
RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CONSERVATORY METROPOLITAN DISTRICT HELD JULY 15, 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
Timothy Siml
Harlan Baldwin
Robert “Bob” Hunchberger

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

Also In Attendance Were:

Geol Scheirman; Public Alliance, LLC
Heather Hartung, Esq. and Jon Wagner, Esq.; White Bear Ankele Tanaka & Waldron, P.C.
Georgia Harland; Simmons & Wheeler, P.C.
Cole Mansanares; RTS Landscaping
Laverne Palmer; Residents

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, Hunchberger, 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.

RECORD OF PROCEEDINGS

PLEDGE OF ALLEGIANCE

Pledge of Allegiance: Director Birgit Baldwin 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 Hunchberger and, upon vote, unanimously carried, the agenda was approved, as amended to add the discussion of proposal from RTS Landscaping to regrade pond 5 from inlet to outlet and move the ratification of approval of Addendums from Masterful Masonry, Inc. under Operations Matters.

2024 Special District Association’s Annual Conference: Mr. Scheirman discussed with the Board the Special District Association’s Annual Conference on September 10-12, 2024. It was noted there is interest from the Board in attending the conference. Public Alliance LLC will follow up with the Board.

Consent Agenda: The Board considered the following actions:

- Approved Minutes of the May 20, 2024 Regular Meeting.
- Ratified approval of Addendum 2024-11 to the Independent Contractor Agreement between the District and Brightview Landscape Services, Inc. for turf installation, in the amount of \$2,941.25.
- Ratified approval of Addendum 2024-12 to the Independent Contractor Agreement between the District and Brightview Landscape Services, Inc. for deep root watering, in the amount of \$1,000.05.
- Accepted the 2023 Annual Report on the Service Plan.
- Approved the Fourth Addendum to the Independent Contractor Agreement between the District and Public Alliance LLC.

Following further discussion and review, upon a motion duly made by Director Harlan Baldwin, seconded by Director Hunchberger and, upon vote unanimously carried, the Board approved the consent agenda as amended to move ratifying approval of the Eighth and Ninth Addendum to Independent Contractor Agreement with Masterful Masonry for wall installation from the Consent Agenda to Operation Matters.

RECORD OF PROCEEDINGS

COMMUNITY COMMENTS

Public Comment: Director Birgit Baldwin reported she was approached by a homeowner that said there was a survey taken regarding the Metro District. The homeowner said they are interested in joining the Board. She noted she was unsure of what the survey was for.

The Board discussed the city parks and irrigation issues that have been reported.

It was noted there have been issues reported to the Board and to the City of Aurora on landscaping concerns with regards to the City's Pond #3 project.

FINANCIAL MATTERS

Claims: Ms. Harland reviewed the check register for the period ending July 12, 2024, including check numbers 4936 through 4952, in the amount of \$185,885.50.

Following discussion, upon motion duly made by Director Siml, seconded by Director Harlan Baldwin, and upon vote unanimously carried, the Board approved the claims totaling \$185,885.50.

Unaudited Financial Statements and Schedule of Cash Position: Ms. Harland discussed with the Board the unaudited financial statements, dated June 30, 2024 and the schedule of cash position, dated July 15, 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 June 30, 2024 and the schedule of cash position, dated July 15, 2024.

Other: Ms. Harland presented the cash report and cash projections. The Board determined to schedule a Budget Workshop on August 29, 2024 at 10:00 a.m. Director Birgit Baldwin requested the Board members give feedback for 2025 projects by August 15, 2025.

OPERATIONS MATTERS

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

Pond 6 Outlet:

RECORD OF PROCEEDINGS

Proposal from RTS Landscaping for Installation of Riprap on Both Sides of the Trickle Channel: Mr. Mansanares presented to the Board pictures of the current area. Director Hunchberger asked if the 4-foot buffer would be enough and would consider a 5-foot buffer. It was noted this would be an early winter project.

Following discussion, upon motion duly made by Director Harlan Baldwin, seconded by Director Siml and, upon vote, unanimously carried, the Board approved the proposal from RTS Landscaping for the installation of riprap on both sides of the trickle channel, subject to the final cost for a 5-foot buffer scope.

Proposal from RTS Landscaping to Repair the Drainage Issues at Pond 5: Mr. Mansanares reviewed a proposal from RTS Landscaping to repair the drainage issues at Pond 5.

Following discussion, upon motion duly made by Director Hunchberger, seconded by Director Siml and, upon vote, unanimously carried, the Board approved the proposal from RTS Landscaping to repair the drainage issues at Pond 5, in the amount of \$6,575.

