

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
HIGH PRAIRIE FARMS METROPOLITAN DISTRICT  
DOUGLAS COUNTY, COLORADO**

**June 7, 2017**

The Board of Directors of High Prairie Farms Metropolitan District, Douglas County, Colorado, met on Wednesday, June 7, 2017, at the Pinery Water and Wastewater District, 5242 Old School House Road, Parker, Colorado. The meeting was called to order by President D'Ambrosio at 8:00 AM.

The purpose of the meeting was stated to be consideration of any and all business that may come before the Board of Directors. Notice of the meeting was duly posted as required by law, as evidenced by the Certificates of Posting attached to these minutes.

The following Directors were present:

Ines D'Ambrosio  
Richard R. Nelsen  
Sheldon Irish  
Mert Wiechman  
Charles Simmons

Also present were:

Kevin Collins and Matt Urkoski, of Clifton Larson Allen LLP (CLA), accountants for the District  
Susan L. Elkins, of Susan L. Elkins, L.L.C., attorney for the District  
Kenny Black, Manager of the District  
Troy Carmann, ICON Engineering, Engineers for the District  
Roger Christensen, Homeowner from Filing 26  
Bob Gall, Homeowner of Filing from Filing 24  
Various other homeowners as shown on the list attached to these minutes

**Disclosure of Potential Conflicts of Interest:**

Each Director present stated for the record the fact of his potential conflicting interest and briefly described the nature of that interest by referring to a disclosure statement which had been duly filed with the Board and with the Colorado Secretary of State at least 72 hours earlier. Each Director's disclosure statement was available for review to the Board members and anyone present at the meeting. The Board ordered each such letters to be retained in the official records of the District. Since all Directors had conflicting interests, it was noted that all Directors

participation was necessary to obtain a quorum and enable the body to act.

The Board noted that several professionals and homeowners were present to discuss various matters. Director D'Ambrosio moved and Director Irish seconded a motion to take issues out of order at 8:05 AM. Upon a roll call vote, Directors Nelsen, Wiechman, Irish, Simmons and D'Ambrosio voted "AYE."

- Bob Gall requested time first because he had to leave. He reported that he is having a proposed design for the entryway prepared and will pay for that and present it to the board at the next meeting.
- Elias and Isabella Vickers, children of a homeowner in the District, requested permission to place a lending library book box in the Val Phillips Park by the pavilion and made an outstanding presentation with a plan for the placement near the picnic tables. Their presentation included an analysis of the benefits and a proposal. Their proposal included a request to place the box and funding for the purchase of an attractive box to be placed on a post. Mr. Black suggested mounting it on the post of the pavilion. The children presented pictures of the proposed box, the company that makes it and talked about the ability to join a group called "Little Free Library". They agree to assemble the box and maintain it. They also discussed potential problems and their proposed solution. The Board was very impressed with their presentation and felt it would be a benefit to the community. They anticipated a cost of about \$451 which included a post. If it was mounted on the pavilion post there would be some savings. Shipping was expensive but the proposal was for an amount not to exceed \$500. Director Simmons moved and Director D'Ambrosio seconded a motion to support this project for an amount not to exceed \$500 so long as Mr. Black supervised its installation. Upon a roll call vote, Directors Nelsen, Wiechman, Irish, Simmons and D'Ambrosio voted "AYE."
- Bruce Albrecht presented his plan for the District to use his goats to provide fire mitigation on open space. He has only done this on a smaller scale for an individual landowner and his property. He provided a plan to create a pen for the goats in a central location with fencing and use an electric fence using solar to power the fence and to create one acre perimeter for the goats to graze. The going rate for the use of the goats is \$1,000 per acre. Since this will be his first experience other than on his own property and one other, he will charge the District \$5,000 for the summer which could include two times to control the scrub oak. He is to provide a contract and proof of insurance to Ms. Elkins for her approval. Director D'Ambrosio moved and Director Nelsen seconded a motion to engage Mr. Albrecht to provide the goats for fire mitigation at the cost of \$5,000. Upon a roll call vote, Directors Nelsen, Wiechman, Irish, Simmons and D'Ambrosio voted "AYE."
- Russ Berget, a homeowner that backs up to the open space behind 9181 Scenic Pine property owned by Denise and Jason Haack, asked to address the Board about his concerns as to work done by the homeowner using a skid steer and moving dirt. He had called Ms. Elkins about this activity and Kenny Black investigated. Another homeowner had reported a concern to the District via the website. Mr. Black investigated and there are major concerns about the work causing erosion. Director D'Ambrosio agreed to



