
RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CONSERVATORY METROPOLITAN DISTRICT HELD SEPTEMBER 16, 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 Moczo
Timothy Siml
Harlan Baldwin
Robert “Bob” Hunchberger

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.

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, Moczo, Harlan Baldwin and Hunchberger along with each consultant confirmed that they have no conflicts of interest in connection with any of the matters listed on the Agenda.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance: Director Harlan Baldwin led the Board in reciting the Pledge of Allegiance.

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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 move the legal section to after financials, add a rotor discussion to Irrigation updates following Rain Gauges and update landscaping project updates 3 to tract KK, not KKK.

Consent Agenda: The Board considered the following actions:

- Ratified approval of Revised Eighth Addendum to Independent Contractor Agreement between the District and Masterful Masonry, Inc. for wall installation.
- Ratified approval of Twelfth Addendum between the District and RTS Landscaping for Pond 6 riprap, in the amount of \$49,480.
- Ratified approval of Eleventh Addendum to Independent Contractor Agreement with RTS Landscaping for Pond 5 Regarding.
- Ratified approval of Ninth Addendum to Independent Contractor Agreement with Rocky Mountain Tree Care for tree removal.
- Ratified approval of Independent Contractor Agreement with Playground Safety Solutions, LLC to install surface materials.
- Ratified approval of 2024-13 Addendum to Independent Contractor Agreement with Brightview Landscape Services for Deep Root Watering (August), in the amount of \$1,000.05.

Following further discussion and review, upon a motion duly made by Director Moczo, seconded by Director Harlan Baldwin and, upon vote unanimously carried, the Board approved the consent agenda as amended to remove Minutes of the July 15, 2024 for further discussion.

The Board reviewed the Minutes of the July 15, 2024 Regular Meeting.

Following discussion, upon motion duly made by Director Moczo, seconded by, Director Siml and, upon vote, unanimously carried, the Minutes of the April 18, 2023 Regular Meeting were approved, as amended to Remove Director Moczo and add Director Hunchberger to conflict statement, change "roto" to "rotor" under Landscaping Matters, correct the contractor from RTS to Rocky Mountain Tree, Inc under the Landscaping Projects Updates.

COMMUNITY COMMENTS

Public Comment: There were no public comments.

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FINANCIAL MATTERS

Claims: Ms. Harland reviewed the check register for the period ending July 12, 2024, including check numbers 4953 through 4971 for the period ending September 15, 2024, in the amount of \$117,844.56.

Following discussion, upon motion duly made by Director Moczo, seconded by Director Harlan Baldwin, and upon vote unanimously carried, the Board approved the claims totaling \$117,844.56.

Preliminary 2025 Budget: Ms. Harland presented the Board with a preliminary draft of the 2025 Budget. The Board entered into discussion regarding the ARI Mill Levy. It was noted that, in accordance with the District's Service Plan, the ARI Mill Levy will increase to 5 mills (as adjusted) in 2029, to be collected in 2030 (for the 2030 budget). The Board made minor revisions to the draft 2025 Budget, which will be distributed on October 15, 2024, in compliance with statutory requirements, and formally presented at the Budget Hearing on November 7, 2024. It was noted in accordance with the Districts Service Plan, the ARI to the city of Aurora will increase with the budget year 2031 from 1 mil to 5 mil annually. That will be a substantial increase.

Other: Ms. Harland noted for the Board the September Financial Statements will be presented at the November 7, 2024 meeting.

OPERATIONS MATTERS

Manager's Report: Mr. Scheirman reviewed the District Manager's Report with the Board. He entered into discussion with the Board regarding the irrigation usage for 2024

Lighting on Monument on North End of the District: The Board entered into discussion regarding the lighting on the monument on the north end of the District. The Board directed staff to obtain a proposal to move lighting closer to monument and higher to prevent further damage and issues.

Status of Website Accessibility, Document Remediation and October 1, 2024 Quarterly Report: Mr. Scheirman reported to the Board the Quarterly Report will be posted on the District's website and Public Alliance will continue to monitor.

