

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE WILLOW BROOK METROPOLITAN DISTRICT HELD JUNE 18, 2021

ATTENDANCE: The regular meeting of the Board of Directors of the Willow Brook Metropolitan District was called and held on Tuesday, June 18, 2021 at 3:00 p.m. Due to the COVID-19 Pandemic, this meeting was held via teleconference only, in accordance with Colorado law. The following Directors were present and confirmed their qualification to serve on the Board:

EJ Olbright, Director
Mat Sherwood, Vice Director
Michael Good, Secretary
Randy Lewis, Director
Des Hague, Director

Others identified in attendance:

Sue Blair and Marcos Pacheco; Community Resource Services of Colorado, LLC
Jon Rovick, property owner
David Robbins, Esq., property owner and President of the RROA
Patrick O’Flynn, Ranch Manager
Jon Rovick, property owner
John Drake, property owner
David Radlauer, property owner
Ron Hattin, property owner
Mark Nadeau, property owner
Jim Hahn, property owner
Ken Cremer, property owner
Joseph and Krystyna Wcislak, property owners

CALL TO ORDER: Director Olbright noted that a quorum of the Board was present, and the meeting was called to order at 3:38 p.m.

DISCLOSURE OF CONFLICTS OF INTEREST: Director Olbright inquired whether members of the Board had any conflicts of interest on matters coming before the Board. There were none.

RANCH MANAGER: Introduction of Patrick O’Flynn: Director Olbright introduced Patrick O’Flynn as the new Ranch Manager. He began working on June 1, 2021. Before his official first day, Patrick was onsite to learn as much

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as he could about the ditches. Director Olbright outlined some of the first priorities for Mr. Flynn. He will spend a majority of his time working with Mr. Rovick to maintain the irrigation. Director Olbright noted that Mr. Flynn does work for the Metro District and for the time being, answers directly to Director Olbright. Mr. Flynn then addressed the Board and community and thanked everyone for the warm welcome he, and his family, have received. Director Hague noted that he is thrilled to have Mr. Flynn as the successful candidate out the 88 candidate resumes received.

PUBLIC COMMENT: Mr. Drake asked if he could be provided the opportunity to discuss both the dust in the District and street signs as the topics come up.

APPROVAL OF AGENDA: Director Sherwood moved to approve the agenda as presented. Upon second by Director Good, vote was taken and the motion carried unanimously.

MINUTES: Director Sherwood moved that the Board approve the minutes of the March 12, 2021 and May 18, 2021 meetings as presented. Upon second by Director Good, vote was taken and the motion carried unanimously.

FIRE MITIGATION UPDATE: Passage of HB 21-1008 - Forest Health Management: Ms. Blair reported on the status of HB 21-1008. The passage of this bill allows for special improvement districts to be formed therefore allowing assessments to be imposed as a means of helping with fire mitigation. It has already been signed by the Governor. Director Lewis noted this will be something we can add to the District's 'toolbox' if a future need arises and the circumstances allow. There were questions from the public to which Director Lewis and Ms. Blair were able to provide clarity.

WATER OPERATORS REPORT: Operator's Report: Director Olbright reported that the water system is working well and there were no issues to report. Additionally, Mr. O'Flynn has been given an action-item list of duties that he will begin performing. Also, the District continues to work on fulfilling CDPHE requirements. There is a deadline of October 2021 to meet all requirements. One major item that will be required is backflow prevention devices. A backflow prevention device will be required at the barn and Director Lewis recommended that this money be pulled from the Water Utility Fund. After extensive discussion, Director

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Lewis moved to approve necessary funding to complete the work needed in order to comply with the CDPHE requirements. Upon second by Director Sherwood, vote was taken and the motion carried unanimously. Lastly, Director Olbright noted that the interconnect system is a work in progress and further updates will be provided at future meetings.

Meeting with Water Commissioner: There was nothing to report.

Rules and Regulations Update: Director Olbright asked for clarity from the Board on how to move forward with rules and regulations related to meters, etc. Once the Board agrees, we will then ask the operator to provide a draft for review. Director Lewis noted that he is in favor of this and it would be highly beneficial to the District. There was also discussion of improving the water meter technology in the future. Once a policy is created and a recommendation is received from WSI, we will evaluate funding options.

