

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE VISTA RIDGE METROPOLITAN DISTRICT HELD MAY 15, 2014

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 15th day of May, 2014, at 8:00 A.M., at the Vista Ridge Community Center, 2750 Vista Parkway, Erie, Colorado. The meeting was open to the public.

Directors In Attendance Were:

Daniel Fishman
Michael Lund
Richard Cori
James Spehalski

Following discussion, upon motion duly made by Director Spehalski, seconded by Director Cori and, upon vote, unanimously carried, the absence of Christopher Koch was excused.

Also In Attendance Were:

Lisa A. Johnson, Leon Gomes and Dan Cordova; Special District Management Services, Inc.

Brandon Carter, Colorado National Golf Club

**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 Cori and, upon vote, unanimously carried, the Agenda was approved as amended.

Results of May 6, 2014 Election: Ms. Johnson informed them Board that because there were no more self-nomination and acceptance forms received from candidates

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than seats to fill, the election was cancelled and Directors Koch and Fishman were deemed elected to serve 4 year terms.

Appointment of Officers: Following discussion, upon motion duly made by Director Fishman, seconded by Director Spehalski and, upon vote, unanimously carried, the following slate of officers was appointed:

President	James R. Spehalski
Treasurer	Christopher Koch
Secretary	Lisa Johnson
Assistant Secretary	Michael Lund
Assistant Secretary	Daniel Fishman
Assistant Secretary	Richard Cori

Minutes: The Board reviewed the Minutes of the March 20, 2014 regular meeting.

Following discussion, upon motion duly made by Director Fishman, seconded by Director Spehalski and, upon vote, unanimously carried, the Minutes of the March 20, 2014 regular meeting were approved.

FINANCIAL MATTERS

Claims: The Board considered ratifying the approval of the payment of claims through the period ending April 11, 2014 totaling \$27,767.61 for general fund expenses.

Following discussion, upon motion duly made by Director Spehalski, seconded by Director Cori and, upon vote, unanimously carried, the Board ratified approval of the payment of claims for the period ending April 11, 2014 totaling \$27,767.61.

The Board then considered approval of the payment of claims through the period ending May, 15, 2014, totaling \$53,759.18 for general fund expenses.

Following discussion, upon motion duly made by Director Spehalski, seconded by Director Cori and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending May 15, 2014 as presented.

Financial Statements: Ms. Johnson presented the unaudited financial statements for the period ending April 30, 2014 and the schedule of cash position for the period ending April 30, 2014.

Following review, upon motion duly made by Director Cori, seconded by Director Spehalski and, upon vote, unanimously carried, the Board accepted the

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unaudited financial statements for the period ending April 30, 2014 and the schedule of cash position for the period ending April 30, 2014.

Transition of Files from Brownstein Hyatt Farber Schreck: The Board reviewed and discussed a letter received from Attorney McGinnis regarding the transfer of files from Brownstein Hyatt Farber Schreck to Greenberg Traurig, LLP. Brownstein Hyatt Farber Schreck has determined to no longer provide bond counsel to local governments. Attorney McGinnis will join the firm of Greenberg Traurig, LLP on May 15, 2014.

Following discussion, upon motion duly made by Director Spehalski, seconded by Director Lund and, upon vote, unanimously carried, the Board authorized the transfer of files from Brownstein Hyatt Farber Schreck to Greenberg Traurig, LLP.

LEGAL MATTERS

Irrigation Water Facilities Common Use Agreement (“the Agreement”): Ms. Johnson informed the Board that Ms. Jacoby drafted and transmitted a letter to the Golf Club including the District’s proposed revisions to the Agreement with a request for a meeting to discuss. The Golf Club representatives confirmed receipt of the letter and advised that they will meet with District representatives later in the year to discuss.