LANDSCAPING MATTERS

Irrigation Updates: Mr. Scheirman updated the Board on the irrigation usage.

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Rain Gauges: Mr. Scheirman reported to the Board that the District has seven rain gauges, and they are functioning in coordination with the satellite weather system.

Rotor Head Installation: Director Birgit Baldwin discussed with the Board installing high-efficiency rotor heads. Following discussion, the Board agreed to replace the rotors in 2025, added funding to the 2025 Budget, and directed staff to obtain proposals from Brightview Landscape Services, Inc.

Landscaping Projects Updates:

Proposal from BrightView Landscape Services, Inc. for Tree Replacement: It was noted the proposal was approved during the _____ meeting.

Proposal from BrightView Landscape Services, Inc. for Coble Projects for Perennial Beds: The Board reviewed a proposal from BrightView Landscape Services, Inc. for coble projects for perennial beds, in the amount of \$10,221.72. Following the discussion, the Board determined to schedule the work for 2025 and the proposal will be reviewed again at the first meeting of the 2025 year.

Proposal from BrightView Landscape Services, Inc. for Coble for Mailbox Area on Tract KK: The Board reviewed a proposal from BrightView Landscape Services, Inc. for coble for Mailbox area on Tract KK.

Following discussion, upon motion duly made by Director Hunchberger, seconded by Director Moczo, and upon vote unanimously carried, the Board approved the proposal from BrightView Landscape Services, Inc. for coble for Mailbox area on Tract KK, in the amount of \$963.53.

Proposal from Brightview Landscape Services, Inc. for 2024-2025 Snow Removal Services and Independent Contractor Agreement for Snow Removal Services: Mr. Scheirman reviewed with the Board a proposal from Brightview Landscape Services, Inc. for 2024-2025 Snow Removal Services.

Following discussion, upon motion duly made by Director Siml, seconded by Director Moczo, and upon vote unanimously carried, the Board approved the proposal from Brightview Landscape Services, Inc. for 2024-2025 Snow Removal Services.

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BOARD MEMBER INPUT

Director Birgit Baldwin: Director Birgit Baldwin reported on her experience at the SDA conference and noted the need to book early. She discussed the options for community updates and recommended directing owners/residents to the website. She suggested to the Board to review other Metropolitan District websites to showcase options for yourcmd.org.

Director Hunchberger: Director Hunchberger reported his concerns to the Board regarding pond #7 and the pooling of water. The Board discussed monitoring the area after irrigation is turned off to see if the water recedes. It was noted that they will review the site with RTS Landscaping and monitor for mosquito control measures.

Director Moczo: Director Moczo reported that he attended webinars for the SDA Conference and shared that they provided valuable information.

Director Siml: None.

Director Harlan Baldwin: Director Harlan Baldwin reported to the Board he had a great time at the SDA Conference and encourages any Board member to attend next year.

OTHER BUSINESS

Community Outreach:

Matters discussed for inclusion in the Community Update include:

- Budget Hearing and Town Hall date
- Holliday lighting
- Pond 5 and 6 work pending with the extension and debris removal
- 2024 water usage

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

LEGAL MATTERS

2024 Special Legislative Session and HB24-1001: Attorney Hartung presented the 2024 Special Legislative Session and HB24-1001 to the Board. She noted that further details are needed from State Legislators and that the legal team will provide an update once more information is available. She also briefly discussed the backfill proceeds and confirmed, along with Ms. Harland, there were no issues with retaining the funds.

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Inspection and Maintenance Plan for Pond No. 7: Attorney Hartung presented the Inspection and Maintenance Plan for Pond No. 7 to the Board. She noted that she is working with the City of Aurora on a draft, but there is currently no timeline for the final document.

ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned at 11:30 a.m. The next special meeting and annual meeting is scheduled for November 7, 2024 at 10:00 a.m.

Respectfully submitted,

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