

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
ORCHARD FARMS METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
June 4, 2025

A regular meeting of the Board of Directors of the Orchard Farms Metropolitan District (referred to hereafter as the “Board”) was convened on June 4, 2025, at 5:00 p.m. This District Board meeting was held at via Zoom Video Conference. The meeting was open to the public.

ATTENDANCE

Directors in attendance were:

Randy Stutz, President
John King, Treasurer
Brian McNelly, Secretary
Nate Watkins, Assistant Secretary
Ed Passini, Assistant Secretary

Also, in attendance were:

Celeste Terrell, Rachel Alles and Lindsay Ross; CliftonLarsonAllen LLP (“CLA”)
Megan Murphy, Esq.; WBA Local Government Law (“WBA”)
Brittany Crosby, Bill Boston, Alan Goff and Tiffany Goff; members of the public

ADMINISTRATIVE MATTERS

Call to Order:

The meeting was called to order at 5:03 p.m. by Ms. Terrell.

Quorum and Reaffirmation of Disclosures:

A quorum of the Board was confirmed. Attorney Murphy reported that disclosures for those Directors that provided WBA 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.

Appointment of Officers:

Following discussion, upon a motion duly made by Director Passini, seconded by Director King and, upon vote, unanimously carried, the following slate of officers were appointed for the District:

President: Randy Stutz
Secretary: Brian McNelly
Treasurer: John King
Assistant Secretary: Ed Passini
Assistant Secretary: Nate Watkins

The Board discussed changing the Bill.com approvers given the new slate of officers. The Board directed CLA to replace Director Stutz as the first approver with Director King.

Agenda:

The Board reviewed the agenda for the meeting. Following discussion, upon a motion duly made by Director McNelly, seconded by Director Watkins and, upon vote, unanimously carried, the Board approved the agenda, as presented.

Public Comment:

There was no public comment.

CONSENT AGENDA

**April 2, 2025 Board Meeting Minutes and May 12, 2025 Work Session Minutes:
Claims Payable in the amount of \$91,002.44:
The Morrison Subdivision Filing No. 1, Amendment No. 6:**

The Board reviewed the consent agenda. Following discussion, upon a motion duly made by Director Stutz, seconded by Director McNelly and, upon vote, unanimously carried, the Board approved/ratified the consent agenda listed above.

FACILITIES MANAGEMENT / DISTRICT OPERATIONS

District Manager's Report:

Ms. Terrell provided an update for the Board, noting 23 design review requests were received since the April 2, 2025 regular meeting, which were all approved. Some of the requests were for landscaping, roof replacement and house painting.

Ms. Terrell stated that CLA is aiming for full accessibility compliance for the District's website by the July 1st deadline. Ms. Terrell detailed the items that go into remediated documents with the Board. Discussion ensued regarding remediation and posting of the monthly newsletters. The Board will determine if they can create an accessible version of the monthly newsletters before directing CLA to proceed with remediation through Allyant or Streamline. Following discussion, the Board directed CLA to remediate the monthly newsletters for posting on the District's website if they are not able to be created in an accessible format prior to providing to CLA.

Committee Reports:

Social Committee:

Director Watkins provided an update, noting that the Easter event was a success and the garage sale event is occurring the weekend of June 7th to June 8th. Director Watkins stated that Dumpster Day is scheduled for this year, and food trucks have been active throughout the community. Director Watkins noted that the first ice cream social event will be occurring this summer.

Landscaping Committee:

Director Stutz provided an update to the Board, noting that the committee approved a few bushes and tree replacements which are progressing. Director Stutz stated that the sprinkler system is active. Discussion ensued regarding concrete perimeter fence damage, and the responsibility and process to repair. Attorney Murphy noted that she will research ownership of the area where the fence is located to determine whose responsibility it will be to repair and will send that information to Ms. Terrell and the Board.

Advisory Committee:

Update on Design Guidelines:

Director McNelly provided an update, noting that the Board is in the process of reviewing the Design Guidelines as edited by the Advisory Committee. Another work session to continue this process is scheduled for later in June. The community will be notified via newsletter and website update once the Board approves the updated document.

Park Reservations and Resident Communication Regarding Design Review Process:

Ms. Terrell suggested including a cover letter notifying residents of the design review process and park reservation policy when the new Design Guidelines are mailed to residents, once finalized. Discussion ensued regarding the installation of signs that prohibit trespassing in the park. Attorney Murphy noted that the police can be called without signs referring to Title 18 but recommended that signs be installed with that citation to protect all parties. Following discussion, the Board directed CLA to research Title 18 no trespassing signs and present options for the Board's consideration at a future meeting.

Discussion ensued regarding problems with non-residents using the park disrespectfully, and concerns about vandalism and unauthorized vehicle use in the park and surrounding areas, which is causing damage to the natural grasses.

LEGAL MATTERS

Second Amended and Restated Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Covenant Enforcement Charges:

Attorney Murphy reviewed the Second Amended and Restated Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Covenant Enforcement Charges with the Board. Following review, upon a motion duly made by Director Watkins, seconded by Director McNelly and, upon vote, unanimously carried, the Board adopted the Second Amended and Restated Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Covenant Enforcement Charges.

FINANCIAL MATTERS

March 31, 2025 Unaudited Financial Statements and Schedule of Cash Position :

Ms. Ross noted that the financial statements were reviewed during the annual meeting on June 4, 2025. Following discussion, upon a motion duly made by Director McNelly, seconded by Director Passini and, upon vote, unanimously carried, the Board accepted the March 31, 2025 Unaudited Financial Statements and Schedule of Cash Position.

2024 Audit:

Ms. Ross reviewed the 2024 audit and noted that the auditor is currently still in fieldwork. Following discussion, upon a motion duly made by Director McNelly, seconded by Director Stutz and, upon vote, unanimously carried, the Board accepted the 2024 audit, subject to final legal review and receipt of a clean opinion, authorized execution of the Representation Letter and authorized CLA to file the audit on the District's behalf.

DIRECTORS' MATTERS

Flock Cameras, List and Survey Results:

Ms. Terrell reviewed the results of the resident survey, noting there is strong support from residents who responded to move forward with installation. Ms. Brittany Crosby and Mr. Bill Boston expressed concerns regarding installing cameras. Discussion ensued regarding resident survey participation, implications of potential privacy concerns and camera system capabilities. The Board discussed concerns about Flock cameras and license plate visibility, with Director McNelly explaining that the cameras identify cars based on unique characteristics rather than faces or license plates.

Director McNelly clarified that the survey was not an official vote of the community, but a tool for Board decision-making, and emphasized the need to define specific installation components and access requirements before voting. The board agreed to further discuss the matter, with some members offering to help with community outreach.

MANAGER MATTERS

Domain and District Emails:

Ms. Terrell provided an update, noting that www.orchardfarmsmd.org is available and CLA will work on transferring the current domain to the shorter domain. The current domain expires in November, after which the public will only use the shorter domain. The

Board's email addresses associated with the website will also be changed based on the domain change. Ms. Terrell noted that CLA will coordinate with Director King to establish his email address for the website. Discussion ensued regarding records retention policy for email correspondence.

OTHER BUSINESS

Director Passini asked CLA to add an item to the August Board meeting's agenda regarding potentially changing compliance deadline dates for landscaping improvements.

It was noted that the June 18, 2025 Work Session will be rescheduled to June 12, 2025 at 5:00 p.m. CLA will confirm this date and time works for all Board members and consultants.

ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director McNelly, seconded by Director King and, upon vote, unanimously carried, the meeting was adjourned at 6:42 p.m.

Respectfully submitted,

By _____

Secretary for the Meeting