

LUPTON VILLAGE RESIDENTIAL METROPOLITAN DISTRICT

Regular Board Meeting Minutes

Meeting Date: Tuesday, November 28, 2023

Meeting Time: 5:03 pm to 7:23 pm

Meeting Location: Fort Lupton Recreation Center (203 S Harrison Ave Ft Lupton, CO 80621)

I. Roll Call (5:03 pm)

A meeting of the Board of Directors of the Lupton Village Residential Metropolitan District (District) was called and held as shown above and in accordance with the statutes of the State of Colorado. The following Directors, having confirmed their qualification to serve on the Board, were in attendance:

Directors	Office	Attendance
Jeana Hughes	President	Present
Jordan Wipf	Treasurer	Present
Bradly Kaatz	Secretary	Present
William Johanningmeier	Assist. Secretary	Present
Andrew Gerk	Assist. Secretary	Present

Other individuals attending the meeting was District Managers Charles Wolfersberger and Jessica Reynolds (Wolfersberger, LLC) and the following homeowners: Christina Borrego (422 Beckwourth Ave) and Douglas Bacon (503 S Rollie Ave Unit 12B) .

II. Declaration of quorum

The District Manager noted that a quorum of the Board was present and the Directors confirmed their qualification to serve. Director Hughes, therefore, called the meeting of the Board of Directors of the District to order.

III. Present disclosures of potential conflicts of interest

The Board reviewed the agenda for the meeting, following which Director Hughes and Director Kaatz disclosed no conflicts of interest with the business to be discussed and conducted at the meeting. Director Wipf disclosed that he is a part owner of J&J Lawn Services, LLC – a contractor that has landscape contract with the District. Director Johanningmeier and Director Gerk reported that their conflict-of-interest disclosures were filed with the Colorado Secretary of State prior to the meeting.

IV. Public Comments

Ms. Borrego expressed her concern regarding the open space landscaping in the community. She noted that the ‘native grass’ areas that had been installed by the Developer are currently full of

weeds, ticks and other bugs. The directors reported that they are aware of the failed landscape installation and that this area will be addressed and reseeded next spring.

Mr. Bacon expressed his concern regarding the open space landscaping near his home that was installed by Baessler Homes. The Board reported that the landscape installation in this area is under warranty and will be addressed next spring before the District assumes maintenance of the landscaping in this area.

V. Director Matters - none

VI. Administrative Matters

1. Approval of meeting agenda: The Board reviewed the meeting agenda. Director Hughes motioned to approve the agenda as presented. Director Wipf seconded the motion and the Board voted 5-0 to approve the motion.
2. Review and consider October 02, 2023 board meeting minutes. The Board reviewed the October 02, 2023 board meeting minutes. Director Wipf motioned to approve the minutes as presented. The motion was seconded by Director Hughes and the Board voted 5-0 in favor of the motion.
3. Review and consider 2024 Administrative Resolution: The Board agreed to defer discussion of this resolution to the next board meeting.

VII. Financial and Contractual Matters:

1. Review and consider Payment of Claims: The District Manager reviewed with the Board the check register for the District. Payments included checks #100011 to #100012 and #2 totaling \$7,125.00. Director Hughes motioned to approve the check register. Director Kaatz seconded the motion and the Board voted 4-0 in favor of the motion with Director Wipf and abstaining from the vote.
2. Review 2023 Director fee schedule: The Board reviewed the meeting attendance schedule and noted that they voted to abstain from receiving stipends in the 2023 Administrative Resolution.
3. Review and consider funding agreement with Lupton Village Commercial Metro District: The Board discussed and agreed to defer discussion of this topic to a future board meeting.
4. Public hearing on District's proposed 2024 budget: Director Hughes motioned to open the public hearing on the District's proposed 2024 budget at 5:31pm. Director Wipf seconded the motion and the Board voted 5-0 in favor of the motion. Highlights of the budget review provided by the District Manager included the following:
 - The taxable value of property within the District increased \$3,683,861 or 392% to \$4,621,468 in 2023 compared to 2022. Approximately \$2.52 million of that valuation

increase was related to new construction. Excluding new construction, the taxable value of property within the District increased \$1,167,581 or 125% to \$2,105,188.

- The proposed total mill levy for 2024 is 68.340 – which is a 2.935 mill (or 4.5%) increase over the 65.405 mill for 2023. The increase offsets 100% of the decrease in the taxable value ratio from 6.95% for 2023 to 6.765% for 2024 and results in no reduction in property tax revenue caused by the decrease in the taxable value ratio.
- 100% of the property tax and related revenue generated from the debt mill levy, net of collection costs, will applied to the accrued interest on the District’s series 2021 bond debt. Although approximately \$468,500 in interest will accrue on the bonds in 2024, the District will only generate enough tax revenue to pay approximately \$247,000 towards accrued interest in 2024.
- Total expenditures in the General Fund is budgeted at \$184,900. Because property tax and related revenue will not be sufficient to fund total budgeted expenditures, the District must budget \$99,400 in revenue from other sources – which is currently reflected in the proposed budget as coming from the Lupton Village Commercial Metro District (LVCMD). The District Manager noted that per CRS 29-1-103(2), budgeted expenditures cannot exceed the sum of the beginning fund balance plus available revenues.

