

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE VISTA RIDGE METROPOLITAN DISTRICT HELD OCTOBER 24, 2024

A special meeting of the Board of Directors (the “Board”) of the Vista Ridge Metropolitan District (the “District”) was convened on Thursday, October 24, 2024, 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.

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#### **ATTENDANCE**

##### **Directors In Attendance:**

Michael Lund, President  
John Z. Ocwieja, Treasurer  
Valerie Swanson, Assistant Secretary  
Scott Wood, Assistant Secretary  
Todd Sargent, Assistant Secretary

##### **Also In Attendance:**

Mark McGarey, David Frazier and David Rees; Public Alliance, LLC  
Jeffrey Erb, Esq and Jillian Martin, Esq.; Erb Law, LLC  
Thuy Dam; CliftonLarsonAllen, LLP (“CLA”)

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#### **DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST**

The meeting was called to order at 5:35 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.

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#### **ADMINISTRATIVE MATTERS**

**Agenda:** Mr. McGarey reviewed the agenda with the Board.

Following review, upon a motion made by Director Ocwieja, seconded by Director Wood, and, upon vote, unanimously carried, the Board approved the agenda.

**Minutes:** The Board reviewed the minutes from the September 26, 2024 Special Meeting.

Following discussion, upon motion duly made by Director Ocwieja, seconded by Director Lund and, upon vote, unanimously carried, the Board approved the minutes of the September 26, 2024 Special Meeting, as presented.

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**2025 Annual Administrative Resolution:** Attorney Erb reviewed with the Board the 2025 Annual Administrative Resolution.

Following review, upon a motion made by Director Sargent, seconded by Director Ocwieja, and, upon vote, unanimously carried, the Board adopted the 2025 Annual Administrative Resolution.

**2025 Regular Meeting Dates:** The Board entered into discussion regarding business to be conducted in 2025. The Board determined to meet at 5:30 p.m. on the fourth Tuesday of January, March, April, May, June, August, and October at the Vista Ridge Community Center, 2750 Vista Parkway, Erie, Colorado 80516, and/or electronically depending on the direction of the Board.

**§32-1-809, C.R.S. Reporting Requirements, Mode of Eligible Elector Notification for 2025:** Attorney Erb discussed with the Board §32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2025. Following discussion, the Board directed staff to post the Transparency Notice on the Special District Association's website and the District's website.

**Renewal of District's Insurance and Special District Association Membership for 2025:** Attorney Erb informs the Board that the renewal of the District's insurance and the Special District Association membership for 2025 is included in the previously approved 2025 Annual Administrative Resolution.

**2025 Annual Meeting:** The Board entered into discussion regarding scheduling the 2025 Annual Meeting. Following discussion, the Board determined to schedule the Annual Meeting for November 14, 2024 at 5:30 at the Vista Ridge Community Center, 2750 Vista Parkway, Erie, Colorado 80516.

**Addendum to the Management Services Agreement with Public Alliance LLC for Management Services:** Mr. McGarey reviewed with the Board an Addendum to the Management Services Agreement with Public Alliance LLC for management services.

Following review, upon a motion made by Director Wood, seconded by Director Lund, and, upon vote, unanimously carried, the Board approved the Addendum to the Management Services Agreement with Public Alliance LLC for management services.

**Public Comment:** There was no public comment.

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### **FINANCIAL MATTERS**

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

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Following discussion, upon motion made by Director Ocwieja, seconded by Director Lund and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending October 11, 2024, in the amount of \$732,611.26.

**Schedule of Cash Position and Property Taxes Reconciliation:** Ms. Dam reviewed with the Board the schedule of cash position for the period ending June 30, 2023, updated as of October 11, 2024 and Property Taxes Reconciliation.

Following discussion, upon motion duly made by Director Sargent, seconded by Director Ocwieja and, upon vote, unanimously carried, the Board accepted the schedule of cash position for the period ending June 30, 2023, updated as of October 11, 2024, and Property Taxes Reconciliation.

**2024 Audit:** The Board discussed the engagement of Schilling & Company, Inc. to perform the 2024 Audit.

Following discussion, upon motion duly made by Director Ocwieja, seconded by Director Wood and, upon vote, unanimously carried, the Board approved the engagement of Schilling & Company, Inc. to perform the 2024 Audit, not to exceed the amount of \$5,600.

**2024 Budget Amendment Hearing:** The public hearing on the 2024 Amended Budget was opened at 6:07 p.m.

It was noted that publication of Notice stating that the Board would consider amendment of the 2024 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received, and the public hearing was closed at 6:12 p.m.

Following review and discussion, Director Ocwieja moved to adopt the Resolution to Amend 2024 Budget, Director Lund seconded the motion and, upon vote, unanimously carried, the Board adopted Resolution to Amend the 2024 Budget. It was noted the Budget Amendment is for the Conservation Trust Fund.

**Public Hearing on 2025 Budget:** The public hearing on the proposed 2025 Budget was opened at 6:13 p.m.

It was noted that publication of Notice stating that the Board would consider adoption of the 2025 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received.

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The Board reviewed the 2025 budget and discussed allocation of funds for the capital project, FRICO share purchase and operations. The public hearing was closed at 6:24 p.m.

Following discussion, upon motion duly made by Director Lund, seconded by Director Sargent and, upon vote, unanimously carried, the Resolution to Adopt the 2025 Budget, Certify the Mill Levy and Appropriate Sums of Money was adopted.

**CliftonLarsonAllen LLP 2025 Statements of Work:** The Board reviewed the 2025 Statements of Work from CliftonLarsonAllen LLP. Ms. Dam presented a fixed fee option for consideration, but the Board ultimately decided to reject it.

