

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE VISTA RIDGE METROPOLITAN DISTRICT HELD JANUARY 26, 2023

A regular meeting of the Board of Directors (the “Board”) of the Vista Ridge Metropolitan District (the “District”) was convened on Thursday, January 26th, 2023, at 5:30 p.m. at the Vista Ridge Community Center located at 2750 Vista Parkway, Erie CO 80516. The meeting was open to the public.

ATTENDANCE

Directors In Attendance:

Michael Lund, President
Valerie Swanson, Assistant Secretary
Scott Wood, Assistant Secretary
Todd Sargent; Assistant Secretary

Absent: John Ocwieja (excused)

Also In Attendance:

AJ Beckman, Shad Ortiz, and Geol Scheirman; Public Alliance, LLC
Thuy Dam; CliftonLarsonAllen, LLP (“CLA”)
Jeffrey Erb; Erb Law, LLC
David Cummings; Vista Ridge Homeowners Association
Craig Watkins and Uriel Nunez; Arrowhead Landscaping Services, Inc.
Chris Rink and Anna Zultowski; Norris Design, Inc.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

The meeting was called to order at 5:32 p.m.

Disclosure of Potential Conflicts of Interest: Annual conflict of interest disclosures were filed with the Secretary of State and deemed delivered to the Board. Attorney Erb 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: Mr. Beckman reviewed the agenda with the Board.

Following review, upon a motion made by Director Wood, seconded by Director Lund and, upon vote, unanimously carried, the Board approved the agenda, as updated to move the Arrowhead report before Norris Design. Additionally, it was confirmed that a quorum of the Board was in attendance and the meeting

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notice was posted on the District's webpage at least 24-hours prior to the meeting.

Appointment of Secretary: The Board discussed the need to appoint a Secretary due to the transition in Management.

Following discussion, upon a motion made by Director Wood, seconded by Director Lund and, upon vote, unanimously carried, the Board appointed Mr. Beckman as Secretary to the Board of Directors.

Minutes: The Board reviewed the minutes from the October 22, 2022 Regular Meeting and the November 30, 2022 Special Meeting.

Following review, upon a motion made by Director Sargent, seconded by Director Wood and, upon vote, unanimously carried, the Board approved the minutes from the October 22, 2022 Regular Meeting and the November 30, 2022 Special Meeting, as presented.

24-Hour Posting Location: Mr. Erb discussed with the Board the 24-Hour Posting Location for the District and need to confirm the location at the first regular meeting of the year.

Following review, upon a motion made by Director Lund, seconded by Director Wood and, upon vote, unanimously carried, the Board ratified approval of the 24-Hour Posting Location at the Vista Ridge Community Center, 2750 Vista Parkway, Erie, Colorado.

Mr. Beckman discussed the possibility of creating a new, more user friendly website with the Board. Mr. Beckman advised the Board that Public Alliance can create a new website, for an amount not to exceed \$1,000.

Following discussion, upon a motion made by Director Wood, seconded by Director Lund and, upon vote, unanimously carried, the Board approved Public Alliance LLC to provide a new District website at a cost not to exceed \$1,000.

Public comment: No public comments.

NORRIS DESIGN PRESENTATION

Norris Design Updates: Mr. Rink and Ms. Zultowski from Norris Design presented the landscape design. Following the presentation, the Board discussed the necessity of review by the Town of Erie. Public Alliance will verify the extent to which approval may be needed for the project. The Board further discussed phasing the project in accordance with available funds, and will work on community communication for project.

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The Board discussed the possibility of borrowing money to help fund the project if available cash was insufficient to complete the project in two years. Mr. Erb and Ms. Dam will provide information to the Board regarding the ability and steps needed to borrow additional funds.

Following discussion, upon motion made by Director Wood, seconded by Director Lund and, upon vote, unanimously carried, the Board approved Norris Design to move forward with the preparation of construction drawing suitable for public bidding purposes. The Board further directed Norris Design to coordinate preparation of a bid package with the District's manager and attorney.

FINANCIAL MATTERS

Payment of Claims: Ms. Dam presented the claims for the Board's review.

Following discussion, upon motion made by Director Wood, seconded by Director Lund and, upon vote, unanimously carried, the Board approved the payment of claims for the periods ending October, November, and December 2022, subject to confirming the Diversified Underground invoices prior to paying.

