

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE VISTA RIDGE METROPOLITAN DISTRICT HELD AUGUST 18, 2021

A special meeting of the Board of Directors of the Vista Ridge Metropolitan District (referred to hereafter as the "Board") was convened on Wednesday, the 18th day of August, 2021, at 5:30 P.M. Due to concerns regarding the spread of the coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, the District Board meeting was held via Zoom with all participants attending via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Michael Lund (for a portion of the meeting)
John Z. Ocwieja
Paul Squillace
James Schulze

The absence of Tony Whiteley was excused.

Also In Attendance Were:

Matt Cohrs, Jim Ruthven and Nick Moncada; Special District Management Services, Inc. ("SDMS")

Kate Olson, Esq.; McGeady Becher P.C. (for a portion of the meeting)

Mike Bolsinger; Arrowhead Landscape Services, Inc.

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 Director Lund and that said statement was filed with the Secretary of State at least seventy-two hours in advance of the meeting in accordance with the statute. Mr. Cohrs 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: A quorum was confirmed. Mr. Cohrs requested that the Board review and approve the proposed agenda for the District's special meeting.

Following discussion, upon motion duly made by Director Ocwieja, seconded by Director Squillace and upon vote, unanimously carried, the agenda was approved as amended, and excused the absence of Director Tony Whiteley.

RECORD OF PROCEEDINGS

Confirmation of Meeting Location: The Board discussed the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. The Board determined that, due to concerns regarding the spread of the coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, the meeting would be held via Zoom, and encouraged public participation via Zoom. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted and that the District had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District boundaries.

Minutes: The Board reviewed the Minutes of the July 15, 2021 Special Meeting.

Following discussion, upon motion duly made by Director Squillace, seconded by Director Ocwieja and, upon vote, unanimously carried, the Minutes from July 15, 2021 were approved, as amended.

Public Comment: There was no public comments.

LEGAL MATTERS **Maintenance Agreement Between the District and the Town of Erie (“Town”) Regarding Sidewalk and Detention Pond Maintenance:** The Board reviewed the further revised draft Maintenance Agreement between the District and the Town for sidewalk detention and pond maintenance.

Following discussion, upon motion duly made by Director Schulze, seconded by Director Ocwieja, and, upon vote, unanimously carried, the Board approved the Maintenance Agreement Between the District and the Town of Erie regarding Sidewalk and Detention Pond Maintenance.

EXECUTIVE SESSION: Pursuant to Section 24-6-402(4) of the Colorado Revised Statutes, upon motion duly made by Director Squillace, seconded by Director Ocwieja and, upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 5:50 p.m. for the purpose of receiving from the Board's attorney legal advice as authorized by Section 24-6-402(4)(b), C.R.S. and determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators as authorized by Section 24-6-402(4)(e), C.R.S. regarding sidewalk maintenance and detention pond maintenance.

Pursuant to Section 24-6-402(2)(d.5) (II)(B), C.R.S., no record will be kept of the remaining portion of this executive session that, in the opinion of the Board's attorney, constitute privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

RECORD OF PROCEEDINGS

The Board reconvened in regular session at 6:05 p.m. No action was taken by the Board at this time.

FINANCIAL MATTERS

Payment of Claims: The Board deferred discussion.

Financial Statements: Mr. Ruthven presented the unaudited financial statements and schedule of cash position for the period ending July 31, 2021.

Following review and discussion, upon motion duly made by Director Squillace, seconded by Director Schulze and, upon vote, unanimously carried, the Board accepted the unaudited financial statements and schedule of cash position for the period ending July 31, 2021.

Director Lund joined the meeting at this time.

OPERATION AND MAINTENANCE MATTERS

Project Manager's Report: Mr. Moncada presented to the Board the Project Manager's Report which is attached hereto and incorporated herein.

Irrigation System: Mr. Moncada gave an update to the Board.

Sign Lighting Replacement: Mr. Moncada updated the Board on sign lighting replacement bulbs.

Community Fence Installation: Mr. Moncada provided an update to the Board.

Landscape Design: The Board discussed and directed staff to obtain a proposal from Norris Design, Inc.

Landscape Maintenance: The Board discussed the scope of the contract and cost. The Board determined to schedule a work session on September 22, 2021, to discuss the District's Budget and review the proposed contract with Arrowhead Landscape Services, Inc. The Board directed staff to invite Arrowhead Landscape Services, Inc. to assist with the contract development.

Coal Creek System Pump Repair: The Board discussed repair of the Coal Creek System Pump.


Following review and discussion, upon motion duly made by Director Lund, seconded by Director Schulze and, upon vote, unanimously carried, the Board ratified approval of Coal Creek System Pump repair.

RECORD OF PROCEEDINGS

OTHER MATTERS The Board determined to schedule a work session for September 22, 2021. The Board directed staff to invite Norris Design, Inc. to attend the meeting to discuss the landscape proposal.

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 was adjourned.

Respectfully submitted,

By  _____
Secretary for the Meeting

RECORD OF PROCEEDINGS

Attorney Statement Regarding Privileged Attorney-Client Communication

Pursuant to §24-6-402(2)(d.5)(II)(b), C.R.S., I attest that, in my capacity as the attorney representing the Vista Ridge Metropolitan District, I attended the executive session on July 15, 2021 for the sole purposes of providing legal advice on specific legal questions and discussing matters subject to contract negotiations, as authorized by §24-6-402(4)(b) and (e)(I) C.R.S. I further attest that it is my opinion that all of the executive session discussion constituted attorney-client privileged communication as provided by §24-6-402(4)(b), C.R.S., and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to §24-6-402(2)(d.5)(II)(b), C.R.S.

Kate Olson, Esq.
Legal Counsel
Vista Ridge Metropolitan District