Resolution No. 2014-05-01; Resolution Regarding System Development Fees: The Board discussed the Resolution Regarding System Development Fees (“SDF”) (Resolution No. 2014-05-01). The Resolution discontinues the 5% automatic annual increase on all SDF’s which are not the subject of a Pre-Paid SDF Agreement and sets the fee at \$14,071.00 during 2014. The Board will review this fee each year during the budget season to determine whether to hold the fee constant or impose an increase.

Following discussion, upon motion duly made by Director Spehalski, seconded by Director Lund and, upon vote, unanimously carried, the Board ratified the adoption of Resolution No. 2014-05-01 Regarding System Development Fees.

OPERATION AND MAINTENANCE MATTERS

Project Manager’s Report: Mr. Cordova reviewed with the Board the Project Manager Report (the “Report”). A copy of the Report is attached hereto, and incorporated herein, by this reference.

BioTree Service Agreement: The Board reviewed the Service Agreement with BioTree, LLC for 2014 tree care services.

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Following discussion, upon motion duly made by Director Spehalski, seconded by Director Lund and, upon vote, unanimously carried, the Board ratified approval of the Service Agreement with BioTree, LLC for 2014 tree care services.

Integrated Water System Update: Mr. Carter presented the Integrated Water System Update. No action was taken.

Mr. Carter also reported that Erie Air Park has filed a lawsuit against the Colorado National Golf Club for damages incurred due to overwatering. Mr. Carter advised the Board that the District may also be included as party in this lawsuit.

Non-Potable Water System Energy Assessment: Mr. Carter reported that due to the pending lawsuit and other operation and maintenance costs, the assessment has been put on hold for now.

WATER MATTERS

Renewal of Water Lease Agreements: Ms. Johnson presented renewal water lease agreements with Roy A. Jobes, Norma J. Webb and the Town of Erie.

Following discussion, upon motion duly made by Director Spehalski, seconded by Director Lund and, upon vote, unanimously carried, the Board ratified the approved the renewal water lease agreements with Roy A. Jobes, Norma J. Webb and the Town of Erie.

OTHER MATTERS

Communication with the HOA: There was not a representative from the HOA in attendance at the meeting this month.

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,

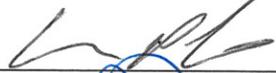
By  Secretary for the Meeting

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THESE MINUTES APPROVED AS THE OFFICIAL MAY 15, 2014 MINUTES
OF THE VISTA RIDGE METROPOLITAN DISTRICT BY THE BOARD OF
DIRECTORS SIGNING BELOW:

James R. Spehalski

Christopher H. Koch



Michael Lund



Richard Cori



Daniel Fishman

RESOLUTION NO. 2014 - 05 - 01

**RESOLUTION OF THE VISTA RIDGE METROPOLITAN DISTRICT
REGARDING SYSTEM DEVELOPMENT FEES**

WHEREAS, Vista Ridge Metropolitan District (the "District") is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, the District is authorized pursuant to Section 32-1-1001(1)(j)(I), C.R.S., to fix fees and charges for services or facilities provided by the District; and

WHEREAS, on May 23, 2001, the District adopted that certain Resolution Regarding the Imposition of System Development Fees ("SDF Resolution"), whereby the District imposes a System Development Fee of \$10,000 per Gross Acre, as defined in the SDF Resolution ("SDF(s)"), which fee may be increased from time to time at the discretion of the District; and

WHEREAS, on April 17, 2003, the District adopted that certain Resolution Regarding Pre-Paid System Development Fee Agreements clarifying certain provisions of the SDF Resolution; and

WHEREAS, in order to facilitate long-term relationships with homebuilders and to assure payment of the SDF necessary for the repayment of the District's outstanding bonds, the District has entered into certain Pre-Paid System Development Fee Agreements ("Pre-Paid SDF Agreements(s)") with certain homebuilders, whereby the homebuilders have agreed to pay SDFs based upon a schedule coincident with such homebuilders' projections for home construction; and