Following discussion, upon motion duly made by Director Lund, seconded by Director Wood and, upon vote, unanimously carried, the Board approved the CliftonLarsonAllen LLP 2025 Statements of Work.

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### **LEGAL MATTERS**

**May 6, 2025 Regular Directors' Election:** Attorney Erb discussed with the Board the Resolution Calling an Election on May 6, 2025, appointing the Designated Election Official ("DEO") and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election.

Following discussion, upon motion duly made by Director Lund, seconded by Director Sargent and, upon vote, unanimously carried, the Board adopted the Resolution Calling an Election on May 6, 2025, appointing the DEO and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election.

**Recent Court Summons:** Attorney Erb provided an update to the Board regarding the recent court summons. Public Alliance will be dismissed as a defendant and the District is expected to also be dismissed pending further discussions. No action was taken by the Board at this time.

**Landscaping Tracts from the Town of Erie via Quit Claim Deed:** Attorney Erb provided an update to the Board on the Landscaping Tracts from the Town of Erie via Quit Claim Deed.

**Integrated Water Facilities Common Use Agreement:** Attorney Erb reported that Integrated Water Facilities Common Use Agreement is in process and will be presented for review once a draft is complete.

**Colorado National Golf Course Regarding Landscaping Responsibilities and Agreement to Perform Maintenance on Property Owned by Colorado National Golf Course:** Attorney Erb reviewed with the Board an Agreement between the District and Colorado National Golf Course to perform maintenance on property in the District.

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Following discussion, upon motion duly made by Director Ocwieja, seconded by Director Wood and, upon vote, unanimously carried, the Board approved the Agreement between the District and Colorado National Golf Course pending final legal approval.

**Other Updates:** There are no other updates at this time.

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**OPERATIONS AND MAINTENANCE MATTERS** **Update from Environmental Designs, LLC:** Mr. McGarey distributed to the Board an update from Environmental Designs, LLC.

*License Agreement for Staging Area between Vista Ridge Development Corporation and Environmental Designs, LLC:* It was noted Environmental Designs, LLC has obtained a Staging Area from Vista Ridge Development Corporation and is using the space.

*Proposal from Environmental Designs, LLC for Tree Removal and Stump Grinding:* The Board reviewed a proposal from Environmental Designs, LLC for tree removal and stump grinding.

Following discussion, upon motion duly made by Director Wood, seconded by Director Lund and, upon vote, unanimously carried, the Board approved the proposal from Environmental Designs, LLC for tree removal and stump grinding, in the amount of \$4,461, subject to an itemized invoice being submitted by Environmental Designs, LLC.

*Snow Services Agreement between the District and Environmental Designs LLC for Snow Removal Services:* The Board reviewed a Snow Services Agreement between the District and Environmental Designs LLC for snow removal services.

Following discussion, upon motion duly made by Director Swanson, seconded by Director Lund and, upon vote, unanimously carried, the Board approved the Snow Services Agreement between the District and Environmental Designs LLC for snow removal services, subject to final review by legal counsel.

**Proposal from Masterful Masonry to Replace a Monument on Reserve Street:** The Board reviewed a proposal from Masterful Masonry to replace a monument on Reserve Street.

Following discussion, upon motion duly made by Director Swanson, seconded by Director Lund and, upon vote, unanimously carried, the Board approved the proposal from Masterful Masonry to replace a monument on Reserve Street, in the amount of \$2,913.10.

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**Proposal from Amazing Painting to Stain Three-Rail Fence along Mountain View and Vista Parkway East Side Run:** The Board reviewed a proposal from Amazing Painting to stain three-rail fence along Mountain View and Vista Parkway East side run.

Following discussion, upon motion duly made by Director Sargent, seconded by Director Lund and, upon vote, unanimously carried, the Board approved the proposal from Amazing Painting to stain three-rail fence along Mountain View and Vista Parkway East side run, in the amount of \$25,280.

**Proposal from Precision Pumping Systems for Temporary Storage Unit of New Pump:** The Board reviewed a proposal from Precision Pumping Systems for temporary storage unit of new pump.

Following discussion, upon motion duly made by Director Wood, seconded by Director Sargent and, upon vote, unanimously carried, the Board approved the proposal from Precision Pumping Systems for temporary storage unit of new pump, in the amount of \$327.

**Proposal from Colorado Lighting, Inc. for Evening Inspections of the Monument Lighting:** The Board reviewed a proposal from Colorado Lighting, Inc. for evening inspections of the monument lighting.

Following discussion, upon motion duly made by Director Swanson, seconded by Director Lund and, upon vote, unanimously carried, the Board approved the proposal from Colorado Lighting, Inc. for evening inspections of the monument lighting, in the amount of \$35 per month, subject to Colorado Lighting, Inc. providing an inspection when work is complete.

**Proposal from LDUBS Lights LLC, Lyle Weisbeck for Installation of Holiday Lighting at Main Entrances:** The Board reviewed a proposal from LDUBS Lights LLC, Lyle Weisbeck for installation of holiday lighting at main entrances.

Following discussion, upon motion duly made by Director Sargent, seconded by Director Wood and, upon vote, unanimously carried, the Board approved the proposal from LDUBS Lights LLC, Lyle Weisbeck for installation of holiday lighting at main entrances, subject to no shrub nets being installed or purchased.

**Manager's Report:** Mr. McGarey reviewed the Manager's Report with the Board.

### **CAPITAL PROJECTS**

There were no capital projects to discuss at this time.

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### **OTHER MATTERS**

There were no other matters to discuss at this time.

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### **ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made by Director Lund, seconded by Director Swanson and, upon vote, unanimously carried, the meeting was adjourned at 7:33 p.m.

Respectfully submitted,

Signed by:

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Secretary for the Meeting