

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

HASKINS STATION METROPOLITAN DISTRICT

Held: Wednesday, April 17, 2024 at 11:30 a.m. via teleconference.

**ATTENDANCE**

The regular meeting of the Board of Directors of Haskins Station Metropolitan District was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, having confirmed their qualifications to serve, were in attendance:

Christian M. Janke  
Christopher Elliott  
Matthew Gayda Cavanaugh  
Charles R. Hauptman

Director Corey Elliott was absent. All absences are deemed excused unless otherwise noted in these minutes.

Also present were: Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Ashley B. Frisbie and Dan J. Cordova, White Bear Ankele Tanaka & Waldron, District Management; Sarah Hunsche, E5X Management; Susie Ellis, Community Preservation Specialists, Inc.; Alyssa Ferreira, CliftonLarsonAllen LLP, District Accountant; Andrew DeGrassi, AHD Development, Inc.; Guillaume Pouchot, Remington Homes; and residents.

**Call to Order/Declaration of Quorum**

It was noted that a quorum of the Board was present and the meeting was called to order.

**Conflicts of Interest Disclosures**

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. 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. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda as presented.

## **Consent Agenda**

Ms. Frisbie reviewed the items on the consent agenda with the Board. Ms. Frisbie advised the Board that any item may be moved from the consent agenda to the regular agenda upon the request of any director. No items were requested to be removed from the consent agenda. Upon a motion duly made and seconded, the Board unanimously approved, ratified, and/or adopted the following:

- Minutes from November 15, 2023 Regular Meeting and March 12, 2024 Special Meeting;
- Special District Disclosure Notice Pursuant to §32-1-809, C.R.S.;
- Rescind Approval of Engagement Letter with Haynie & Company to Prepare 2023 Audit;
- Engagement Letter with Dazzio & Associates, PC to Prepare 2023 Audit;
- Engagement Letter with Winzenburg, Leff, Purvis, & Payne LLP for Special Counsel Services;
- Amendment to Residential Improvement Guidelines and Site Restrictions for Haskins Station to Update ARC Contact to Community Preservation Specialists, Inc.; and
- Operations and Maintenance Agreement (Filing No. 1) with Haskins Station Owners Association.

## **Management Matters**

### **Discuss Covenant Enforcement Matters**

Ms. Frisbie reported that there are two covenant enforcement issues that were raised at the community meeting held last month, which are: (1) the outdoor storage of trash receptacles; and (2) the installation of gates in the backyard fencing of some of the single-family homes.

### **Storage of Trash Receptacles**

Ms. Frisbie reported that as a result of comments received at the community meeting and subsequent correspondence received from some residents about concerns regarding the requirement to store trash receptacles in garages, a survey regarding trash receptacles was circulated to the community to gauge the general opinion of the community.

The Board discussed options related to the matter, including the potential for amending the Covenants, Conditions and Restrictions

of Haskins Station (the “CC&Rs”). Ms. Murphy provided details about how a limited amendment to the CC&Rs would work, noting that an amendment would require an affirmative vote of owners holding at least 67% of the units and the developer must agree to the change. Ms. Murphy noted that Richmond American Homes (“Richmond”) still owns approximately 67 lots, so their consent would also be needed. Director Chris Elliott reported that Richmond has indicated that they are not in favor of an amendment at this time and that it would be futile to try and make the change given the number of lots owned by Richmond and the 67% affirmative vote requirement.

The Board also discussed the potential costs to conduct an election for the amendment. It was noted that the District did not budget for an election this year.

Residents in attendance at the meeting voiced their opinions on the outdoor storage of the trash receptacles. Comments indicated favor of alternate storage allowances, with requests for screening of the trash receptacles.

Following discussion, the Board determined to defer the discussion related to a potential amendment to the CC&Rs until most of the units are owned by homeowners.

The Board discussed current enforcement of the outdoor storage of trash receptacles. Ms. Murphy and Ms. Ellis indicated that they would not recommend selective or delayed enforcement of the CC&Rs. Trash receptacle storage enforcement will resume.

#### Gates in Backyard Fencing of Single-Family Homes

Ms. Frisbie reported that certain residents in the single-family homes have installed gates in their backyard fencing, with some being adjacent to future District tracts and some being adjacent to the City of Arvada open space. Ms. Frisbie reported that the Final Development Plan for the community, as approved by the City of Arvada (the “City”), has fencing specifications which do not include gates.

