

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

WRIGHT FARMS METROPOLITAN DISTRICT

Held: Thursday, August 5, 2021 at 7:00 p.m.
Virtual meeting held via video-conference (Zoom)

Attendance

The special meeting of the Board of Directors of the Wright Farms Metropolitan District was called and held as shown above in accordance with the statutes of the State of Colorado. The following Directors, having confirmed their qualifications to serve on the Board, were in attendance:

Heidi Farfel
James A. Ray
Michael Stangoni

Absent: Joyce Espinoza

Also in attendance were Jeffrey E. Erb, Seter & Vander Wall, P.C.; Debbie Sedgely, CliftonLarsonAllen, LLP; Judy Haberer, District Administrator; and Jim Ihnen, JBK Landscape, LLC.

Call to Order

Director Ray noted that a quorum of the Board was in attendance and the Directors confirmed their continuing qualification to serve. The meeting was called to order at 7:07 p.m.

Disclosure Matters

The Directors reported that they had disclosed their interests as owners of property located in the District. Written disclosures of these interests have been filed with the Secretary of State.

The Board reviewed the agenda for the meeting, following which each Board member had the opportunity to identify any additional conflicts. No additional conflicts were identified.

Additionally, the Board determined that the participation of the members in attendance was necessary to obtain a quorum or otherwise enable the Board to act.

Public Comment

There was no public comment.

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Approval of July 1, 2021
Meeting Minutes

The minutes of the July 1, 2021 meeting were reviewed. Upon motion made, seconded and unanimously carried, the minutes were approved.

Drainage Project 122nd and Ivy
Court Remediation Work

Mr. Erb reported that CP&M has submitted an application for a permit but has not received an update since the last meeting. He will contact CP&M for an update.

Financial Matters

Ms. Sedgeley reviewed the District's financials through the end of June 2021 and its schedule of cash position. She reviewed the balance sheet, general fund, conservation trust fund, property tax schedule, and claims payable. The Board also reviewed the water usage to date, noting that it is less than prior years.

Upon motion made, seconded and unanimously carried, the Board accepted the financials as presented and approved the claims payable.

Next, Ms. Sedgeley discussed with the Board the possibility of moving some funds to the new ColoTrust Edge investment fund. The fund meets all federal and state law requirements for investing public money, but it provides a higher interest rate by investing in slightly longer-term securities. As a result, funds are not quite as liquid as a money market account and require about five days to be withdrawn. This may be a good option for some of the District's funds allocated for future capital projects that are not needed on an immediate basis. Ms. Sedgeley will provide additional information for discussion at the September board meeting.

East Boundary Fence
Replacement

Mr. Erb reported that no new easements have been received since the last meeting. The Board discussed their desire to get this project moving and discussed various options to push through the last steps needed for permission from the homeowners. Director Farfel will lead a door-to-door campaign to talk to the remaining homeowners. Mr. Erb will provide her with a packet of information, including the fact sheet, map, and updated easements for delivery. In addition, Mr. Erb will reach out to the property owners who are renting the properties, which includes a few investment companies. The Board discussed the option of doing the fence in sections and recording a document asking for the fence easement against the properties who have not provided an easement, so as to hopefully obtain an easement when the property is next sold.

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Attorney Report

Mr. Erb discussed with the Board the status of the contract with Journey Websites. Journey Websites does not carry any liability insurance. As explained to Mr. Erb, the reason for this is that Journey Websites has determined that its risk is low considering that all it does is manage and host websites and does not perform site visits. The terms of the contract limits its liability to the amount of the fees paid in the event of a claim. Mr. Erb explained that the District has generally always required contractors to carry insurance and that it generally does not agree to liability limit language such as the one proposed. The Board discussed the nature of the contract and the potential risk, noting that risk was low and the website does not contain any personal information or financial information and is used solely to provide information about the District and meeting notices. Upon motion made, seconded and unanimously carried, the Board determined to move forward with Journey Websites. Mr. Erb will update the contract and have it executed.

JBK Report

Mr. Ihnen reported that due to the high heat and dry conditions, the turf in both parks does not look very good. He will increase irrigation in both parks to help improve the turf condition.

Mr. Ihnen reviewed with the Board the proposal from SavATree and JBK for the pruning and removal of trees along Niagara Street. Director Stangoni provided pictures of the declining trees and the Board discussed the need for removal and pruning. Upon motion made, seconded and unanimously carried, the Board approved the proposals from SavATree and JBK for tree removal and pruning. Mr. Erb will contact SavATree regarding a contract, noting that they have agreed to the District's form of contract in the past.

Mr. Ihnen noted that some trees need to be replaced along Brantner Gulch which are under warranty; native mowing will occur in the next month.

District Administrator Report

Ms. Haberer reviewed with the Board the playground inspection reports, including the recommendations at the end of the reports. The Board discussed obtaining proposals for the recommendations from the inspection company, but noting that it already had a proposal for some of the recommended repairs and replacement from GoPlay.

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The Board reviewed the proposal from GoPlay to replace some damaged playground equipment. Upon motion made, seconded and unanimously carried, the proposal was approved.

The Board discussed an issue with graffiti on the playground and communications it received regarding the person(s) who did the graffiti. The Board noted that vandalism of District property is covered by its rules and regulations, which includes a fine and recovery of the costs of fixing the damage, which in this case was a charge by Lightning Mobile to remove the graffiti. The District is also allowed to recover its attorney fees and costs. The Board directed Mr. Erb to send a letter to the person who did the graffiti to collect the fine and recover the removal costs.

The Board reviewed the proof of the tennis court rules and agreed to add "Wright Farms Metropolitan District" to the top and to order two signs. Upon motion made, seconded and unanimously carried, the Board approved up to \$300 for the signs.

The pavilions have been in high use.

Other Business

There was no other business.

Adjournment

There being no further business to come before the Board, and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 9:14 p.m.



[Heidi Farfel \(Sep 16, 2021 10:01 MDT\)](#)

Secretary for the Meeting