speaking with the Haacks about mitigating the damage immediately

- David King and Brad Peterson asked to present to the Board their request that the Board reconsider its position on taking responsibility for the maintenance of the golf cart path. Ms. Elkins provided a summary of the history on the golf cart path and the position of the Board that it allowed it so long as the homeowners using it signed a release, policed the usage and maintained it. It was also noted that golf carts are not to be driven on the roads though historically that has not been enforced. Over the years there has been minimal follow through by the homeowners though it was repaired by Mr. Black and paid for by the homeowners once. Mr. King and Mr. Peterson argued that it was more than a golf cart path, that people walked the path and rode bikes on the path. They indicated that homeowners in Filing 8B used it and that it was a more “public” access to the Pinery Country Club than originally planned. They suggested that it be cemented. The Board agreed to consider it later.
- Andrea Hesmati, a homeowner from Filing \*, at 5310 Pinon Jay requested the help of the District regarding the encroachment into the open space of a water feature and fireplace. They have the property up for sale and the survey done for sale showed the encroachment. The Board toured the property and open space during the May tour of the District. The major concern was the water feature which encroached between 21-23 feet. The fireplace was incorporated into the outdoor patio. Ms. Elkins reported that Douglas County does not have a problem with the Board providing an easement. Selling the property poses more legal hoops. The Board was concerned about how this happened and if the owners were aware of it at the time of building. The Board discussed the concerns about creating a precedence. Ms. Heshmeti indicated that they were unaware of the encroachment by the landscaper. It was done while they were on vacation in 2016. Director Weichman moved and Director Simmons seconded a motion to grant a revocable easement for the patio for the sum of \$1,500 to cover the District’s cost in reviewing the easement deed. Upon a roll call vote, Directors Nelsen, Wiechman, Simmons and D’Ambrosio voted “AYE” and Director Irish voted “NAY”. The Motion carried.
- Troy Carmann gave the District an update on Timbers Creek. Essentially there was nothing new to report. Ms. Elkins had reviewed the IGA and had some concerns. He has been trying to get a meeting between the District, Urban Drainage and Douglas County to discuss the remediation work done by the District and attempt to get credit for the work done by the District as part of the District’s contribution. He is recommending some quick growing grass seed. He wants to propose some other stabilization work and maybe also propose that ICON do the study. They will be able to do it for less, given the work he did for the District in assessing the erosion control issues. He tried to get an onsite meeting with UD and Douglas County prior to today’s meeting but Brad Robenstein is on vacation.

Director Wiechman moved and Director Irish seconded a motion to return to the regular agenda at 9:55 AM. Upon a roll call vote, Directors Nelsen, Wiechman, Irish, Simmons and D’Ambrosio voted “AYE.”



### **Approval of Minutes:**

Each Director present acknowledged receipt of a copy of the minutes of the May 4, 2017 continued meeting. Following discussion and review, Director Simmons MOVED and Director Wiechman SECONDED a motion to approve the minutes of the April 11, 2017 and May 4, 2017 meetings as presented. Upon a roll call vote, Directors Nelsen, D'Ambrosio, Wiechman, Simmons and Irish voted "AYE." The motion was declared PASSED.

### **Payment of Bills:**

The disbursement schedule is for invoices currently due in the amount of \$30,732.28, and the payment of the directors' fees for the current meeting. Mr. Collins presented the Financial Statement as of April 30, 2017, and updated schedule of cash position as of June 7, 2017. Following discussion and review, Director Simmons MOVED and Director Irish SECONDED a motion to approve the financial statement as presented, invoices currently due in the amount of \$30,732.28, and for the payment of the directors' fees for the June 7, 2017 meeting. Upon a roll call vote, Directors Nelsen, D'Ambrosio, Wiechman, Simmons and Irish voted "AYE." The motion was declared PASSED. The Financial Statement is attached to these minutes.