Status of City Uploading Previously Approved Stormwater Management Inspection & Maintenance Plan Into System for Ponds 2.0, 2.1, 4, 5 and 6 and Status of Second Amendment to Intergovernmental Agreement with the City and Amendment to the Stormwater Management Inspection & Maintenance Plan for Pond 7: Attorney Hartung reported to the Board on the Status of City Uploading Previously Approved Stormwater Management Inspection & Maintenance Plan Into System for Ponds 2.0, 2.1, 4, 5 and 6 and Status of new Stormwater Management Inspection & Maintenance Plan for Pond 7 that will mirror the existing plan. It was noted this will be a stand-alone Agreement.

Roundabouts Along Conservatory Parkway: Director Birgit Baldwin updated the Board with the process and replacement for turf to rock requests with the City of Aurora. It was noted Conservatory Parkway is back open and the project is complete.

Proposals from Playground Safety Solutions and MVP Playgrounds to Install Surface Material: Director Birgit Baldwin presented to the Board proposals from Playground Safety Solutions and MVP Playgrounds to install surface material. Director Siml asked about concrete and if there were any concerns about water under the concrete.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Siml, seconded by Director Hunchberger and, upon vote, unanimously carried, the Board approved the proposal from Playground Safety Solutions to install surface material, in the amount of \$32,343.50.

Other: The Board discussed pond 7 with Mr. Mansanares regarding drainage. Mr. Mansanares reported he treated the pond for mosquito and algae blooms. He noted the pond has a very low grade for the drainage to occur and RTS Landscaping will continue to monitor.

The Board directed Mr. Scheirman to update the Eighth Addendum to Independent Contractor Agreement between the District and Masterful Masonry, Inc. for wall installation and Ninth Addendum to Independent Contractor Agreement between the District and Masterful Masonry, Inc. for addition wall repair with the correct cost for services. It was noted the work is complete.

LANDSCAPING MATTERS

Irrigation Updates: Director Birgit Baldwin discussed with the Board the irrigation system and sprinkler heads. Director Hunchberger asked if the community has rain gauges. It was noted there are several rain gauges in the community and there have been variances due to the sod establishment in community. The Board directed Mr. Scheirman to review if there are other variances that would allow this. Director Hunchberger further asked if the District should look at high efficiency rotor heads. It was noted that high efficiency rotor heads were reviewed in the past but there were issues with the heads clogging.

Landscaping Projects Updates: The Board entered into discussion regarding landscaping projects. Mr. Scheirman presented Brightview Landscape Services, Inc. a proposal for tree replacements and cobble projects. It was noted that the proposals will be reviewed during the September 16, 2024 meeting. Board requested Rocky Mountain Tree Care, Inc. to remove 5 dead trees in community when the proposal is approved.

Other: There were no other landscaping matters to discuss.

BOARD MEMBER INPUT

Director Birgit Baldwin: Director Birgit Baldwin noted that she will confirm with Public Alliance LLC if she will be attending the SDA Conference by July 20, 2024. She reminded the Board to submit their input on the Budget by August 15, 2024. She reported the linden tree that was hit by a car is surviving.

RECORD OF PROCEEDINGS

Director Hunchberger: Director Hunchberger the light on the monument on the north end of the District continues to get kicked or moved. The Board directed Mr. Scheirman to contact Parker Electric Inc. to determine if there is a permanent option.

Director Moczo: Not available.

Director Siml: Director Siml requested other options for the light at the monument to include an option for placement above the plants. He discussed with the Board signage in the common area for non-motorized usage. He also requested laminated maps of the District for the Directors.

Director Harlan Baldwin: None.

OTHER BUSINESS

Community Outreach:

Matters discussed for inclusion in the Community Update include:

- New maps
- Kiosk
- Rock conversion
- Larger rocks for roundabouts
- Turf replacement
- Ongoing maintenance approved during today's meeting
- Irrigation rebate from the City of Aurora
- Upcoming new playground surface
- Annual Meeting

Board Member On-Duty Schedule: There are no updates to the schedule at this time.

LEGAL MATTERS

Website Accessibility and Document Remediation: Attorney Hartung provided an update on the District's website accessibility and document remediation status.

2024 Legislative Memorandum: Attorney Hartung provided an update to the Board on the 2024 Legislative. She noted she will update the Board on pending items for revenue and tax implications and legislation regarding certified plumbers to do backflow testing and certification. Director Birgit Baldwin reported she is looking to include extra money in 2025 if there are additional requirements from legislation and older equipment in the

RECORD OF PROCEEDINGS

community. Director Birgit Baldwin also discussed with the Board the storage of backflow as more backflows are being stolen for their copper.

Other: There were no other legal matters to discuss at this time.

ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned at 11:38 a.m. The next Regular Meeting is scheduled for September 16, 2024 at 9:00 a.m.

Respectfully submitted,

Signed by:
By: Pedro L. Maczo
Secretary for the Meeting