

MINUTES OF A REGULAR MEETING OF  
THE BOARDS OF DIRECTORS OF THE  
RAMPART RANGE METROPOLITAN DISTRICT NOS. 1, 2, 3 AND 7  
(THE “DISTRICTS”)  
HELD  
September 25, 2024

A regular meeting of the Boards of Directors of the Rampart Range Metropolitan District Nos. 1, 2, 3 and 7 (referred to hereafter as the “Boards”) was convened on Wednesday, September 25, 2024 at 3:02 p.m., at Coventry Development Corp., 9978 Sky Ridge Avenue, Suite 415, Lone Tree, Colorado 80124. The meeting was open to the public.

ATTENDANCE

Directors in attendance were:

Keith Simon, President  
Elizabeth Matthews, Secretary  
Darryl Jones, Treasurer  
Ken Linhardt, Assistant Secretary

Also, In Attendance Were:

Densie Denslow, Ashley Heidt, Nic Carlson, Alonso Duran Rodriguez and Susan Sanchez;  
CliftonLarsonAllen LLP (“CLA”)  
Jon Hoistad, Esq.; McGeady Becher P.C.  
John Connelly and Anthony Shaut; Coventry Development Corp.  
Leigh Dufresne; BrightView Landscape Services, Inc. (“BrightView”)  
Carson Besgrove; Merrick & Company  
Ernie Warzecha; Diverse Project Consultants  
Jennifer Hepp (fka Miller); RRMD No. 5

ADMINISTRATIVE MATTERS

**Declaration of Quorum/Director Qualifications/Disclosure items:**

Director Simon called the meeting to order and confirmed the presence of a quorum.

The Boards discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Boards of Directors to the Secretary of State. The members of the Boards were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Boards’ members prior to this meeting in accordance with statute. It was noted by Attorney Hoistad that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors, and no additional conflicts were disclosed at the meeting.

**Agenda, location of meeting and posting of meeting notices:**

The Boards reviewed the Agenda for the meeting. Following discussion, upon motion duly made by Director Linhardt, seconded by Director Jones and, upon vote, unanimously carried, the Boards approved the Agenda, as amended, to add VI.B.

The Boards entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the Districts' Board meeting. Following discussion, and upon motion duly made by Director Linhardt, seconded by Director Jones and, upon vote, unanimously carried, the Boards determined to conduct the meeting at the above-stated date, time, and location, which is within 20 miles of the Districts. It was further noted that notice of the time, date and location was duly posted and that no objections to the location or any requests that the meeting place be changed by taxpaying electors within the Districts' boundaries have been received.

**Public Comment:**

There were no public comments.

**CONSENT AGENDA**

**June 26, 2024 Regular Meeting Minutes:**

**Service Agreement for Environmental Services (Ridgegate Mesa Tops PWSD Pipeline Project) between RRMD No. 1 and ERO Resources Corporation, in the amount of \$37,264.00:**

**Services Agreement for Engineering Services and Surveying Services for Construction Documents for Cabela Drive Roadway Extension (Mesa Tops) between RRMD No. 1 and JR Engineering, LLC, in the amount of \$199,890.00;**

**Fourth Amendment to Joint Resolution of Rampart Range Metropolitan District Nos. 1, 5 and 6 to Impose Water Resource Credit Fees (Shea SWV Filing No. 3 Plat) recorded on August 2, 2024:**

**Bargain and Sale Deed from RRMD No.1 to Ridgegate Investments, Inc.:**

**Brightview Landscape Management Services, LLC for tree replacements in the amount of \$79,800.00:**

Following discussion, upon a motion duly made by Director Matthews, seconded by Director Jones and, upon vote, unanimously carried, the Boards approved and/or ratified, as appropriate, the Consent Agenda, as presented.

**FINANCIAL MATTERS**

**Claims:** Ms. Sanchez reviewed the prior claims with the RRMD No. 1 Board. Upon a motion duly made by Director Linhardt, seconded by Director Matthews and, upon vote,

unanimously carried, the RRMD No. 1 Board ratified approval of prior claims totaling \$679,607.08, including ACH payments to Denver Water and Xcel Energy.

**Cash Position Report:** Ms. Sanchez reviewed the Cash Position Report, noting that this is informational only.

## LANDSCAPE MATTERS

### **Landscape Update:**

Ms. Dufresne provided an update, reviewing all of the clean outs they have performed at the various ponds throughout the Districts.

## LEGAL MATTERS

**Legislative Update:** Attorney Hoistad updated the Boards on recent legislation.

## MANAGER MATTERS

**District Infrastructure Agreement (Mesa Tops) between RRMD No. 1 and BC-RG Mesa Tops JV LLC:** Attorney Hoistad reviewed the Agreement with the RRMD No. 1 Board. Following discussion, upon a motion duly made by Director Simon, seconded by Director Jones and, upon vote, unanimously carried, the RRMD No. 1 Board approved the District Infrastructure Agreement (Mesa Tops) between RRMD No. 1 and BC-RG Mesa Tops JV LLC.

**Authorization of website compliance coordinator to obtain a proposal for remediation services for statutorily required documents and authorize Board member to approve proposal:** Ms. Heidt reviewed the proposal from A360 Enterprises, LLC dba Allyant (“Allyant”) Allyant with the Boards. Following discussion, upon a motion duly made by Director Simon, seconded by Director Matthews and, upon vote, unanimously carried, the Boards directed CLA to remove unnecessary documents from the website, request a revised proposal from Allyant for remediation of only statutorily required documents and approved necessary remediation by Allyant and revised proposal for same.

## BOARD MEMBER ITEMS

Director Jones noted that landscaping is underway at Sky Ridge.

## EXECUTIVE SESSION

**Status of lawsuit captioned as: David J. Tepoorten, an individual and as trustee of The Pescado Trust, owner of real property v. Ridgeway West Village Community Association, Inc., and Rampart Range Metropolitan District No. 1, Case No. 2024CV30056, District Court, Douglas County, Colorado (the “Tepoorten Lawsuit”).**

**Convene in executive session pursuant to Section 24-6-402(4)(b), C.R.S., to receive legal advice related to the Tepoorten Lawsuit**

An Executive Session was not needed.

**Settlement Agreement and Release of All Claims:** Following discussion, upon a motion duly made by Director Jones, seconded by Director Linhardt and, upon vote, unanimously carried, the RRMD No. 1 Board ratified approval of the Settlement Agreement and Release of All Claims related to the Tepoorten Lawsuit.

**OTHER BUSINESS**

**Statutory Annul Meeting:** The Boards directed the scheduling of the Annual Meeting to be on the same day as the December Special Board meeting.

**Rescheduling of November Meeting to December 4, 2024 at 10:00 a.m.:** The Boards authorized the rescheduling of the November 27, 2024 meeting to December 4, 2024 at 10:15 a.m. with the annual meeting to start at 10:00 a.m.

**Mesa Tops PWSD Pipeline Project:**

Mr. Besgrove noted the Havana Water Main plans were submitted to PWSD on August 26<sup>th</sup> and he has received minor comments.

Mr. Besgrove reported the Mesa Tops Sanitary Sewer Plans were submitted to PWSD on September 5<sup>th</sup> and is waiting on comments.

PWSD has stated they will not accept a temporary booster station and is requiring a water main connection to PWSD’s Zone 3 to support the Mesa Tops.

Mr. Besgrove reported there is ongoing coordination with CDOT related to the Special Use Permit.

**ADJOURNMENT**

There being no further business to come before the Boards at this time, the Boards adjourned the meeting.

Respectfully submitted,

Signed by:  
By Elizabeth Matthews  
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Secretary for the Meeting