### **Old Business:**

**Security Patrols:** Director D'Ambrosio reported that it has been very quiet and there was nothing to report. Kenny Black reported that there was an accident on Fox Sparrow that damaged the landscaping. He will get the accident report and make a claim for damages.

**Speed Mitigation:** Director Irish reported that there was a meeting on May 25, 2017 attended by Director Nelsen and Director Simmons (Sheldon Irish was unavailable). The meeting was successful. They discussed placing a pedestrian refuge through the median. Douglas County will do the design work if the District will share in the cost of construction. There are no cost estimates at this time though it is thought that the cost will be between \$20,000 - \$30,000 for the entire project and that the District would be asked to pay 50%. The Board directed Mr. Collins to include this in the 2018 budget. There will be no paint stripping because the road is designed for 2 lanes and parking. The County did not find that the data supported a median at Sage Thrasher/Windhaven. The height restriction at the round-about is not what it was understood to be by Mr. Black.

**IREA Easement Update:** Ms. Elkins reported that she had received a new offer of \$1,500 for the easement. Following discussion and review, Director Irish MOVED and Director D'Ambrosio SECONDED a motion to approve the offer of \$1,500. Upon a roll call vote, Directors Nelsen, D'Ambrosio, Wiechman, Simmons and Irish voted "AYE." The motion was declared PASSED.

Director Irish left the meeting at this time.

**Timbers Creek Update:** Taken out of order

**School District Property:** Director Simmons will propose to the County the placement of trees on the property.

**New Business:**

**Firewise Designation:** The Board had been provided a copy of the letter making the District a Firewise community. Einar Jensen will be at the next board meeting to present the designation to the Board.

**Quit Claim Deeds – Filing 27:** Ms. Elkins reported that she did not receive any deeds.

**2017 Annual Maintenance Permit:** None is needed for routine maintenance. If and when the District requests a GESC Permit for more remediation of Timbers Creek those items can be included like the one the District got last year.

**Goats:** Taken out of order.

**Manager's Report:** Kenny Black reported as follows:

- Mr. Black reported that the purchase price of the skid steer is under \$50,000. He will provide information to Mr. Collins for preparation of a purchase order.
- The flowers are planted.
- The water and sewer are in Filing 29B.
- Filing 32 referral needs a request for sidewalk on North Pinery Parkway.
- The trenching is completed and leveled on the south side of South Pinery Parkway. Seeding will be completed.
- The County put in a catch basin at Democrat with seeding and erosion blankets.
- Fox Sparrow ????
- Mr. Black will be taking care of the weeding.

**Other Business:**

**Golf Cart Path:** Taken out of order.

**Open Space Behind 9181 Scenic View:** Take out of order.

Director D'Ambrosio mentioned that a homeowner would like to put in some landscaping on Windhaven. The homeowner was told to present a plan and pictures and advised of the District's requirement for HOA guarantee.

Director Weichman brought up the pond lights. The bid for 8 lights was approximately \$1,500. He suggested that more be installed. Director D'Ambrosio moved and Director Weichman seconded a motion to spend an amount not to exceed \$5,000 for the additional lights. Upon a roll call vote, Directors Nelsen, Weichman, Irish, Simmons and D'Ambrosio voted "AYE."



**Adjournment:**

There being no further business to come before the Board of Directors, the meeting was adjourned at 11:00 AM. The next regular meeting is scheduled for July 5, 2017 at 8:00 AM at the Water District. Due to holiday plans by Board members it was continued until Thursday, July 13, 2017 at 8:00 AM at the Water District.

Richard R. Nelsen  
Richard R. Nelsen, Secretary

APPROVED:

Ines D' Ambrosio  
Ines D' Ambrosio

Charles Simmons, III  
Charles Simmons, III

Sheldon Irish  
Sheldon Irish

Merton Wiechman  
Merton Wiechman