INTERCONNECT PROJECT:

Interconnect Project and 1st Payment: Director Olbright noted that there continues to be work done on both the valve and the SCADA system. The system should be online in July.

ROAD MAINTENANCE UPDATE:

Road Maintenance: Director Olbright reported that there has been some maintenance performed in the last couple of weeks. Specifically, there has been pothole repair and ditch work. There will also be a mag-chloride application and asphalt work performed after the July 4th holiday. RKR will also be re-grading the washboard on the s-curves in conjunction with the mag-chloride application. Director Lewis noted there are some potholes that were repaired and have since started to break away. He asked for something to be done at the bottom of Emerald and Pearl to help with drainage issues. There was a continued discussion surrounding the state of roads throughout the District.

Pay App for Water Project: Ms. Blair reported on the status of the project cost and the SRF loan. She answered questions from the Board as to whether the remaining amount of the loan could be used to pay for other projects. Unfortunately, the loan will not pay for meters or hydrants. Director Lewis moved that the Board approve the RKR pay application no. 1 as presented. Upon second by Director Sherwood, vote was taken and the motion carried unanimously.

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FINANCIALS:

Consider Approval of Payment of Claims: Ms. Blair reviewed the claims with the Board totaling \$41,577.22 as well as auto-payments totaling \$286.09. Director Lewis moved that the Board approve the claims as presented. Upon second by Director Sherwood, vote was taken and the motion carried unanimously.

Payment to RKR for Gate/Culvert Work: Ms. Blair reviewed the RKR invoice with the Board. Additional clarification was requested from RKR prior to this meeting and it was provided on this invoice. Director Lewis moved that the Board approve the invoice for \$58,603.07. Upon second by Director Hague, vote was taken and the motion carried unanimously.

Review Financial Statements for the Period Ended May 31, 2021, and Cash Position for the Period Ended June 14, 2021: Ms. Blair reviewed the financial statements with the Board. There were no questions or comments on the financials.

Additionally, there was discussion about the cost of weed spraying and when this should be performed. The RROA has requested that the Metro Board approve a total amount to be approved of \$4,000. Since there is already \$3,000 in the District budget, the Board agreed to authorize an additional \$1,000 for weed spraying. Mr. Flynn will continue to evaluate the weeds and make further recommendations in the future.

Financing of a Vehicle: The Ranch Manager and Ms. Blair reported on the potential purchase of a F-450 truck at an estimated cost of \$50,000. Because the lead time is so far out, there is no way to do financing now. Ford offered financing, but at 6-7%. IN Bank offered 4.33%. There will be nothing locked in until the truck is delivered. Director Lewis moved that the Board approve ordering a vehicle and then find a financing source. Upon a second by Director Sherwood, a vote was taken, and the motion carried unanimously.

Colotrust Edge Account: Ms. Blair reported on a new investment product available through ColoTrust – Edge. An Edge account yields a higher interest rate, has a 5-day liquidity period, and is fully liquid. Currently, Edge is paying 18 basis points. ColoTrust recommends investing funds for a minimum of six months. Director Lewis moved that the Board authorize CRS to open an account on behalf of the

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District and move an appropriate amount of money from the general ColoTrust Account to the Edge account. Upon second by Director Sherwood, vote was taken and motion carried unanimously.

Grant Funding Update: John Drake reported that Summit County just gave the District a big boost for our fire mitigation efforts when they awarded us a total of \$95,250 in wildfire mitigation grants to be spent this year on Ruby Ranch projects. \$39,000 will go toward paying almost half the cost of the environmental study required before a firebreak can be cut in the Eagle's Nest Wilderness on our western Ranch boundary. The balance of \$56,250 will pay about a quarter of the cost to interconnect our two water storage tanks remotely, so the Fire Department can rapidly bring a full 103,000 gallons to bear on a fire almost anywhere on the Ranch, versus about half that amount if our tanks were not interconnected. The Board thanked John for his hard work and the Board of County Commissioners for approving the funding.

