

RECORD OF PROCEEDINGS

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MINUTES OF A SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF THE  
ORCHARD FARMS METROPOLITAN DISTRICT

HELD

JUNE 7, 2023

A special meeting of the Board of Directors of the Orchard Farms Metropolitan District (referred to hereafter as the “Board”) was convened on Wednesday, June 7, 2023 at 5:00 p.m. via Zoom. The meeting was open to the public.

ATTENDANCE

**In Attendance were Directors:**

Ben Reiter, President  
Randall Stutz, Treasurer  
Nate Watkins, Assistant Secretary

Brian McNelly, Secretary, was absent and excused.

**Also in Attendance were:**

Celeste Terrell and Lindsay Ross; CliftonLarsonAllen LLP (“CLA”)  
Megan Murphy, Esq. General Counsel; White Bear Ankele Tanaka and  
Waldron (“WBA”)  
Jeremy Wagner; Jeremy Jobs  
Edwin Passini, Mary Passini and Janell Daniel; Homeowners  
Members of the Public

ADMINISTRATIVE  
MATTERS

**Call to Order:** The meeting was called to order at 5:01 p.m.

**Quorum & Disclosures:** Ms. Murphy reported that disclosures for those Directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State’s Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Ms. Murphy inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

**Agenda:** The Board reviewed the agenda for the meeting. A motion to amend the agenda to include review and consider approval of estimates from Jeremy Jobs was presented to the Board. Following discussion, upon a motion duly made by Director Stutz, seconded by Director Reiter and, upon vote, unanimously carried, the Board approved the agenda, as amended.

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**Public Comment:** Ms. Passini inquired on the frequency of meetings for the Advisory Committee. Director Reiter will discuss the schedule with Ms. Passini.

**Appointment of Director and Administer Oath of Office:** The Board engaged in discussion regarding the vacant seat and noted that two letters of interest were received. Following discussion, upon a motion duly made by Director Stutz, seconded by Director Watkins and, upon vote, unanimously carried, the Board appointed Edwin Passini to the Board pending confirmation of voter registration.

**Appointment of Officers:** The Board deferred the appointment of officers until the next Board meeting.

CONSENT  
AGENDA

**May 3, 2023 Minutes:**

**Claims Payable in the Amount of \$56,761.55:**

**Independent Contractor Agreement with Jeremy Jobs LLC for Landscape Maintenance and Snow Removal Services:**

**Work Order with Jeremy Jobs LLC to Clean Irrigation Trench in the Amount of \$255.00:**

**Termination of Independent Contractor Agreements with BrightView Landscape Services:**

Following review and discussion, upon a motion duly made by Director Reiter, seconded by Director Stutz and, upon vote, unanimously carried, the Board approved the consent agenda, as presented.

FACILITIES  
MANAGEMENT /  
DISTRICT  
OPERATIONS

**Pavilion Reservation Request:** Ms. Terrell provided the Board with information on upcoming pavilion reservation requests which include a request for a bounce house on the grass. Following discussion, the Board agreed to allow a bounce house on the grass.

**Tree Replacement Proposal from Jeremy Jobs in the Amount of \$44,495.51 to Remove 65 Dead Trees and Plant 59 New Trees:**

Mr. Wagner presented a proposal to plant new trees, noting that the new trees would be 2” caliper. Following review and discussion, upon a motion duly made by Director Stutz, seconded by Director Reiter and, upon vote, unanimously carried, the Board approved the Tree Replacement proposal from Jeremy Jobs in the amount of \$44,495.51.

**Aeration and Seeding of the Area Along Highway 7 in the Amount of \$728.81:**

Director Stutz noted this proposal would beautify the area adjacent to Highway 7. Following discussion, upon a motion duly made by Director Reiter, seconded by Director Stutz and, upon vote, unanimously carried, the Board approved the aeration and seeding of the area along Highway 7 in the amount of \$728.81.

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**Median Flowers Proposal from Jeremy Jobs to Remove 100 Dead Rose Bushes and Plant Low Growing Perennials in the Medians in the Amount of \$13,197.51:** Mr. Wagner presented his proposal to the Board. Following review, upon a motion duly made by Director Watkins, seconded by Director Reiter and, upon vote, unanimously carried, the Board approved the Median Flowers proposal from Jeremy Jobs in the amount of \$13,197.51.

LEGAL MATTERS None.

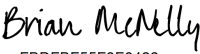
FINANCIAL MATTERS **2022 Audit:** Ms. Ross reviewed the 2022 Audit with the Board. Following review, upon a motion duly made by Director Stutz, seconded by Director Reiter and, upon vote, unanimously carried, the Board approved the 2022 Audit, subject to final review by White Bear Ankele Tanaka and Waldron and a clean opinion from the auditor.

DIRECTORS' MATTERS **Potential Pickleball Lines on Tennis Courts:** Director Stutz reported that he received a quote of \$3,750.00 to fill the cracks in the tennis courts, paint pickleball lines on one side of the court and repaint the other side. Director Stutz is working to have the proposal broken out into repairs and adding pickleball lines. The matter was tabled until the Board receives more information. Discussion ensued regarding potential noise complaints related to pickleball.

OTHER MATTERS **Reserving Lennar Park Once the District Take it Over and Tract C Clean up:** Lennar and Jeremy Jobs will provide bids for work on the area in order to reach an acceptable condition at Lennar Park. Lennar would also like to consider turning over a small park to the District. The Board engaged in discussion regarding whether to have Lennar complete the improvements or turn the improvements over to the District and Lennar pay a lump sum for the District to complete the improvements. No action was taken.

ADJOURNMENT There being no further business to come before the Board at this time, following discussion, upon a motion duly made by Director Stutz, seconded by Director Reiter and, upon vote, unanimously carried, the Board adjourned the meeting at 6:28 p.m.

Respectfully submitted,

DocuSigned by:  
  
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Secretary for the Meeting

The foregoing minutes were approved on the 2<sup>nd</sup> day of August 2023.