

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
ORCHARD FARMS METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
October 1, 2025

A regular meeting of the Board of Directors of the Orchard Farms Metropolitan District (referred to hereafter as the “Board”) was convened on October 1, 2025, at 5:00 p.m. This District Board meeting was held via Zoom Video Conference. The meeting was open to the public.

ATTENDANCE

Directors in attendance were:

Randy Stutz, President
Brian McNelly, Secretary
John King, Treasurer
Nate Watkins, Assistant Secretary
Ed Passini, Assistant Secretary (Arrived where indicated by *)

Also, in attendance were:

Celeste Terrell, Rachel Alles and Lindsay Ross; CliftonLarsonAllen LLP (“CLA”)
Megan Murphy, Esq.; WBA, PC (“WBA”)
Jeremy Wagner; Jeremy Jobs LLC (“Jeremy Jobs”),
Susie Ellis; Covenant Enforcement Community Management
Alan and Tiffany Goff, Todd Sheridan, Ron Wagner and other members of the public.

ADMINISTRATIVE MATTERS

Call to Order:

Ms. Terrell called the meeting to order at 5:04 p.m.

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 Stutz, seconded by Director King and, upon vote, unanimously carried, the Board approved the agenda, as amended.

Public Comment:

A member of the public addressed the Board regarding the cement drainage area on Steele Street.

A member of the public addressed the Board regarding notifying residents of Board meetings outside of Facebook. It was noted that notices will be placed in the bulletin boards for residents who do not have Facebook accounts.

CONSENT AGENDA

- A. Approval of July 30, 2025 Work Session Minutes, August 6, 2025 Board Meeting Minutes and September 11, 2025 Work Session Minutes
- B. Approval of claims payable in the amount of \$111,904.04
- C. Ratification of Independent Contractor Agreement for Fence Repair

The Board reviewed the Consent Agenda. Ms. Terrell noted the fence repair was confirmed not to be eligible for insurance claim reimbursement. Following review and discussion, upon a motion duly made by Director McNelly, seconded by Director Watkins and, upon vote, unanimously carried, the Board approved the Consent Agenda.

*Director Passini arrived.

LEGAL MATTERS

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

Attorney Murphy reviewed the resolution with the Board. Director Stutz noted that he and Mr. Wagner visited the detention pond area to review necessary repairs.

Following discussion upon a motion duly made by Director McNelly, seconded by Director Stutz and, upon vote unanimously carried, the Board directed Director Stutz to work with WBA to negotiate with Lennar on behalf of the Board to come to an agreed upon cash in lieu amount not less than \$47,000 for acceptance by the District of Tracts B, C and G.

DIRECTORS' MATTERS

Flock Camera Community Meeting:

Attorney Murphy provided recommendations regarding meeting processes and conduct for the residents present at the community meeting to the Board. Director McNelly and Director King noted they will draft rules for the public comment section of the community meeting. The Board directed staff to reschedule this meeting to the end of October as a hybrid meeting from 6:00 p.m. to 8:00 p.m. The rules of conduct will be posted to the bulletin board and included in the next newsletter. The Board determined to have up to ten in-person comments, ten virtual comments and a waiting list as people join for up to two hours.

It was noted that CLA will look into holding the meeting at one of the discussed physical locations. CLA will inform the Board of the date and location once secured for the meeting.

Attorney Murphy left the meeting.

Zoom Pricing and Packages for the District:

Ms. Terrell reviewed the Zoom pricing and packages with the Board. The Board determined to continue using WBA's account.

FACILITIES MANAGEMENT / DISTRICT OPERATIONS

District Manager's Report:

Ms. Terrell stated that 11 design review requests have been received since the last meeting and CLA is processing them. Ms. Terrell noted that the playground was inspected and is awaiting the report. The inspection report will be included in the next Board packet for the Board's review. Ms. Terrell is working on the resident fence repair and will continue to update the Board on that process.

Committee Reports:

Social Committee:

Director Watkins provided an update on the Paint in the Park event and noted the Fall Festival will be held on October 18, 2025. The last event of the year will be the holiday lights contest.

Landscaping Committee:

Director Stutz noted that the bushes throughout York have improved.

Independent Contractor Agreement with Jeremy Jobs for 2026 Landscape Maintenance and Snow Removal:

Ms. Terrell reviewed the agreement with the Board, stating that power washing the pavilion and pricing for the District to repair the tracts are included. Ms. Terrell also made note of a rebate the District will be receiving from the Rainbird system.

Upon a motion duly made by Director Stutz seconded by Director McNelly and, upon vote, unanimously carried, the Board approved the Independent Contractor Agreement with Jeremy Jobs for 2026 Landscape Maintenance and Snow Removal, as presented.

Upon a motion duly made by Director McNelly seconded by Director Passini and, upon vote, unanimously carried, the Board granted Mr. Wagner access to Thornton Water.

Advisory Committee:

Design Guidelines:

Director McNelly provided an update for the Board, noting that the Board continues to work through the changes and will need WBA's input to ensure they are in accordance with State law. WBA will review the proposed Design Guidelines once the Board has finished reviewing the document. The Board's goal is to have the Design Guidelines ready for adoption at the December meeting.

FINANCIAL MATTERS

June 30, 2025 Unaudited Financial Statements:

Ms. Ross reviewed the financial statements with the Board. The Board directed CLA to schedule a budget work session prior to the December meeting. Following discussion, upon a motion duly made by Director King, seconded by Director McNelly and, upon vote, unanimously carried, the Board accepted the June 30, 2025 Unaudited Financial Statements, as presented.

MANAGER MATTERS

No Trespassing Sign Options:

Ms. Terrell reviewed the sign options with the Board. The Board directed CLA to obtain a second bid from Digital Frontier for the five signs and asked Mr. Wagner if he could install them. The Board noted the signs should be installed in a rock area instead of a grass area to avoid landscaping issues.

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 at 7:00 p.m.

Respectfully submitted,

By _____

Secretary for the Meeting