

LUPTON VILLAGE RESIDENTIAL METROPOLITAN DISTRICT

Regular Board Meeting Minutes

Meeting Date: Thursday, June 13, 2024

Meeting Time: 5:32 pm to 8:39 pm

Meeting Location: Online at https://meet.goto.com/district_meeting_room_04

I. Roll Call (5:32 pm)

A regular 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 |
| Andrew Gerk | Assist. Secretary | Present |
| Joe Lanute | Director | Present |

Other individuals attending the meeting was District Manager Jessica Reynolds (Wolfersberger, LLC), and the following homeowners: Gayl McCauley-Suits (1322 Leroux St), Paul Witmer (503 S Rollie Ave 8D), Brenden Tolar-Payne (500 S Denver Ave #6B), Daniel Castro-Blok (503 S Rollie Ave #6B).

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, Director Kaatz and Director Lanute 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 a landscape contract with the District. Director Gerk disclosed that he is the owner and manager of Lupton Village Land Developers, LLC (LVLD).

IV. Administrative Matters

1. Approval of meeting agenda: The Board reviewed the meeting agenda. Director Wipf motioned to approve the agenda. Director Lanute seconded the motion and the Board voted 5-0 to approve the motion.
2. Review and consider April 11, 2024 board meeting minutes: The Board reviewed the April 11, 2024 board meeting minutes. Director Wipf motioned to approve the minutes as presented. Director Kaatz seconded the motion and the Board voted 5-0 in favor of the motion.
3. Review and consider the Park and Open Space Rules and Enforcement Policy: The Board reviewed and discussed the Park and Open Space Rules and Enforcement Policy. Director Hughes requested the addition of Off Highway Vehicles to be added as motorized vehicles that are not allowed in the park or open space areas owned by the District. Director Lanute motioned to approve the Park and Open Space Rules and Enforcement Policy as amended. Director Kaatz seconded the motion and the Board voted 5-0 in favor of the motion.

Action item 01 - The District Manager will email the Park and Open Space Rules and Enforcement Policy to the community.

4. Status update – Legal Counsel for the District: The District Manager reported that after having reached out to the suggested Legal Firm, the Firm denied the request for representation. Director Hughes suggested another option for legal counsel.

Action item 02 – Director Hughes will forward the legal counsel contact and the District Manager will ask for an engagement letter.

V. Public Comments:

Ms. McCauley-Suits asked about the mowing of the native grass areas and reported that her neighbor had dumped metal items into the native grass area.

Mr. Castro-Blok asked about getting a recycle bin with his trash service. The Board informed Mr. Castro-Blok that he can request a recycle bin from the waste removal service. Mr. Castro-Blok also reported that his neighbors consistently park in the alleyway, making it difficult for him to back out of his garage. The Board requested Mr. Castro-Blok to take a picture of the parked vehicle and report it to the District Manager who will issue a violation notice.

VI. Director Matters:

Director Kaatz expressed concern regarding the length of time required to tow a vehicle and suggested the length of time be shortened to 14 days. Director Kaatz motioned to change the length of time required in the Parking Enforcement Policy to two, seven day notices for a total of 14 days before the vehicle could be towed. Director Lanute seconded the motion and the Board voted 3-2 against the motion with Director Hughes, Director Wipf and Director Gerk voting against the motion.

Director Wipf requested a review of the Collection Policy for the District. The District Manager reviewed the Collection Policy with the Board. Director Wipf also reported that there appears to be a spray drift from the farmland across County Rd. 12 that has caused several large areas of the streetside turf to die. The Board determined that the District Manager would send a letter on behalf of the Board to the property owner reporting the spray drift and to request caution in future applications.

Action Item 03: The District Manager will send written notice to the property owner reporting the spray drift and turf damage.

VII. Landscaping Matters:

- 1) Landscaping update: J&J Landscaping reported that the turf would be fertilized this week and that native mowing is scheduled for June 20, 2024. Irrigation repairs are being completed in the native grass areas.
- 2) Status update – pet waste station installation. The District Manager reported that having discussed the issue with Director Hughes, two of the five approved pet stations were purchased and are ready to be installed. The remaining three approved pet stations will be ordered and installed once the District begins maintenance of the Rollie Ave and Denver Ave areas.

At 6:41 Director Lanute left the meeting.

VIII. Financial and Contractual Matters:

- 1) Review and consider payment of claims. The Board reviewed the check register noting checks #100025 through 100028) totaling \$12,315.00 were issued since the last board meeting. Director Kaatz motioned to approve the check disbursements. Director Hughes seconded the motion and the Board voted 4-0 to approve the motion with Director Wipf abstaining from the vote.
- 2) Review and consider installation of stop sign. The Board reviewed the cost to purchase and install a stop sign at the west exit of the Reynolds St. Townhomes. Director Kaatz motioned to approve the purchase and installation of the stop sign. Director Wipf seconded the motion and the Board voted 4-0 in favor of the motion.
- 3) Review and consider sink hole repair quotes. The Board reviewed the quotes submitted by Curascapes and TendIt to repair the sink holes in the drainage ditch east of the Reynolds St townhomes. The District Manager reported information from a third vendor who recommended the Board consider installing a hardpan to move the water from the driveways and into the drainage ditch. The Board requested updated quotes that would include the installation of a hardpan drain.

