
RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF
THE
CONSERVATORY METROPOLITAN DISTRICT
HELD
JANUARY 23, 2024**

A Regular Meeting of the Board of Directors (referred to hereafter as “Board”) of the Conservatory Metropolitan District (referred to hereafter as “District”) was convened. The meeting was open to the public and the conferencing information was posted.

The meeting was held via teleconference.

ATTENDANCE

Directors in Attendance Were:

Birgit Baldwin
Pedro Moczó
Timothy Siml
Harlan Baldwin

Following discussion, upon motion made by Director Siml, seconded by Director Harlan Baldwin and, upon vote, unanimously carried, the absence of Director Hunchberger was excused.

Also In Attendance Were:

Geol Scheirman; Public Alliance, LLC
Heather Hartung, Esq.; White Bear Ankele Tanaka & Waldron, P.C.
Georgia Harland; Simmons & Wheeler, P.C
Laverne Palmer; Resident

**DISCLOSURES OF
POTENTIAL
CONFLICTS OF
INTEREST**

Disclosures of Potential Conflicts of Interest: Attorney Hartung advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. The Board reviewed the Agenda for the meeting, following which Directors Birgit Baldwin, Siml, Moczó, and Harlan Baldwin along with each consultant confirmed that they have no conflicts of interest in connection with any of the matters listed on the Agenda.

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PLEDGE OF ALLEGIANCE

Pledge of Allegiance: Director Siml led the Board in reciting the Pledge of Allegiance.

ADMINISTRATIVE MATTERS

Agenda: Director Birgit Baldwin reviewed the proposed agenda with the Board for the District's Regular Meeting.

Following discussion, upon motion duly made by Director Siml, seconded by Director Harlan Baldwin and, upon vote, unanimously carried, the agenda was approved, as amended to move the adoption of the Resolution Designating the District's Website for the Online Posting of Meeting Notices and 24-hour Posting Location to the Consent Agenda and remove the approval of Minutes of the November 27, 2023 Regular Meeting from the Consent Agenda.

Consent Agenda: The Board considered the following actions:

- Ratified the 7th Addendum to Independent Contractor Agreement between the District and Masterful Masonry, Inc. for repair to small wall near artwork at S. Conservatory Parkway.
- Accepted the Notice of Final Payment Published in the December 21, 2023 and December 28, 2023 editions of the *Aurora Sentinel*.
- Adopted Resolution Designating the District's Website for the Online Posting of Meeting Notices and 24-hour Posting Location.

Following further discussion and review, upon a motion duly made by Director Siml, seconded by Director Harlan Baldwin and, upon vote unanimously carried, the Board approved the consent agenda as amended to move the adoption of the Resolution Designating the District's Website for the Online Posting of Meeting Notices and 24-hour Posting Location to the Consent Agenda and remove the approval of Minutes of the November 27, 2023 Regular Meeting from the Consent Agenda.

Minutes: The Board reviewed the Minutes of the November 27, 2023 Regular Meeting.

Following discussion, upon motion duly made by Director Moczo, seconded by Director Harlan Baldwin and, upon vote, unanimously carried, the Minutes of the November 27, 2023 Regular Meeting were approved, as amended.

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COMMUNITY COMMENTS

Public Comment: Director Birgit Baldwin reported to the Board a driver damaged two fences in the community. It was noted that the fences are owned and maintained by homeowners.

FINANCIAL MATTERS

Claims: Ms. Harland reviewed the check register for the period ending December 31, 2023, including check numbers 4872 through 4896, in the amount of \$115,951.92.

Following discussion, upon motion duly made by Director Siml, seconded by Director Moczo, and upon vote unanimously carried, the Board approved the claims totaling \$115,951.92.

Manual Check: Ms. Harland reviewed manual check number 4130 for the 4th quarter 2023 Form 941, in the amount of \$566.10.

Following discussion, upon motion duly made by Director Siml, seconded by Director Moczo, and upon vote unanimously carried, the Board approved check number 4130 for the 4th quarter 2023 Form 941, in the amount of \$566.10.

Management Invoice: Director Birgit Baldwin requested to review the Management invoice prior to input into Bill.com.

Unaudited Financial Statements and Schedule of Cash Position: Ms. Harland discussed with the Board the unaudited financial statements, dated December 31, 2023 and the schedule of cash position, dated January 19, 2024.

Following discussion, upon motion duly made by Director Siml, seconded by Director Harlan Baldwin and, upon vote, unanimously carried, the Board accepted the unaudited financial statements, dated December 31, 2023 and the schedule of cash position, dated January 19, 2024.

