

RECORD OF PROCEEDINGS

---

---

MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
ORCHARD FARMS METROPOLITAN DISTRICT  
HELD  
APRIL 3, 2024

A regular meeting of the Board of Directors of the Orchard Farms Metropolitan District (referred to hereafter as the “Board”) was convened on Wednesday, April 3, 2024 at 5:00 p.m. via Zoom Video Conference. The meeting was open to the public.

ATTENDANCE

**In Attendance were Directors:**

Randall Stutz, President  
Ben Reiter, Treasurer  
Brian McNelly, Secretary  
Nate Watkins, Assistant Secretary  
Ed Passini, Director

**Also in Attendance were:**

Celeste Terrell, Alex Clem and Lindsay Ross; CliftonLarsonAllen LLP (“CLA”)  
Megan Murphy, Esq. General Counsel; White Bear Ankele Tanaka and Waldron (“WBA”)  
Susie Ellis; Community Preservation Specialists, Inc.  
Alex Graves; Flock Safety  
Kimberly Dorland, Mary Passini, Stephen Brooks and other members of the public

ADMINISTRATIVE  
MATTERS

**Call to Order:** The meeting was called to order at 5:04 p.m.

**Quorum & Disclosures:** A quorum of the Board was confirmed. Attorney 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. Attorney 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. 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 presented.

**RECORD OF PROCEEDINGS**

---

**Public Comment:** None.

**CONSENT  
AGENDA**

The Board considered the following items under the Consent Agenda:

- February 7, 2024 Minutes.
- Claims Payable in the amount of \$112,656.89.
- Schedule of Cash Position.

Following review and discussion, upon a motion duly made by Director Reiter, seconded by Director Watkins and, upon vote, unanimously carried, the Board approved the Consent Agenda, as presented.

**FACILITIES  
MANAGEMENT /  
DISTRICT  
OPERATIONS**

**Design Guidelines Review by Advisory Committee:** Director McNelly provided an update on behalf of the Advisory Committee, noting that they have completed revisions of Sections 1 & 2 of the guidelines. He reported a moratorium has been set for sport court requests until the guideline revisions are complete. A revised and updated set of guidelines will be presented at the June meeting.

Director McNelly provided an additional update on the survey sent out by the Advisory Committee. He presented a variance request to the Board regarding a homeowner who would like to install a gate into District-owned split rail fencing. The gate would allow entrance to a walkway next to their property. Discussion ensued. The Board determined that the Advisory Committee will determine more details and report back to the Board.

Director McNelly presented an additional variance request to the Board regarding allowing a resident to install a 12-foot by 12-foot tool shed. Discussion ensued. The Board determined that more communication with Advisory Committee is needed.

**LEGAL MATTERS**

**Change in Ownership for Tracts N, O, and P of The Morrison Subdivision Filing No. 1, Amendment No. 5:** Attorney Murphy provided an update to the Board, noting that the District Does not currently own Tracts N, O or P and the Assessor’s website has been updated to reflect that these tracts are owned by Lennar Colorado LLC prior to the Board meeting.

**FINANCIAL  
MATTERS**

None.

**DIRECTORS’  
MATTERS**

**Flock Safety Proposals for License Plate Cameras:** Director Stutz requested the Board consider installing license plate cameras throughout the community. Mr. Graves presented the Flock Safety proposals and provided further details regarding the cameras to the Board. Discussion ensued. Following discussion, the Board deferred action until the June meeting.

**RECORD OF PROCEEDINGS**

---

**Length of Pavilion Reservations:** Director Stutz expressed concern regarding the length of pavilion reservations to the Board, noting that residents currently have the ability to reserve the pavilion for full days, full weekends, or longer than normal time slots. Discussion ensued. Following discussion, the Board directed staff to revise the application to state that an individual reserving can only reserve up to one day within seven calendar days.

**MANAGER  
MATTERS**

None.

**OTHER MATTERS**

Ms. Ellis provided an update regarding the fencing audit to the Board. 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 McNelly, seconded by Director Passini and, upon vote, unanimously carried, the Board adjourned the meeting at 6:48 p.m.

Respectfully submitted,

DocuSigned by:

*Brian McNelly*

FB0EBE55E3E6422...