WHEREAS, on August 17, 2006, the District adopted that certain Resolution Regarding Increase of System Development Fees ("SDF Increase Resolution"), whereby the District imposed an 5% automatic annual increase on all SDFs that are not the subject of a Pre-Paid SDF Agreement beginning on January 1, 2007, and every January 1 thereafter; and

WHEREAS, the District has determined that it is in the best interests of the District and its residents to discontinue the 5% automatic annual increase imposed on all SDFs which are not the subject of a Pre-Paid SDF Agreement, effective January 1, 2014; and

WHEREAS, effective January 1, 2014, all SDFs not the subject of a Pre-Paid SDF Agreement shall be imposed at a rate of \$14,071.00 per gross acre during 2014; and

WHEREAS, the District shall determine on an annual basis during the budgeting process whether to increase the rate of the upcoming year's SDF or maintain the SDF at the prior year's rate.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF VISTA RIDGE METROPOLITAN DISTRICT, AS FOLLOWS:

1. The District hereby discontinues the 5% automatic annual increase imposed on all SDFs which are not the subject of a Pre-Paid SDF Agreement.

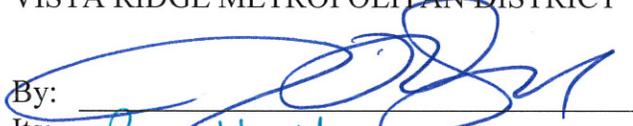
2. Effective January 1, 2014, all SDFs not the subject of a Pre-Paid SDF Agreement shall be imposed at a rate of \$14,071.00 per gross acre during 2014.

3. The District shall determine on an annual basis during the budgeting process whether to increase the rate of the upcoming year's SDF or maintain the SDF at the prior year's rate.

4. This Resolution is not intended to amend, modify or alter the SDF Resolution as it applies to SDFs which are to be paid pursuant to a Pre-Paid SDF Agreement. All provisions set forth therein shall continue to have force and effect.

APPROVED AND ADOPTED THIS 15 day of May, 2014.

VISTA RIDGE METROPOLITAN DISTRICT

By: 
Its: President

Attest:


Secretary

Project Manager Report

Vista Ridge Metropolitan District
3/13/14-5/7/14

General Landscaping

- ❖ Activation of the irrigation system has been completed and the system is now running.
- ❖ Spring pre-emergent weed control, fertilization, and aeration have been completed.

2014 Landscape Enhancements

- ❖ Installation of approved landscape enhancements began the week of May 5th.

2014 Tree Care Program

- ❖ BioTree completed its first applications for the approved tree care program in April, including Emerald Ash Borer Control.

Fence Staining

- ❖ Olson Painting has scheduled fence staining of Mountain View Blvd privacy fences to begin the week of May 27th.

Other

- ❖ 6 e-mails and 4 phone calls from residents and 4 e-mails from the HOA Community Manager regarding maintenance issues were responded to.

Integrated Water System Update

Colorado National Golf Club

May 7, 2014

Coal Creek Station:

- Pumps are on when required
 - Began Pumping March 21, 2014
- All Hardware was inspected and tightened on pumps and pipe, both in the wet well and in the above ground station prior to pumping on 3/21/14.

VRMD Pump 17:

- Pumps are working properly.
- Pond was filled with Community Ditch water through a siphon from Pond 13 on May 2, 2104

Community Ditch:

- The Community Ditch was turned on 3 weeks ahead of schedule on April 29.
- Received a call from Ditch Rider on Thursday, May 2 that the Farmer pumps would not work or turn on any more. Freedom Pump was immediately called and they determined the pumps' readings were out of specification and would no longer work.
 - The decision was made to pull the good pump from the Academy wet well and place it in the Farmer wet well so he would have water by Friday afternoon.
 - The Farmer pump was pulled for repair and an Academy pump was replaced to provide water to the Farmer.
 - There are currently two pumps being repaired at Freedom Pump and the Third will be pulled and repaired once the current two are replaced.
 - Expected time frame is 2 weeks from Monday, May 5.