

FINANCIAL MATTERS

Claims: The Board considered ratifying the approval of the payment of claims for the period ending December 16, 2015, as follows:

General Fund:	\$ 27,597.56
Debt Service Fund:	\$ -0-
Capital Projects Fund:	<u>\$ 4,935.30</u>
Total:	<u>\$ 32,532.86</u>

Following discussion, upon motion duly made by Director Spehalski, seconded by Director Wood and, upon vote, unanimously carried, the Board ratified approval of the payment of claims for the period ending December 16, 2015 as presented above.

The Board then considered the approval of the payment of claims through the period ending January 21, 2016, as follows:

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General Fund:	\$ 54,000.04
Debt Service:	\$ -0-
Capital Projects Fund	<u>\$ 5,232.30</u>
Total:	<u>\$ 59,232.34</u>

Following discussion, upon motion duly made by Director Spehalski, seconded by Director Koch and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending January 21, 2016 as noted above.

Financial Statements: Ms. Mortimeyer presented the unaudited financial statements and the schedule of cash position for the period ending December 31, 2015.

Following review, upon motion duly made by Director Koch, seconded by Director Wood and, upon vote, unanimously carried, the Board accepted the unaudited financial statements and cash position for the period ending December 31, 2015, as presented.

Potential Debt Refunding: Ms. Johnson updated the Board on the efforts to date regarding the analysis to determine the feasibility of a potential bond refinance. Mr. Brown will complete his analysis in early February. In addition, Ms. Johnson and Ms. Mortimeyer have been contacted by two underwriters regarding their analysis for a potential bond refinance. Director Lund suggested the Board hold a work session in February to focus on the analysis and information from Mr. Brown. Ms. Johnson will work with the Board and consultants to schedule the work session.

LEGAL MATTERS

Status of May 3, 2016 Director's Election: Ms. Johnson updated the Board on the status of the May 3, 2016 Director's Election. The Call for Nominations will be published by the February 18, 2016 deadline and submitted to the HOA for transmission to residents via their e-mail distribution list. Self-nomination and Acceptance forms from candidates are due to Ms. Johnson by February 26, 2016.

Non-Potable Water Service to Commercial Users

Consent from Vista Ridge Golf Club Venture, LLC (the "Golf Club"): Ms. Johnson explained that upon review by District Counsel of the Irrigation Water Facilities Common Use Agreement between the Golf Club and the District it was determined that consent from the Golf Club is required to allow new users to tap onto the non-potable water system.

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The Board authorized Ms. Johnson to work with District Counsel and the Golf Club to obtain the necessary consent.

Term and Provisions of a Non-Potable Water Service Agreement: Director Spehalski volunteered to work directly with District Counsel and Ms. Johnson to draft a water service agreement.

The Board authorized President Spehalski to work directly with District Counsel and Ms. Johnson to draft a water service agreement and to circulate the draft agreement to the entire Board for review and final approval before transmitting to the commercial property owner requesting non-potable water service.

Rules and Regulations Pertaining to Non-Potable Water Service: The Board discussed the need for Rules and Regulations pertaining to non-potable water service and determined that Rules and Regulations are not needed at this time. Any requirements pertaining to non-potable water use should be included in the water service agreement.

OPERATION AND MAINTENANCE MATTERS

Project Manager's Report: Mr. Cordova presented the Project Manger's Report with the Board which is attached hereto and incorporated herein.

Pond Water Quality Management Services for 2016: Mr. Cordova presented proposals received from three providers regarding pond water quality management services for 2016. Mr. Cordova recommends approval of the proposal received from Aquatics Associates, Inc. for an annual amount not to exceed \$7,500.

Following discussion, upon motion duly made by Director Wood, seconded by Director Spehalski and, upon vote, unanimously carried, the Board approved a proposal from Aquatics Associates, Inc. for 2016 pond water quality management services in an amount not to exceed \$7,500 and directed Mr. Cordova to draft and transmit a Service Agreement to the contractor.

2016 Rodent Control Services: Mr. Cordova presented a proposal from Critter Gitterz for 2016 Rodent Control Services.

Following discussion, upon motion duly made by Director Spehalski, seconded by Director Koch and, upon vote, unanimously carried, the Board approved a proposal from Critter Gitterz for 2016 rodent control services and directed Mr. Cordova to draft and transmit a Service Agreement to the contractor.

Integrated Water System Update: There was nothing to report.

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Entry Monument Sign on Mountain View Blvd.: Mr. Cordova presented two proposals for the fabrication and installation of an entry monument sign on Mountain View Blvd. Baker Golf Aids was involved in the initial entry sign monumentation project when the community was first developed. Their proposal to fabricate and install an entry monument sign on Mountain View Blvd. is \$14,600.

