

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
ORCHARD FARMS METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
August 6, 2025

A regular meeting of the Board of Directors of the Orchard Farms Metropolitan District (referred to hereafter as the “Board”) was convened on August 6, 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, PC (“WBA”)
Susie Ellis; Covenant Enforcement Community Management
Jeremy Wagner; Jeremy Jobs
Mary Passini, Clay Huml, Stephen Brooks, Heather Perez, Tim Mollock, Tracie and Walter Ware, Brittany Crosby, Bill Boston, Alan and Tiffany Goff, LeAnna Kent, Micheal Shore, Adam Carpenter and other members of the public.

ADMINISTRATIVE MATTERS

Call to Order:

The meeting was called to order.

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.

Agenda:

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

Public Comment:

Mr. Wagner addressed the Board regarding additional considerations for tract ownership turnover and provided feedback regarding Flock cameras, noting he is in favor.

Tim Mollock addressed the Board regarding his landscaping violation. Following discussion, upon a motion duly made by Director King, seconded by Director Stutz and, upon vote, unanimously carried, the Board appointed Directors McNelly and Passini to work with Ms. Ellis to rectify the issue.

Two members of the public addressed the Board regarding the concerns over Flock camera security. Director Watkins detailed his interactions with local police and enforcement organizations on this issue and discussed the potential benefits to the community.

A resident addressed the Board regarding Flock cameras, noting he is in favor and inquired about potential other more cost-effective options.

A resident addressed the Board regarding Flock cameras, noting she is in favor.

A resident addressed the Board regarding Flock cameras, noting she is not in favor.

Mr. Brooks addressed the Board regarding Flock cameras, noting he is not in favor.

Tracie & Walter Ware addressed the Board regarding Flock cameras, noting they are in favor.

Tiffany Goff addressed the Board regarding Flock cameras, noting she is in favor, and asked about the repercussions of not adhering to landscape design guidelines.

A resident addressed the Board regarding Flock cameras, requesting clarification as to whether the Board would be voting on the issue at the meeting. The Board responded that it is in the process of gathering and evaluating information and feedback on the Flock cameras and would likely not be making any final decisions at the meeting.

CONSENT AGENDA

June 4, 2025 Board Meeting Minutes, June 4, 2025 Annual Meeting Minutes and June 12, 2025 Board Meeting Minutes: Claims Payable in the amount of \$86,747.75:

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

FACILITIES MANAGEMENT / DISTRICT OPERATIONS

Update on Design Guidelines:

Ms. Terrell provided an update for the Board and noted that the Board is in the process of reviewing the Design Guidelines following previous work sessions. Ms. Terrell noted that additional work sessions will be scheduled in the future.

Title 18 “No Trespassing” Sign Options:

Ms. Terrell presented sign options to the Board. Discussion ensued regarding the potential size and location of signs. The Board suggested one sign per sidewalk entrance to the park, one on 163rd Ave. and one by the rules sign. The Board directed CLA to order and coordinate installation of the signs.

Compliance Inspection Dates:

The Board discussed the inspection dates. Following discussion, the Board deferred action until the revised Design Guidelines are adopted.

LEGAL MATTERS

November 2025 5.25% Elimination Election:

Attorney Murphy reviewed the legislation that places a 5.25% property tax revenue limitation on the District effective 2025. Discussion ensued. Ms. Ross provided financial considerations for the Board. Following discussion, upon a motion duly made by Director Passini, seconded by Director King and, upon vote, unanimously carried, the Board determined not to call an election in November 2025 to vote out of the 5.25% limitation and to reconsider an election in the spring of 2027.

Website Accessibility Matters:

Attorney Murphy discussed website accessibility matters with the Board and noted recent changes to the website in order to comply. No action was taken.

Resolution Regarding Acceptance of Public Improvements (Portion of Tract B, Tracts C and G):

Attorney Murphy reviewed the resolution with the Board. Discussion ensued. Following discussion, upon a motion duly made by Director Passini, seconded by Director McNelly and, upon vote, unanimously carried, the Board directed staff to solicit proposals for the necessary repairs to the tracts for Lennar Colorado LLC's consideration and further directed consultants to request a cash in lieu payment from Lennar Colorado LLC for repairs of the remaining tracts that are owned by Lennar Colorado LLC. Attorney Murphy will communicate with Lennar that the District will not accept the tracts at this time.

FINANCIAL MATTERS

Schedule of Cash Position:

Ms. Ross reviewed the Schedule of Cash Position. Following discussion, upon a motion duly made by Director McNelly, seconded by Director Passini and, upon vote, unanimously carried, the Board accepted the Schedule of Cash Position.

DIRECTORS' MATTERS

Flock Cameras, List and Survey Results:

Director Passini inquired about the purpose and benefits of Flock cameras and listed his concerns. Discussion regarding security ensued. Following discussion, upon a motion duly made by Director McNelly, seconded by Director King and, upon vote, unanimously carried, the Board deferred action regarding the installation of Flock cameras until the Flock Camera court case has been resolved. The Board will compile a list of questions to be submitted to Flock for further consideration.

Zoom Pricing and Packages for the District:

Ms. Terrell noted that meetings are currently administered through WBA's Zoom account. She reviewed pricing and packages for Zoom accounts. The Board deferred action.

Advisory Committee Members:

Ms. Terrell noted the committee has been having difficulty achieving a quorum at recent meetings. The Board determined to reassess committee members after the new Design Guidelines are adopted.

MANAGER MATTERS

Repairs to Concrete Fencing:

Ms. Terrell reviewed a proposal to repair concrete fencing and noted that another vendor indicated the current fence is a custom design to the vendor who installed it. Discussion ensued regarding a potential insurance claim.

Following discussion, upon a motion duly made by Director McNelly, seconded by Director Passini and, upon vote, unanimously carried, the Board approved the repairs to concrete fencing in an amount not to exceed \$70,000, subject to the installation causing minimal landscape reparations and authorized Directors Stutz and King to determine if Jeremy Jobs needs to perform the full trench landscaping in an additional amount not to exceed \$13,500 and subject to confirmation that an insurance claim can be submitted for the damage and repair.

Mr. Wagner detailed work already completed in the area. Discussion ensued regarding repair options.

OTHER BUSINESS

None.

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.

Respectfully submitted,

By _____

Secretary for the Meeting