The District Manager noted that the 2023 budget reflects \$110,000 in revenue from contributions from LVCMD and such revenue was secured because all directors serving on the LVCMD board were also directors on the District’s board when the District’s board unanimously approved the District’s 2023 budget. The District Manager noted one of the four directors serving on the LVCMD board (Director Johanningmeier) also serves on the District’s board.

The District Manager recommended the Board consider (1) entering into an agreement with LVCMD that commits LVCMD to unconditionally contributing \$99,400 to the District in 2024, (2) raising fees and/or property taxes on all property owners within the District, (3) a combination of the first two options that secures \$99,400 in revenue or (4) reduce budgeted expenditures and public services by \$99,400.

- Quarterly maintenance fees levied on all townhome owners is proposed to remain at \$275/quarter in 2024. Revenue generated from such fees will generate sufficient revenue to (1) cover 100% of the expenditures related to providing services to the townhome residents and (2) add \$17,400 to the Townhome Capital Project Fund.
- The balance in the Townhome Capital Project Fund is projected to increase from \$0 in 2023 to \$17,400 by the end of 2024. No expenditures from this fund is budgeted for 2024.

Director Hughes motioned to close the public hearing on the District’s 2024 budget at 6:37pm. The motion was seconded by Director Wipf and the Board voted 5-0 in favor of the motion.

5. Consider resolution to adopt the 2024 budget, appropriate funds, set mill levies: The Board discussed and agreed to defer discussion and approval of the District's budget to a future meeting to be called and held before the January 10th mill levy certification deadline.
6. Public hearing on proposed resolution to certify to the County Treasurer the collection through the 2024 property tax collection process of certain accrued and unpaid fees and charges on property accounts in accordance with 32-1-1101 CRS: Director Hughes opened the public hearing at 6:49pm on the proposed resolution to certify to the County Treasurer the collection of unpaid fees. Director Wipf seconded the motion and the Board voted 5-0 in favor of the motion.

Director Hughes motioned to close the public hearing at 6:50pm. The motion was seconded by Director Wipf and the Board voted 5-0 in favor of the motion.

7. Review and consider resolution to certify to the County Treasurer the collection of certain accrued and unpaid fees and charges on property accounts in accordance with 32-1-1101 CRS: Director Hughes motioned to approve the resolution regarding certification of accrued, unpaid fees on property accounts to the County Treasurer for collection in 2024. Director Wipf seconded the motion and the Board voted 5-0 to approve the motion.

Action Item 01 - District Manager will submit all property accounts with accrued, unpaid service fees to the County Treasurer by December 1st for collection through the respective homeowners' 2024 property tax bills.

8. Review and consider 2024 Landscaping Service Bids. The Board reviewed and discussed the 2024 landscaping service bids submitted by Tend-It, Greenview Landscaping and J&J Landscaping. Director Kaatz motioned to approve the bid submitted by J&J Landscaping. Director Hughes seconded the motion and the Board voted 4-0 in favor of the motion with Director Wipf abstaining from the vote.
9. Review and discuss 2022 and 2023 invoices from Miller Landscaping. The Board discussed the 2022 and 2023 invoices submitted by Miller Landscaping. The Board expressed concern about Miller submitting all 2022 service invoices at the end of 2023. Director Hughes reported that the landscaping in the common areas around the Reynolds St townhomes was not maintained in April 2023, though Miller billed the District for April maintenance services. The Board discussed and approved payment of Miller's 2023 service invoice net of a deduction for the April service charge.

Action item 02 – The District Manager will contact Miller Landscaping and request Miller to re-submit its 2023 maintenance invoice after removing the April service charge.

10. Review and consider Fort Lupton Recreation Center sidewalk project bid from Gerardo Concrete. The Board reported that the Developer mud jacked the sidewalk and that this project has been completed.
11. Review and consider Parking Signs. The Board agreed to defer discussion this topic to the next board meeting.

12. Review and consider towing agreement with Villalobos Towing. The Board agreed to defer discussion of this item to the next board meeting.

VIII. Meeting adjournment (7:23 pm)

There being no further business to come before the Board, and upon motion duly made by Director Hughes and unanimously carried, the meeting was adjourned.

DocuSigned by:
Brad Kaatz
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1/8/2024

Secretary

Date