The Board directed Mr. Cordova to contact the Town of Erie (the “Town”) to solicit the costs of any permits that may be required for the project and to summarize the total costs of the project and present to the Board for final review prior to soliciting cost sharing with the Homeowner’s Association.

Privacy Fence Stone Column Repairs: Mr. Cordova updated the Board. The repairs to the privacy fence stone columns are a work in progress.

Status of Stone Column Engineer’s Study: Mr. Cordova reported that the engineer’s study is a work in progress.

Status of Request from Commercial Property Owner to Connect and Utilize Non-Potable Water System: There was nothing new to report on the request from The Fairways at Vista Ridge proposed by Bonner Gilmore.

Town Park Maintenance: Mr. Cordova presented a proposal from Cocal Landscape for landscape maintenance services to the Town’s Columbine Mine Park. The Board discussed the proposal and need for improved landscape maintenance services. Director Laird volunteered to talk with his neighbor who is an employee of the Town, regarding the Board’s concerns and to solicit input on a possible solution.

COAL CREEK PUMP STATION IMPROVEMENTS PROJECT

Status of the Project: Ms. Johnson updated the Board on the status of the functionality of the pump station. Although the pump station is working well, it is still not functioning per the specifications included in the contract.

Consider Request of Partial Payment to Xylem-Flowtronix: Ms. Johnson presented a memo from Mr. Simons regarding his recommendation for a partial payment to Xylem-Flowtronix based on the current functionality and benefit of the pump station.

The Board discussed the recommendation in detail.

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Following discussion, upon motion duly made by Director Wood, seconded by Director Koch and, upon vote, unanimously carried, the Board determined not to approve partial payment to Xylem-Flowtronix at this time.

DEVELOPER UPDATE

Developer Update: President Spehalski gave an update on the status of the development of the remaining commercial properties.

OTHER MATTERS

Communication with the HOA: Mr. Hedahl reported that he will tour the District with Mr. Cordova to determine tree replacement recommendations for 2016.

WATER MATTERS

Water Lease Agreements: The Board considered the approval of renewed water lease agreements for a one year term with Lucille D. Mullen and Vista Ridge Development Corp.

Following discussion, upon motion duly made by Director Wood, seconded by Director Laird and, upon vote, unanimously carried, the Board approved the Water Lease Agreements for a one year term with Lucille D. Mullen and Vista Ridge Development Corp.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made, seconded and, upon vote, unanimously carried, the meeting adjourned.

Respectfully submitted,

By  _____
Secretary for the Meeting

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THESE MINUTES APPROVED AS THE OFFICIAL JANUARY 21, 2016
MINUTES OF THE VISTA RIDGE METROPOLITAN DISTRICT BY THE
BOARD OF DIRECTORS SIGNING BELOW:

James R. Spehalski



Christopher H. Koch



Michael Lund

Scott Wood



Brian Laird

Project Manager Report

Vista Ridge Metropolitan District

10/21/15 – 1/12/16

General Landscaping

- ❖ The irrigation system is presently offline for the season.
- ❖ The week of October 25th, a section of District irrigation was modified to accommodate construction to create a wider turn-lane for access to and from the commercial site located at the northwest corner of Mountain View Blvd & CO Hwy 7. Repairs were completed by a contractor working on behalf of the commercial property owner and inspected and approved by the Project Manager and CoCal's irrigation technician. Final restoration of the area will be completed in spring of 2016.
- ❖ CoCal has been patrolling on a weekly basis to perform trash & debris removal at District-maintained tracts.

Fence Repair & Maintenance

- ❖ Repairs to missing and loose stone veneers on the District-maintained privacy fence columns throughout the community were completed December 2nd through December 11th.
- ❖ A section of three-rail fence was repaired at 2436 Reserve Street in November.
- ❖ Minor repairs of District-maintained privacy fence throughout the community are scheduled to begin the week of January 25th.
- ❖ On January 6th, the Project Manager met onsite with an engineer from Martin/Martin Consulting Engineers to survey privacy fence stone columns that are exhibiting shifting and leaning issues. Martin/Martin has indicated that the report on their findings should be finalized the week of January 18th.

Holiday Lighting

- ❖ DTM installed holiday lighting at the Vista Ridge Parkway community entrance the week of November 23rd. However electrical issues identified and subsequently repaired prevented the lighting from being fully functional until December 3rd.

Snow Removal

- ❖ CoCal responded to 4 snowfall events between October 21, 2015 and January 12, 2016.

Other

- ❖ Three emails and one phone call from residents were responded to, as well as 1 email from the VRHOA Community Manager and 2 emails from the Reserve HOA Community Manager.