DIRECTORS ITEMS

By-Laws and Policies Procedures and Rules of Conduct: Ms. Blair reported and asked the Board to review and provide comments and edits the drafts provided. Once the Board is comfortable, they will be presented for approval. Comments and edits should be email to Ms. Blair by the end of June.

Dumpster/Recycle Issue: Director Olbright reported and there have been ongoing issues. He noted that there have been several instances where proper materials have not been placed in the recycle container. Director Lewis suggested that Mr. Flynn wrap his mind around the issue and then have Mr. Drake communicate proper use through the newsletter. Director Olbright requested that Mr. Flynn connect with Director Good to gain his knowledge.

Planting Trees as a Screening Solution: A request was made by a homeowner to plant trees around the dumpster area to camouflage the dumpster. After discussion, the Board stated that if there is a budget provided, the board will consider it in the future. Director Olbright asked Ms. Blair to notify the owners that the deferred, but still considered. There is still work to be done with the barn and the landscape could still be changing.

Landscaping and Irrigation Requirements on Private Lots: Director Olbright reported to the Board that an irrigation system was installed. Said system is a violation of the rules and regulations. A letter needs

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to be sent noting that irrigations systems for maintaining landscape systems are not allowed. Also, the Board needs to discuss this with the owners of other new builds. The landscape committee needs to communicate this. Mr. Robbins will communicate to the Lot 22 owners that sod is not allowed. Additionally, if there is an irrigation system installed on a lot, a backflow preventer is required.

Non-Owner Horse Boarding: Director Olbright reported that only RR owners can have horses on the ranch. Mr. Rovick asked if the lease option was still available. He also asked if the committee is to assume boarding is allowed 12 months a year or if there is a time limit or seasonal limitation.

Request from MF re Horse Boarding: MF needs short-term boarding while she is on vacation. Director Hague believes that if the District charges everyone, then we need to charge in this situation. For two weeks of boarding, the cost would be \$150.

Status of Construction Deposits: Director Olbright reported to the Board that Lot 22 work has been completed by RKR and the owners are paying for it. The construction deposit can be returned. Lot 8, the owners chose not to hire RKR, but will complete the work on their own. The work is yet to be done, but everyone is working to complete the list of outstanding items. Mr. Wcislak noted that he intends to mitigate the issue and will fully bear the cost of the work. He asked for a little bit of time while they work on the road. This item was tabled. Construction deposits for Lot 20 & Lot 33 can be released.

LEGAL ITEMS:

District Easements: There is nothing to report currently.

Past Due Accounts and Potential Shut-Off of Water Service: Ms. Blair had sent a report to the Board. Legal counsel has not received any additional communication on the McGadden water service issue. Director Olbright asked the Board to have their comments to Ms. Blair by the end of June to finalize the direction of the Board on this issue.

OTHER BUSINESS:

Employment Agreement for Ranch Manager: This item was approved but the stipend was added via amendment. Director Lewis moved that the Board ratify the monthly stipend for use of a personal vehicle. Upon second by Director Hague, a vote was taken and the motion carried unanimously.

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Service Request Process: Ms. Blair is developing a fillable .pdf for residents to use that will help Mr. Flynn keep track of service requests. Director Lewis moved that the Board approve the service request form and process. Upon a second by Director Sherwood, a vote was taken, and the motion carried unanimously.

HOA Recommendations: Ms. Blair noted that on monthly meeting agendas there will be an “HOA Recommendations” agenda item.

Signage Discussion: Director Olbright reported that there have been numerous requests for signage throughout the District. It was deferred due to fire mitigation. He asked if the signage was still something to defer. Director Lewis recommended that the Board address this issue at the next meeting once the financials are updated. In the meantime, Director Olbright asked that we work on a new signage plan. Mr. Nadeau requested that, in the new plan, categories be created. He thinks signage is needed at the turnaround at the new gate. He also noted that the new 15 m.p.h. limit was approved but is not posted anywhere.

Website Update: Ms. Blair reported that the SIPA website is now being staged and documents posted.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 5:58 p.m.

Respectfully submitted,



Secretary for the Meeting