Action item 04 – The District Manager will request quotes that would include a hardpan drain.

- 4) Review and consider landscaping enhancement quotes. The Board reviewed two quotes submitted by J&J Landscaping to replace the dead trees and plants in common space

landscaping as well as complete the installation of rock at up to the fence lines in the common spaces on County Rd 12. Director Kaatz motioned to approve the quote to replace dead trees and plants throughout the open space areas. Director Gerk seconded the motion and the Board vote 3-1 in favor of the motion with Director Wipf abstaining from the vote. Director Gerk motioned to approve the bid to complete the rock installation in the open space areas on County Rd 12 after having the surveyor review the fence installations. Director Kaatz seconded the motion and the Board voted 3-1 in favor of the motion with Director Wipf abstaining from the vote.

- 5) Review and consider landscaping maintenance quote for Rollie Townhomes. The Board reviewed the quote to add landscaping maintenance for the Rollie Townhomes once the walk through hand off and warranty items have been completed with Baessler Homes who is responsible for the landscaping installation. Director Hughes motioned to approve the quote to begin landscaping maintenance of the Rollie Townhomes once the walk through, hand off and warranty items have been completed by Baessler Homes. Director Kaatz seconded the motion and the Board voted 3-1 in favor of the motion with Director Wipf abstaining from the vote.
- 6) Status update - completion of deeds and easements agreement. The District Manager reported that the deeds and easements agreements have been completed and filed with the county.

At 8:11 Director Gerk left the meeting.

IX. Covenant Enforcement Matters:

- 1) Review covenant enforcement activity: The Board reviewed the covenant enforcement activity summary and detail reports for the period January 31, 2024 through March 31, 2024. During this period, 90 new violations were identified, and 62 violations were closed. The 61 open violations consisted of the following:

| Violation Category | # of open violations | # of violations at the fine stage |
|--|----------------------|-----------------------------------|
| Front yard landscaping violations | 43 | - |
| Backyard landscaping violations | - | - |
| Home exterior violations | 1 | - |
| Architectural Control violations | 4 | - |
| Outside nuisances | 5 | 2 |
| General storage violations | 2 | 1 |
| Fence & mailbox violations | - | - |
| Shed maintenance violations | - | - |
| Vehicle violations | - | - |
| Trash violations | 6 | - |
| Seasonal-related violations (snow removal, holiday lights, etc) | - | - |
| New Construction (backyard fencing) | - | - |
| Total Open Violations | 61 | 3 |

2) Architectural Committee Report: The District Manager reported the Architectural Review Committee reviewed 25 design request forms since the last meeting. The District Manager reported that the Architectural Review Committee has been formed and is now reviewing all Design Review Requests for the community.

3) Review and discuss Homeowner Appeals:

Account # 1A4903911 appealed the denied Design Review Request for a dog run that was over the size limit set in the Design Guidelines. The homeowner reported that he is a police officer and that the dog run is used to house his canine partner. The dog run was purchased by his employer. After discussion among the Board, Director Hughes motioned to grandfather the dog run, allowing the homeowner to keep the dog run until it needs to be replaced or he sells the property, at which time the dog run will need to fall within current Design Guidelines or removed. Director Kaatz seconded the motion and the Board voted 3-0 in favor of the motion.

Account # 1A4901741 appealed the denied Design Review Request for a cat patio on their balcony. Upon discussion among the Board, Director Wipf motioned to approve the appeal, allowing the cat patio to be installed on the balcony. Director Hughes seconded the motion and the Board voted 3-0 in favor of the motion.

Account # 1A4904180 appealed the denied Design Review Request for a roof replacement with brown shingles. Upon discussion among the Board, Director Hughes motioned to approve the appeal allowing the homeowner to keep the brown shingled roof they had installed without Architectural Review Committee approval. Director Kaatz seconded the motion and the Board vote 3-0 in favor of the motion.

4) Review and consider Design Guidelines to include Xeriscaping and other updates: The District Manager reviewed with the Board the proposed updates to the Design Guidelines regarding xeriscaping, gardens, beehives, cat patios, roof shingle colors and storage boxes in the townhomes. The drafted Design Guidelines incorporated the xeriscaping landscaping plans selected by Director Hughes. The Board discussed the changes to the Design Guidelines. Due to the length of the meeting, the District Manager proposed that the full drafting of these discussion items would be emailed to the Board for review for final approval. Director Hughes motioned to approve the Design Guidelines after having been reviewed by the Board via email. Director Kaatz seconded the motion and the Board voted 3-0 in favor of the motion.

X. Meeting adjournment (8:39 pm)

There being no further business to come before the Board, and upon motion duly made by Director Kaatz and unanimously carried, the meeting was adjourned. The next board meeting will be held at 5:30 pm on Thursday August 08, 2024 online at https://meet.goto.com/district_meeting_room_04.

Signed by:

3E543FE8C86D4ED

Secretary

8/12/2024

Date

