

# RECORD OF PROCEEDINGS

---

---

## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF HORIZON METROPOLITAN DISTRICT NOS. 1, 3-10

HELD  
April 3, 2024

The Regular Meeting of the Board of Directors of Horizon Metropolitan District No. 1, 3-10 was held via MS Teams and Teleconference on Wednesday, April 3, 2024, at 9:00 a.m.

### ATTENDANCE

#### Directors in Attendance:

David Crowder Jr., President & Chairperson  
Karen Voit, Vice President  
Jason Rutt, Secretary  
Lisa Garcia, Treasurer

#### Also in Attendance:

Alan Pogue and Deborah Early; Icenogle Seaver Pogue, P.C.  
Kenny Parish, Jenna Pettit, Wendy McFarland, Irene Buenavista, Christy McCutchen, and Daryl Fields; Pinnacle Consulting Group, Inc.  
Several Members of the Public.

### ADMINISTRATIVE ITEMS

Declaration of Quorum/Call to Order: Director Crowder Jr. noted that a quorum was present, with four out of four Directors in attendance. All Board Members confirmed their qualifications to serve on the Board. The Regular Meeting of the Board of Directors (collectively, the “Boards”) of the Horizon Metropolitan District Nos. 1, 3-10 (collectively, the “District”) was called to order by Director Crowder Jr. at 9:48 a.m.

Combined Meeting: The Boards determined to hold joint meetings of the Districts and to prepare joint minutes of actions taken by the Districts at such meetings. Unless otherwise noted below, the matters set forth below shall be deemed to be the actions of the Board of Directors of Horizon Metropolitan District No. 1, with concurrence by the Boards of Directors of Horizon Metropolitan District Nos. 3, 4, 5, 6, 7, 8, 9, and 10.

Director Qualifications/Disclosure of Potential Conflicts of Interest: Mr. Pogue noted that notices of potential conflicts of interest for all Board Members were filed with the Colorado Secretary of State’s office and with the District’s Board. Mr. Pogue advised the Boards that pursuant to Colorado law, certain disclosures by the Board Members might be required prior to taking official action at a meeting. The Boards reviewed the agenda for the meeting, following which each Board Member present confirmed the contents of the written disclosures previously made stating

## RECORD OF PROCEEDINGS

---

---

the fact and summary nature of any matters as required under Colorado law to permit official action to be taken at the meeting. Additionally, the Boards determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Boards to act.

Approval of Agenda: The Boards considered the approval of the agenda. Following review and discussion, upon a motion duly made by Director Rutt, seconded by Director Garcia, and upon vote, unanimously carried, it was

**RESOLVED** to approve the agenda, as presented.

Public Comment: There were no Public Comments received.

Director Comment: There were no Director Comments received.

---

### CONSENT AGENDA

Mr. Parish reviewed the items on the consent agenda with the Boards. Mr. Parish advised the Boards that any item may be removed from the consent agenda to the regular agenda upon the request of any Director. No items were requested to be removed from the consent agenda. Upon a motion duly made by Director Garcia, Seconded by Director Rutt, the following items on the consent agenda were unanimously approved, ratified and adopted:

- A. Approval of Minutes – December 6, 2023, Special Meeting.
  - B. Payment of Claims.
  - C. Contract Modifications.
  - D. District Website Accessibility Resolution.
- 

### FINANCIAL ITEMS

Finance Manager's Report: Ms. McFarland presented the Finance Manager's Report to the Boards and answered questions.

Financial Statements: Ms. McFarland reviewed the unaudited Financial Statements for the period ending December 31, 2023, with the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Garcia, seconded by Director Rutt, and upon vote, unanimously carried, it was

**RESOLVED** to accept the unaudited Financial Statements for the period ending December 31, 2023, as presented.

## RECORD OF PROCEEDINGS

---

---

2023 Audit Engagement Letter for District Nos. 1 & 3: Ms. McFarland presented the 2023 Audit Engagement Letter for District Nos. 1 & 3 to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Rutt, seconded by Director Garcia, and upon vote, unanimously carried, it was

**RESOLVED** to ratify the 2023 Audit Engagement Letter for District Nos. 1 & 3, as presented.

2023 Audit Exemptions for District Nos. 4-10: Ms. McFarland presented the 2023 Applications for Exemption from Financial Audit for District Nos. 4-10 to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Rutt, seconded by Director Garcia, and upon vote, unanimously carried, it was

**RESOLVED** to ratify the 2023 Audit Exemptions for District Nos. 4-10, as presented.

Operations and Maintenance Costs pursuant to the 2022 Funding and Reimbursement Agreement. Schedio Group Report No. 4: Ms. McFarland discussed the Operations and Maintenance Costs pursuant to the 2022 Funding and Reimbursement Agreement, Schedio Group Report No. 4 with the Boards and answered questions.

---

### LEGAL ITEMS

Capital Costs and Improvements pursuant to the Facilities Acquisition and Reimbursement Agreement (District No. 1): Ms. Early presented the Capital Costs and Improvements pursuant to the Facilities Acquisition and Reimbursement Agreement (District No. 1) to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Garcia, seconded by Director Rutt, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Capital Costs and Improvements pursuant to the Facilities Acquisition and Reimbursement Agreement (District No. 1), as presented.

