

MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF

MOUNTAIN SHADOWS METROPOLITAN DISTRICT

Held: Monday, March 2, 2020, at 4:30 p.m. at 8820 Ellis  
Street, Arvada, Colorado.

**Attendance**

The regular meeting of the Board of Directors of the Mountain Shadows Metropolitan District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve on the Board, were in attendance:

Steve Roboff  
Chris Elliott  
Kurt Haeger  
Regan Hauptman

Paul Ron Hauptman was absent. All director absences are deemed excused unless otherwise specified.

Also present: Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Gigi Pangindian, CliftonLarsonAllen, LLP, District Accountant; Ray Ramelow, MSI, LLC, District Manager.

Members of the public in attendance at the meeting and who signed in are reflected on the attached sign-in sheet.

**Call to Order**

It was noted that a quorum of the Board was present and the meeting was called to order.

**Conflict of Interest  
Disclosures**

Ms. Murphy advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Murphy reported that disclosures for those directors with 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. Ms. Tompkins noted that a quorum was present and 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 Board determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

## **Agenda**

Ms. Murphy presented the proposed agenda to the Board. Upon a motion duly made and seconded, the Board unanimously approved the agenda as amended.

## **Public Comment**

Mr. Williamson asked the Board about property taxes imposed by the District. Mr. Haeger responded that the District imposes one mill levy for operations and one mill levy for debt service. Mr. Roboff responded that the operations mill levy may be increased but the debt service mill levy is already at its maximum amount.

Mr. Knott commented that there is a light pole in the storage lot had been damaged and he expressed concerns about property taxes in the District in comparison to other areas of Arvada. Mr. Elliott responded that the District's mill levies have been relatively constant over time and it is likely that the value of his home has increased which would result in higher property taxes. Mr. Hauptman responded that new home values may have a higher increase in values compared to older homes in Arvada with lower property taxes.

Mr. DuBose asked the District to be more active in picking up litter on Tract D, Wild Grass.

## **Presentation from ET Irrigation Management Services**

Mr. Brian Bair from ET Irrigation Management Services made a presentation to the Board. approved the ET Irrigation proposal for up to \$90/irrigation zone to be approved by Mr. Haeger and Mr. Roboff. The Board directed Mr. Ramelow to provide all irrigation maps to Mr. Bair.

## **Consent Agenda**

The following items on the consent agenda were considered routine or administrative. Following a summary by Ms. Murphy, upon a motion duly made and seconded, the Board unanimously approved the items on the consent agenda.

- Minutes from November 20, 2019 special meeting

## **Facilities Management**

### **Management Update**

Mr. Ramelow informed the Board that he is serving as the temporary community manager until a permanent community manager can be hired by MSI, LLC.

### **Discuss Keesen Contract Matters**

Mr. Ramelow presented a proposal from Keesen for winter watering for \$2,400 per application. Following discussion, the Board determined to not approve the proposal.

Mr. Ramelow presented a proposal from Keesen to remove a tree

that is pushing against a homeowner fence. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal if Mr. Roboff determines the tree is pushing on the fence following an on-site visit.

Discuss and Consider  
Approval of Landscape  
Maintenance Contractor for  
2020

Mr. Ramelow presented an Independent Contractor Agreement with Vargas Proposer Service, Inc. to provide grounds care and snow removal services. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the contract.

Discussion Regarding Tree  
Replacement, Landscape  
Improvements, and  
Landscape Repairs

The Board engaged in discussion regarding dead tree replacement, landscape improvements, and landscape repairs. Following discussion, upon a motion duly made and seconded, the Board unanimously authorized Mr. Roboff to approve dead tree removal and replacement and a proposal for a tree audit in a collectively amount not to exceed \$30,000.

### **Legal Matters**

Consider Approval of the  
Resolution Regarding  
Acquisition of Public  
Improvements of Tract V,  
Wild Grass Subdivision from  
Alkire Investments, Inc. and  
WCH Investments, LLC

Ms. Murphy presented the Board with the Resolution Regarding Acceptance and Acquisition of Public Improvements (Tract V, Wild Grass). Ms. Murphy noted that the requirements of the Facilities Acquisition Agreement with Alkire Investments, Inc. had been substantially complied with, the District is in receipt of a certification from KT Engineering regarding the improvements, and the District has received an Affidavit and Indemnification Agreement from WCH Investments, LLC. Following discussion, upon a motion duly made and seconded, the Board adopted the resolution.

Discuss Status of May 2020  
Election

Ms. Murphy informed the Board that there were two candidates for three seats and therefore the May 5, 2020 election will be cancelled.

### **Financial Matters**

Financial Report/Claims  
Payable

Ms. Pangindian presented the Board with the December 31, 2019 unaudited financials. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the unaudited financials.

Ms. Pangindian presented the Board with check numbers 1170-1171 and electronic funds transfers. Following discussion, upon a motion duly made and seconded, the Board unanimously ratified the claims in the amount of \$135,355.69.

Discuss status of

Ms. Pangindian informed the Board that WCH Investments, LLC

Reimbursement from Foothills Community Church and WCH Investments, LLC has reimbursed the District but Foothills Community Church has not. Mr. Houghton and Mr. Elliott have followed up with Foothills Community Church several times requesting payment. No action was taken.

**Other Business** None.

Next Regular Meeting The June 1, 2020 meeting is cancelled. There will be a special meeting held on May 20, 2020 at 3:30 p.m.

Adjournment There being no further business to come before the Board, and following discussion and upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

**Tadd L Overstreet**

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Secretary for the Meeting

**Signature:**   
Tadd L. Overstreet (Jun 25, 2020 07:36 MDT)

**Email:** toverstreet@mac.com

# 2020-06-22 Mountain Shadows Meeting Signature Packet

Final Audit Report

2020-06-25

Created:	2020-06-24
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