Final Mill Levy for 2024 Budget Information: Ms. Harland reviewed with the Board the final Mill Levy for the 2024 Budget information. She noted the mill levies were set at 16.505 mills for the General Fund, 18.156 mills for the Debt Service Fund and 1.135 mills for the Capital Fund for a total mill levy of 36.012 mills.

Other: It was noted the 2023 Audit will begin in February.

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OPERATIONS MATTERS

Manager's Report: Mr. Scheirman reviewed the District Manager's Report and 2023 Irrigation Report with the Board, attached hereto, and incorporated herein by this reference.

Contractor Storing Items on District Property: Mr. Scheirman reported to the Board there was damage to the common area due to a contractor using District owned property to access a Lot. He noted the construction materials were removed, but the irrigation may be damaged. He further noted BrightView Landscape Services, Inc. will evaluate the area once the irrigation is turned on to determine if there is additional damage.

Kiosk Map Project: Mr. Scheirman presented to the Board the kiosk map project. Following discussion, the Board directed Public Alliance to obtain proposals for acrylic maps for all 25 kiosks. It was noted the Board would like to retain the same map and information.

Contract between the District and HydroPoint Data Systems, Inc. for WeatherTRAK Central Service Subscription: Mr. Scheirman reviewed with the Board a Contract between the District and HydroPoint Data Systems, Inc. for WeatherTRAK Central Service Subscription.

Following discussion, upon motion duly made by Director Siml, seconded by Director Harlan Baldwin and, upon vote, unanimously carried, the Board approved a one-year subscription, subject to the option for a multiple year contract with an annual payment. The Board directed Public Alliance to follow up with HydroPoint Data Systems, Inc.

LANDSCAPING MATTERS

Pond No. 6 Construction and Pond No. 7 Maintenance: Mr. Scheirman reported to the Board that project is complete and final payment was made to the contractor on January 8, 2024.

Retaining Wall Repairs: Director Mosco reported to the Board the wall along Hampden will need to be complete and Masterful Masonry will inspect the area once the weather warms up.

Proposal from SavATree, LLC for 2024 Plant Health Care: Director Birgit Baldwin reviewed with the Board a proposal from SavATree, LLC for 2024 plant health care, in the amount of \$21,627. Following discussion, the Board declined the proposal and requested to see a proposal for 2025 in the fall to review with the 2025 Budget.

Other:

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Dogwood Poop Scoop: Mr. Scheirman reviewed with the Board the 2024 pricing from Dogwood Poop Scoop for poop scoop services. No action was taken by the Board.

Pond 7: Director Birgit Baldwin requested staff to verify that Pond 7 is part of the Master License Agreement. It was noted Legal will verify and Public Alliance will add it to the RTS Landscaping Annual Maintenance and Reporting to the City of Aurora.

BOARD MEMBER INPUT

Director Birgit Baldwin: Director Birgit Baldwin noted she will be preparing a list of the 2024 landscape projects for the March meeting. She requested all Board members review priorities for March meeting.

Director Hunchberger: None.

Director Moczo: None.

Director Siml: None.

Director Harlan Baldwin: None.

OTHER BUSINESS

Community Outreach:

Matters discussed for inclusion in the Community Update include:

- Pond project
- Mill Levy Certification
- Wall repair along South Conservatory Parkway

Board Member On-Duty Schedule: It was noted Harlan Baldwin will replace Director Hunchberger until further notice.

LEGAL MATTERS

Legislative Special Session and Budget Implications: Attorney Hartung provided an update to the Board on the Legislative Special Session is complete. She noted the Budget resolution was updated to reflect the final mills and will be filed by January 30, 2024.

Implementation of Accessibility Standards for Individuals with a Disability for Information Technology Systems Employed by the District: Attorney Hartung discussed with the Board website accessibility.

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She noted she is waiting for specific information and the website will have to be compliant by July 1, 2024.

Meeting with Homeowners Association (“HOA”): Attorney Hartung provided an update to the Board on the November 18, 2023 meeting with the HOA regarding mailboxes and the reimbursement for Pond 6. It was noted Legal will follow up with the HOA’s legal counsel.

Executive Session: The Board determined an executive session was not needed.

ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned at 11:32 a.m. The next Regular Meeting is scheduled for March 18, 2024 at 9:00 a.m.

Respectfully submitted,

By: DocuSigned by:
Pedro L. Moczy
Secretary for the Meeting