

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

ESTANCIA METROPOLITAN DISTRICT

Held: February 24, 2021, at 2:00 P.M.

Due to Executive Orders issued by Governor Polis and Public Health Orders implementing the Executive Orders, issued by the Colorado Department of Public Health and Environment, and the threat posed by the COVID-19 coronavirus, the meeting was held via teleconference.

**ATTENDANCE**

The meeting was held in accordance with the laws of the State of Colorado. The following directors were in attendance:

Harvey Alpert  
Carol Bransfield  
Rodney Alpert  
Kevin T.K. Sullivan  
Jason Dassinger

Also present were: Jennifer Gruber Tanaka, Esq., and Audrey G. Johnson, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Ashley Frisbie, White Bear Ankele Tanaka & Waldron, District Manager; Bill Flynn, Simmons & Wheeler, P.C., District Accountant; and Lynn Schwartz; resident and member of the public.

**ADMINISTRATIVE MATTERS**

Call to Order

The meeting was called to order.

Declaration of Quorum and Confirmation of Director Qualifications

Ms. Frisbie noted that a quorum for the Board was present and that the directors had confirmed their qualification to serve.

Reaffirmation of Disclosures of Potential or Existing Conflicts of Interest

Ms. Frisbie advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Frisbie reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest, if any, 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. Frisbie 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.

Approval of Agenda

Ms. Frisbie presented the Board with the proposed agenda for the meeting. Upon motion of Mr. Dassinger, seconded by Ms. Bransfield, the Board unanimously approved the agenda, as amended.

**PUBLIC COMMENT**

There was no public comment.

**CONSENT AGENDA**

Upon motion of Mr. Dassinger, seconded by Mr. Sullivan, the Board unanimously took the following actions:

- a. Approved Minutes from October 14, 2020 Special Meeting
- b. Ratified and Approved Payment of Claims (October 1, 2019 – February 24, 2021) (\$118,337.10)
- c. Accepted Unaudited Financial Statements as of December 31, 2020
- d. Ratified Second Addendum to Independent Contractor Agreement for Landscape Maintenance Services with Keesen Landscape Management, Inc. (“Keesen”) for Plant Material Winter Watering (\$1,800)
- e. Ratified Settlement Agreement by and between the District, Estancia 80, LLC, and South Metro Fire Rescue Fire Protection District Related to Sale of 6730 S. Espana Way
  - i. Acknowledged Acknowledgement and Consent to the Covenants and Restrictions of Estancia by Homeowners of 6730 S. Espana Way
- f. Approved Independent Contractor Agreement with Waste Management of Colorado, Inc. for Trash Removal Services

**FINANCIAL MATTERS**

There were no financial matters.

**LEGAL MATTERS**

Conduct Public Hearing on Inclusion of Real Property (6730 S. Espana Way) into the District and Consider

Mr. H. Alpert opened the public hearing on the Petition for Inclusion of Property (6730 S. Espana Way). Ms. Tanaka reported that notice of the public hearing was published in accordance with Colorado law and no objections or comments

Adoption of Resolution No. 2021-02-01: Order for Inclusion of Real Property

have been received. There being no public comment, the hearing was closed.

Ms. Tanaka reviewed the Petition and Resolution and Order for Inclusion of Property (6730 S. Espana Way) with the Board. Upon motion of Mr. H. Alpert, seconded by Mr. Dassinger, the Board unanimously determined to grant the petition and adopt the resolution.

**DISTRICT  
MANAGEMENT  
MATTERS**

General Update

Ms. Frisbie reviewed her Management Report with the Board, noting that she has been working with the landscape architect and contractor who initially installed the trees along E. Arapahoe Road during 2019 to confirm the warranty period and possible replacements.

Third Addendum to Independent Contractor Agreement for Landscape Maintenance Services with Keesen for Detention Pond Cleanup (\$7,982.61)

Ms. Frisbie presented the Board with the Third Addendum to the Independent Contractor Agreement for Landscape Maintenance Services with Keesen for Detention Pond Cleanup (\$7,982.61).

Following discussion, upon motion of Mr. Sullivan, seconded by Mr. R. Alpert, the Board unanimously approved the addendum for detention pond cleanup.

Amended and Restated Rules and Regulations for On-Site Wastewater Treatment Systems

Ms. Frisbie presented the Board with the Amended and Restated Rules and Regulations for On-Site Wastewater Treatment Systems.

Following discussion, upon motion of Mr. Dassinger, seconded by Mr. H. Alpert, the Board unanimously approved the Amended and Restated Rules and Regulations for On-Site Wastewater Treatment Systems.

District Website

The Board discussed the District's website. Ms. Frisbie recommended that the Board consider development of a new website, noting that the current website is still active under Summit Management & Consulting; however, she does not have full administrative capabilities and feedback has been received that it may be causing some confusion with buyers and residents. Mr. Sullivan noted that he will continue to look at other options for website development. No action was taken by the Board at this time.

Status of Proposals for Installation of Mailbox Kiosk Structure

Ms. Frisbie provided an update on the status of proposals for the installation of a mailbox kiosk structure, noting that Capco General Contracting, LLC had declined to provide a proposal at this time.

Following discussion, the Board directed Ms. Frisbie to obtain updated proposals from Pure Choice Construction and Buddy Holley Contracting Services for installation of the mailbox kiosk structure.

Status of Installation of Power Service at Community Entrance

Mr. Dassinger provided the Board with an update on the status of power on the east side of the community entrance.

Following discussion, the Board directed Ms. Frisbie to solicit proposals from an electrician and utility locator to review the existing conduit under the street to determine if additional wire can be utilized to install an outlet on the east side of the community entrance.

## **COVENANT ENFORCEMENT AND COLLECTIONS MATTERS**

General Update from Manager

Ms. Frisbie provided the Board with a general update on covenant enforcement matters, noting that there are 30 completed homes, with 6 lots under construction. Ms. Frisbie reported that 2 homes have major landscaping violations.

Following discussion, the Board directed Ms. Frisbie to provide a final advisory letter to the 2 homes with major violations before beginning the imposition of fines. The Board also directed Ms. Frisbie to work with Mr. Dassinger on any major covenant enforcement matters needing direction in between board meetings.

Ms. Frisbie reported that there are 2 accounts currently past due on payment of the semi-annual operations fee, totaling \$1,297.50.

Status of Collection Accounts

Ms. Tanaka reported that her office currently has 1 open collection file, totaling \$6,810.75 in outstanding balances.

## **OTHER BUSINESS**

There was no other business.

Next Regular Meeting

The next regular meeting is scheduled for October 13, 2021, at 1:00 P.M.

## ADJOURNMENT

There being no further business to be conducted, the meeting was adjourned.

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

*Rodney Alpert*  
[Rodney Alpert \(Oct 22, 2021 14:43 MDT\)](#)

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Secretary for the Meeting