District No. 5 Mill Levy Status: Mr. Pogue, Mr. Parish, and Director Crowder discussed the District No. 5 Mill Levy Status with the Boards and answered questions.

---

### DISTRICT MANAGER ITEMS

Community Garden Rules: Mr. Parish presented the Community Garden Rules to the Boards and answered questions. Following review and

## RECORD OF PROCEEDINGS

---

---

discussion, upon a motion duly made by Director Crowder, seconded by Director Rutt, and upon vote, unanimously carried, it was

**RESOLVED** to approve Community Garden Rules, as presented.

Engagement with Altitude Community Law for Collections Services: Mr. Parish recommended the Boards engage Altitude Community Law for Collections Services and answered questions.

MSA with CoHere for 2024: Mr. Parish presented the MSA with CoHere for 2024 to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Voit, seconded by Director Garcia, and upon vote, unanimously carried, it was

**RESOLVED** to ratify the MSA with CoHere for 2024, as presented.

Authorization of District Manager to Execute 2024 Work Orders with Approved Operations and Maintenance Service Contractors within the Approved 2024 Budget not to Exceed \$25,000: Mr. Parish requested the Boards consider delegating authority to the District Manager to Execute 2024 Work Orders with Approved Operations and Maintenance Service Contractors within the Approved 2024 Budget not to exceed \$25,000. Following review and discussion, upon a motion duly made by Director Rutt, seconded by Director Voit, and upon vote, unanimously carried, it was

**RESOLVED** to authorize the District Manager to Execute 2024 Work Orders with Approved Operations and Maintenance Service Contractors within the Approved 2024 Budget, not to Exceed \$25,000, as presented.

Pet Waste Management Company: Mr. Fields recommended the District continue its engagement with the current Pet Waste Management Company, Brightview, and answered questions. Following review and discussion, upon a motion duly made by Director Crowder Jr., seconded by Director Rutt, and upon vote, unanimously carried, it was

**RESOLVED** to continue engagement with the District's current Pet Waste Management Company, Brightview.

Potential Closure of Dog Park: Director Crowder and Mr. Fields discussed the Potential Closure of the Dog Park with the Boards and answered questions. Mr. Navik inquired into Brightview's parameters for

## RECORD OF PROCEEDINGS

---

---

servicing animal fecal cleanup. Mr. Navik noted animal fecal matter can be found throughout the community. Mr. Fields suggested a community effort in coordination with Brightview to resolve this matter. Director Crowder requested pictures of the animal fecal matter be sent to District Management for inclusion in the Community Newsletter.

Construction Contract for Alley-Way Repairs and Maintenance: Mr. Fields presented the Construction Contract for Alley-Way Repairs and Maintenance to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Rutt, seconded by Director Crowder Jr., and upon vote, unanimously carried, it was

**RESOLVED** to approve the Construction Contract with Denver Commercial Property Services for Alley-way Repairs and Maintenance in the amount of \$27,624.00, as presented.

Adoption of Transfer Fee in the amount of \$250: Ms. McCutchen requested the Boards adopt a Transfer Fee in the amount of \$250 and answered questions. Mr. Pogue requested “transfer” be removed from the naming convention. The new name for this fee is Administrative Set-Up Fee. Following further review and discussion, upon a motion duly made by Director Crowder Jr. seconded by Director Voit, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Administrative Set-Up Fee in the amount of \$250.

Colorado Vista Landscape Design for ARC Reviews: Ms. McCutchen recommended the Boards engage Colorado Vista Landscape Design for ARC Reviews and answered questions. Ms. McCutchen suggested the District impose an ARC Review fee of \$150 for first-time landscape plans. Following further review and discussion, upon a motion duly made by Director Crowder Jr. seconded by Director Garcia, and upon vote, unanimously carried, it was

**RESOLVED** to engage Colorado Vista Landscape Design for ARC Reviews, as presented.

District Manager Report: Mr. Parish and Ms. McCutchen presented the District Manager’s Report to the Boards and answered questions.

Operations and Maintenance Report: Mr. Fields presented the Operations and Maintenance Report to the Boards and answered questions. Mr. Navik noted a path light in need of repairs as well as LED lights operating during daylight hours and flickering. Mr. Navik requested the lights be

## RECORD OF PROCEEDINGS

---

---

part of Mr. Field's inspections. Mr. Fields noted the Operations and Maintenance plan will include quarterly inspections of the lights and requested pictures of the faulty lights be sent to District Management for inclusion in the Community Letter. Mr. Navik requested delivery of physical copies of the Community Newsletter.

\_\_\_\_\_

DIRECTOR  
ITEMS

There were no Director Matters to come before the Boards.

\_\_\_\_\_

OTHER  
MATTERS

There were no Other Matters to come before the Boards.

\_\_\_\_\_

ADJOURNMENT

There being no further business to come before the Boards, the meeting was adjourned at 11:23 a.m.

\_\_\_\_\_

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Respectfully submitted,

*Kenny Parrish*

\_\_\_\_\_  
Kenny Parrish, Recording Secretary for the Meeting