Financial Statements and Schedule of Cash Position: Ms. Dam reviewed with the Board the cash position statement through December 31, 2022. Financials were not available at this time due to the transition of accounting services.

LEGAL MATTERS

2023 Amended and Restated Annual Administrative Resolution: Mr. Erb presented to the Board the 2023 Amended and Restated Annual Administrative Resolution.

Following discussion, upon a motion made by Director Wood, seconded by Director Lund and, upon vote, unanimously carried, the Board adopted the 2023 Amended and Restated Annual Administrative Resolution, as presented.

Contract for Purchase and Sale of One Share of Farmer's Reservoir and Irrigation Company("FRICO") water from the Congrove Estate: Mr. Erb presented the Contract For Purchase and Sale of one share of FRICO water from Jeanette Congrove as Personal Representative of the Estate of Nema J. Webb.

Following discussion, upon a motion made by Director Lund, seconded by Director Sargent and, upon vote, unanimously carried, the Board approved the Contract.

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The Board directed management to review the District's current water portfolio to quantify the water rights owned versus leased and to further determine the quantity of water necessary to ensure ongoing operations.

Updates regarding the May 2, 2023 Director Election: Mr. Erb updated the Board on the May 2, 2023 Director Election. He noted that approximately 1,500 Call for Nominations will be mailed to the community, as well as being posted on the District's website and emailed to those email addresses as provided by the County.

OPERATIONS AND MAINTENANCE MATTERS

Manager Report: Mr. Beckman presented the Manager Report to the Board.

Mr. Beckman presented the proposal for a Kubota RTV vehicle, snow blade and rotary broom, for a total amount of \$37,062.00, which would be a valuable asset for snow removal and landscaping maintenance operations.

Following discussion, upon a motion made by Director Wood, seconded by Director Lund and, upon vote, unanimously carried, the Board approved the purchase of a Kubota RTV Utility Vehicle and accessories, in an amount no to exceed \$37,062.00.

The Board further discussed storage of the utility vehicle. Management will research options and contact Colorado National Golf Club.

First Amendment to the Service Agreement for Landscaping Services with Arrowhead: Mr. Beckman presented the First Amendment to the Service Agreement for Landscaping Services with Arrowhead for 2023 Landscaping Services.

Following discussion, upon a motion made by Director Lund, seconded by Director Sargent and, upon vote, unanimously carried, the Board approved the First Amendment to the Service Agreement for Landscaping Services with Arrowhead as presented.

Snow Operations and Updates: Craig Watkins with Arrowhead addressed the Board. Mr. Watkins apologized for the level of service provided for the previous two snowstorms and acknowledged that the efforts did not meet District expectations. He explained that he expects the lines of communication with new management to help improve the response. For the work already performed, Arrowhead will reduce the charges by approximately 50%. The Board relayed concerns regarding turf damage along Sheridan Parkway and approved the use of delineators to guide machinery at curved paths. The Board discussed after-storm ice cleanup and advised Mr. Watkins that icy conditions should be addressed on a case-by-case basis.

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Community Fence Installation: Director Wood updated the group that the fence project has been completed. Mr. Erb will publish for Final Settlement for the release of the retainage of the Ideal Fence contract. There will be additional items to address in Spring 2023.

Sidewalk Repairs with Town of Erie: There are still pending items to be done in 2023. Management will follow up with the Town of Erie and verify that charges have been appropriately allocated for agreed upon areas.

Wet Vault: Mr. Ortiz updated the Board that maintenance of the wet vault will need to include a vacuuming of the unit. Management will provide bids for Board review at the next meeting.

Permitting Process with City: Mr. Ortiz and Mr. Beckman discussed working with the Town of Erie to implement a permitting process for utility companies installing underground infrastructure. The Board directed Management to pursue implementing the process with the Town of Erie.

OTHER MATTERS

Proposed Agreement with Town of Erie re Irrigation of Columbine Mine Park: The Board discussed the proposed agreement with the Town of Erie regarding irrigation of Columbine Mine Park if the District's water system is offline. No action was taken at this time.

Upcoming meetings: The Board discussed holding a meeting on February 23, 2023, at 5:30 p.m., and moving the March 23, 2023 meeting to March 30, 2023 at 5:30p.m. Upon motion made, seconded and unanimously carried, the meeting dates were changed as discussed. The Board directed management to send invitations accordingly.

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 at 8:01 p.m.

Respectfully submitted,


Secretary for the Meeting