---

Secretary for the Meeting

**Certificate Of Completion**

Envelope Id: 905D04E809F346AB9F982D1482215FCD	Status: Completed
Subject: Complete with DocuSign: 2A - DRAFT Minutes 04-03-2024 (final).pdf	
Client Name: Orchard Farms MD	
Client Number: A369002	
Source Envelope:	
Document Pages: 3	Signatures: 1
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped Stamping: Enabled	Sandy Brandenburger
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 S 6th St Ste 300
	Minneapolis, MN 55402-1418
	Sandy.Brandenburger@claconnect.com
	IP Address: 67.173.233.59

**Record Tracking**

Status: Original	Holder: Sandy Brandenburger	Location: DocuSign
6/7/2024 1:45:10 PM	Sandy.Brandenburger@claconnect.com	

**Signer Events**

Brian McNelly  
 brian.mcnelly@orchardfarmsmetrodistrict.com  
 Secretary  
 Security Level: Email, Account Authentication (None)

**Signature**

DocuSigned by:  
  
 FBDFBF55F3F6422...  
 Signature Adoption: Pre-selected Style  
 Using IP Address: 76.155.221.99

**Timestamp**

Sent: 6/7/2024 1:56:36 PM  
 Viewed: 6/9/2024 8:13:55 AM  
 Signed: 6/9/2024 8:14:27 AM

**Electronic Record and Signature Disclosure:**  
 Accepted: 6/9/2024 8:13:55 AM  
 ID: 8945ad92-c9e2-41aa-89ed-741a6476973c

In Person Signer Events	Signature	Timestamp
-------------------------	-----------	-----------

Editor Delivery Events	Status	Timestamp
------------------------	--------	-----------

Agent Delivery Events	Status	Timestamp
-----------------------	--------	-----------

Intermediary Delivery Events	Status	Timestamp
------------------------------	--------	-----------

Certified Delivery Events	Status	Timestamp
---------------------------	--------	-----------

Carbon Copy Events	Status	Timestamp
--------------------	--------	-----------

natalie.herschberg natalie.herschberg@claconnect.com CLA Security Level: Email, Account Authentication (None)	<b>COPIED</b>	Sent: 6/7/2024 1:58:03 PM
--	---------------	---------------------------

**Electronic Record and Signature Disclosure:**  
 Not Offered via DocuSign

Witness Events	Signature	Timestamp
----------------	-----------	-----------

Notary Events	Signature	Timestamp
---------------	-----------	-----------

Envelope Summary Events	Status	Timestamps
-------------------------	--------	------------

Envelope Sent	Hashed/Encrypted	6/7/2024 1:56:36 PM
Envelope Updated	Security Checked	6/7/2024 1:58:03 PM
Certified Delivered	Security Checked	6/9/2024 8:13:55 AM

<b>Envelope Summary Events</b>	<b>Status</b>	<b>Timestamps</b>
Signing Complete	Security Checked	6/9/2024 8:14:27 AM
Completed	Security Checked	6/9/2024 8:14:27 AM

  

<b>Payment Events</b>	<b>Status</b>	<b>Timestamps</b>
-----------------------	---------------	-------------------

  

<b>Electronic Record and Signature Disclosure</b>
---

## **ELECTRONIC RECORD AND SIGNATURE DISCLOSURE**

From time to time, CliftonLarsonAllen LLP (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

### **Getting paper copies**

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

### **Withdrawing your consent**

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

### **Consequences of changing your mind**

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

### **All notices and disclosures will be sent to you electronically**

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

#### **How to contact CliftonLarsonAllen LLP:**

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: [BusinessTechnology@CLAconnect.com](mailto:BusinessTechnology@CLAconnect.com)

#### **To advise CliftonLarsonAllen LLP of your new email address**

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at [BusinessTechnology@CLAconnect.com](mailto:BusinessTechnology@CLAconnect.com) and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

#### **To request paper copies from CliftonLarsonAllen LLP**

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to [BusinessTechnology@CLAconnect.com](mailto:BusinessTechnology@CLAconnect.com) and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

#### **To withdraw your consent with CliftonLarsonAllen LLP**

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an email to [BusinessTechnology@CLAconnect.com](mailto:BusinessTechnology@CLAconnect.com) and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

### **Required hardware and software**

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

### **Acknowledging your access and consent to receive and sign documents electronically**

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify CliftonLarsonAllen LLP as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by CliftonLarsonAllen LLP during the course of your relationship with CliftonLarsonAllen LLP.