

LUPTON VILLAGE RESIDENTIAL METROPOLITAN DISTRICT

Regular Board Meeting Minutes

Meeting Date: Thursday, August 08, 2024

Meeting Time: 5:32 pm to 7:26 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	Absent
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), Martina Varela (500 South Denver Ave 15A)and Chee (1353 Reynolds St).

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 Wipf, 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.

IV. Administrative Matters

1. Approval of meeting agenda: The Board reviewed the meeting agenda. Director Wipf motioned to add to the agenda a second public comment session at the end of the meeting. Director Hughes motioned to approve the agenda as amended. Director Wipf seconded the motion and the Board voted 4-0 to approve the motion.
2. Review and consider June 13, 2024 board meeting minutes: The Board reviewed the June 13, 2024 board meeting minutes. Director Hughes motioned to approve the minutes as presented. Director Wipf seconded the motion and the Board voted 4-0 in favor of the motion.
3. Review and consider change of Legal Counsel for the District: The Board discussed changing legal counsel for the District to Katie James with Folkestad Fazekas. Director Hughes and Director Wipf recounted to the Board their meeting with Ms. James. Director Wipf motioned to approved the engagement letter with Katie James and Folkestad Fazekas. Director Lanute seconded the motion and the Board voted 3-1 in favor of the motion with Director Kaatz abstaining from the vote.

Director Hughes motioned to terminate the engagement of Paul Rufien as the District's general counsel. Director Wipf seconded the motion and the Board voted 4-0 in favor of the motion.

4. Review and consider Alternative Dispute Policy: The Board reviewed and discussed the proposed Alternative Dispute Policy. Director Wipf motioned to approve the resolution approving the Alternative Dispute Policy. Director Lanute seconded the motion and the Board voted 4-0 in favor of the motion.
5. Review and consider Conflicts of Interest Policy: The Board reviewed and discussed the proposed Conflicts-of-Interest Policy. Director Wipf motioned to approve the resolution approving the Conflicts-of-Interest Policy. Director Lanute seconded the motion and the Board voted 4-0 in favor of the motion.
6. Review and consider Collection Policy: The Board reviewed and discussed the proposed Collection Policy. Director Wipf motioned to approve the Resolution adopting the Collection Policy. Director Lanute seconded the motion and the Board voted 4-0 in favor of the motion.

V. Public Comments:

Ms. Valera asked how to pay the District's quarterly fees online. The District Manager displayed the District's website and explained how to sign into the Resident Portal. The District Manager also stated that she will email Ms. Valera an account transaction history report for her property.

VI. Director Matters:

Director Lanute asked if the Library was within the Residential District's boundaries. Director Wipf reported that the Library is within the Lupton Village Commercial District and the City operates the Library.

Director Kaatz asked for clarification on the landscaping maintenance plan regarding the native grass areas at the Rollie Ave townhomes.

VII. Landscaping Matters:

1) Landscaping update: J&J Landscaping reported that the dead shrubs and 2 trees have been removed and replaced as contracted. There are five additional trees that need to be removed and replaced and that should be completed in the next couple of weeks. All broken irrigation around the single family homes and in the native grass areas have been repaired. Backflow testing has been completed. The drip irrigation around the statue has been repaired. The District has begun landscape maintenance at the Rollie Ave townhomes. The warranty native reseeding at the Rollie townhomes has been completed. J&J will provide quotes for an additional broadleaf treatment of the native grass areas at the Rollie Ave townhomes. The Board requested a quote to reseed the native grass areas that had been installed by the Developer.

Action item 01 – The District Manger will request quote for native reseeding that had been installed by the Developer.

2) Status update – pet waste station installation. The District Manager reported that the two new pet waste stations have been installed. An additional two pet waste stations will be installed at the Rollie Ave townhomes now that the District has begun maintenance of the landscaping around these townhomes.

3) Status update – pest control service: The District Manager reported that she has not yet been able to locate a pest control service contractor for the Board to consider.

Action item 02 - The District Manger will request quotes from contractors providing pest maintenance services.

VIII. Financial and Contractual Matters:

1) Review and consider payment of claims: The Board reviewed the check register noting checks #100030 through 100038) totaling \$34,502.91 were issued since the last board meeting. Director Lanute motioned to approve the check disbursements. Director Hughes seconded the motion and the Board voted 3-0 to approve the motion (Director Wipf abstained from the vote due to his reported conflict).

2) Review and consider sink hole repair quotes: The Board reviewed and discussed quotes submitted by TendIt and Chavez Concrete and Paving to repair the sink holes in the drainage ditch by the Reynolds St. townhomes. Director Wipf motioned to approve the quote

submitted by Chavez Concrete. Director Lanute seconded the motion and the Board voted 4-0 in favor of the motion.

Action Item 03 – At the request of the Board, the District Manager will submit a letter on behalf of the District to Baessler Homes regarding the sink hole repair in the drainage ditch and ask Baessler Homes to financially contribute to the cost of this repair.

- 3) Review District’s interim financial reports: The District Manager presented and reviewed with the Board the District’s interim financial statements. As of July 31, 2024, total cash in the District’s Checking and CSAFE accounts totaled \$310,894. Through June 30, 2024, the District has collected 104.1% of property tax assessments and 41.3% of projected specific ownership tax revenue.

For the 7-month period ended July 30, 2024, total expenditures incurred the District’s General and Townhome Funds are as follows:

GENERAL FUND				
Expense Category	Actual	Budget	\$ Difference	% of Budget Spent
Administrative	\$ 21,619	\$ 20,567	(\$ 1,052)	105%
Landscaping maint	24,603	62,530	37,927	39%
Capital asset maint	425	5,000	4,575	9%
Snow removal and covenant enforcement	7,086	19,625	12,539	36%
Total Costs	\$ 53,733	\$ 108,427	\$ 54,695	50%

TOWNHOME FUND				
Expense Category	Actual	Budget	\$ Difference	% of Budget Spent
Administrative	\$ 11,401	\$ 20,625	\$ 9,224	55%
Landscaping maint	12,120	47,417	35,297	26%
Capital asset maint	-	3,500	3,500	0%
Trash pick-up services	27,830	22,225	(5,605)	125%
Parking enf services	1,799	3,750	1,951	48%
Snow removal	-	24,750	24,750	0%
Total Costs	\$ 53,150	\$ 122,267	\$ 69,117	43%

- 4) Review and consider engagement letter with Flynn CPA for the audit of 2023 financials: The District Manager presented and reviewed with the Board the status of the 2023 audit. The Board reviewed the engagement letter with Flynn CPA to audit the 2023 financial statements. Director Wipf motioned to approve the engagement letter with Flynn CPA to audit the 2023 financial statements. Director Kaatz seconded the motion and the Board voted 4-0 in favor of the motion.

- 5) Review and consider Parking Enforcement quote. The Board reviewed the parking enforcement service bid submitted by Park-It-Right. Director Wipf motioned to approve Park-It-Right’s bid for parking enforcement services conditional upon the fee charged by Park-it-Right to the vehicle owner to remove a boot is less than \$350. Director Lanute seconded the motion and the Board voted 4-0 to approve the motion.

Action item 04 - The District Manger will submit the Board-signed service contract to Park-it-Right and begin working with Park-it-Right to initiate Park-it-Right’s patrolling and vehicle booting services.

- 6) Public hearing on District’s proposed amendment to the 2023 budget: Director Wipf motioned to open the public hearing on the District’s proposed amendment to the 2023 budget at 6:40pm. Director Lanute seconded the motion and the Board voted 4-0 in favor of the motion. Highlights of the budget review provided by the District Manager included the following:

The District’s 2023 budget was adopted by the District Board at a time when all directors on the District’s board reported conflicts of interest regarding their service on the Board due to their employee or ownership relationship with the land developer – the benefactor of the proceeds from bond debt issued by the District. Prior to the May 2023 board election where the Developer lost control of three of the District’s five board seats to homeowners, the Developer-controlled board caused the District to issue additional debt and allowed the Developer to cut funding of the District’s operations by 47%. In addition, expenditures budgeted for the maintenance of District property around the townhomes was materially deficient. Consequently, the proposed 2023 budget amendment reflects increasing the 2023 budgeted expenditures to match or exceed actual expenditures in each of the following three funds:

	Original 2023 Budget	Amended 2023 Budget	Change
Townhome Fund	\$ 26,850	\$ 155,000	\$ 128,150
Debt Fund	\$ 937,545	\$ 2,100,000	1,162,455
Capital Project Fund	\$ 888,438	\$ 2,050,000	\$ 1,161,562

Director Wipf motioned to close the public hearing on the District’s amendment to the 2023 budget at 6:45pm. The motion was seconded by Director Lanute and the Board voted 4-0 in favor of the motion.

- 7) Review and consider resolution to amend the 2023 Budget: The Board reviewed and discussed the resolution to amend the 2023 Budget. Director Wipf motioned to approve the 2023 Budget Amendment Resolution as presented. Director Lanute seconded the motion and the Board voted 4-0 in favor of the motion.

IX. Covenant Enforcement Matters:

- 1) Review covenant enforcement activity: The Board reviewed the covenant enforcement activity summary and detail reports for the period June 03, 2024 through August 01, 2024.

During this period, 200 new violations were identified, and 113 violations were closed. The 148 open violations consisted of the following:

Violation Category	# of open violations	# of violations at the fine stage
Front yard landscaping violations	101	3
Backyard landscaping violations	-	-
Home exterior violations	8	1
Architectural Control violations	3	-
Outside nuisances	12	-
General storage violations	8	-
Fence & mailbox violations	-	-
Shed maintenance violations	-	-
Vehicle violations	11	-
Trash violations	5	-
Seasonal-related violations (snow removal, holiday lights, etc)	-	-
New Construction (backyard fencing)	-	-
Total Open Violations	148	4

- 2) Architectural Committee Report: The District Manager reported the Architectural Review Committee has reviewed 13 design request forms since the last Board meeting.
- 3) Review and discuss Homeowner Appeals: None

X. Meeting adjournment (7:26 pm)

There being no further business to come before the Board, and upon motion duly made by Director Lanute and unanimously carried, the meeting was adjourned. The next board meeting will be held at 5:30 pm on Wednesday October 23, 2024 at the Ft Lupton Library (370 S Rollie Ave Ft Lupton, CO 80621).

Signed by:

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 Secretary

9/20/2024

 Date