Director Chris Elliott indicated that he would like to coordinate with the City to see if they would be willing to amend the Final Development Plan to allow for gates. He noted that Richmond is still working to establish the native areas behind the single-family homes for final acceptance, so residents need to remain out of the native areas at this time.

It was also noted that the fencing will be part of the improvements that are conveyed to the District and the District will have maintenance obligations for the fencing at that time.

Residents in attendance at the meeting voiced their opinions on the allowance of gates in the fencing of the single-family homes. Comments indicated favor of the allowance of the gates, with requests for design standards and consistency.

Following discussion, the Board determined to defer this matter until the District has accepted the tracts from Richmond, at which point the Board will reconsider the request to allow gates.

Following discussion, the Board determined to suspend violations on properties that have already installed gates until confirmation has been received from the City about a potential amendment to the Final Development Plan to allow access to the native grass areas and the Board has had an opportunity to review the amendment process. No additional properties will be permitted to install gates until a determination has been made about a potential amendment to the Final Development Plan. Any property that installs a gate during this investigatory period without District approval will be subject to violation.

Consider Adoption of Resolution Establishing a Community Garden Committee

Ms. Frisbie presented the Resolution Establishing a Community Garden Committee to the Board for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Consider Appointment of Community Garden Committee

Ms. Frisbie reported that an email blast was circulated to the community to solicit interested residents to volunteer for the new Community Garden Committee. Ms. Frisbie informed the Board that 14 residents had responded, indicating their interest in participating. Following discussion, upon a motion duly made and seconded, the Board unanimously appointed all 14 volunteers as shown below:

1. Marc Babel
2. Jessica Blazejewski
3. Natalie Cristo
4. Kathryn Ehlmann
5. Karolyn Evans
6. Courtney Foy-Baldwin
7. Ethan Herrold
8. Annemarie Miller
9. Jillian Rose

10. Michael Scutt
11. Lenore Shapiro
12. Natalie Santucci
13. Akram Syed
14. Jennifer Taganella

Discuss Request from Resident for Additional Pet Waste Station along W. 52<sup>nd</sup> Avenue

Ms. Frisbie reported that the District received a request from a resident to have an additional pet waste station installed along W. 52<sup>nd</sup> Avenue, on the south side of Tract H. Mr. Cordova noted that all existing stations in the community have been installed by Richmond, as shown in the approved landscape plan. As the District doesn't own the tract yet, the District cannot yet install any improvements. Following discussion, the Board directed management to have a proposal for a pet waste station available for the Board to consider once the District owns the tract.

Discuss Landscape Maintenance & Snow Removal by Richmond American Homes

Mr. Cordova provided an update on landscape maintenance and snow removal within the community, noting that Richmond is still responsible for maintenance on the common area tracts. Mr. Cordova noted that Richmond has acknowledged concerns about landscaping matters that were raised at the community meeting and is working with their contractor to address certain issues. Mr. Cordova also noted that Richmond is aware of certain landscaping deficiencies and is working to correct them. Mr. Cordova requested that any landscaping concerns be directed to management, so the District can help coordinate with Richmond.

Consider Adoption of First Amendment to 2024 Annual Administrative Resolution

Ms. Frisbie presented the First Amendment to the 2024 Annual Administrative Resolution to the Board for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the amendment to modify the 2024 regular meeting schedule, subject to confirmation of the meeting dates, times, and locations, so that some Board meetings are held in the evening at a physical location near the community.

Discuss Posting Location and Posting of Meeting Materials

Ms. Frisbie discussed the District's posting location requirements, noting that the current posting location is designated as the District's website and, if the website is unavailable, the physical posting location is designated as the southwest corner of N. Robb Street and W. 52<sup>nd</sup> Avenue. The Board discussed options for the installation of a permanent posting box near the playground, located off of N. Robb Street. It was noted that the District does not yet own the tract, so installation will need to occur after conveyance. Following discussion, the Board directed management to have a proposal for a permanent posting box available for the Board to consider once the District owns the tract.

Ms. Frisbie reported that certain requests were made at the community meeting about providing meeting materials to the community. Ms. Frisbie recommended that each meeting agenda be circulated to the community via email blast, in addition to posting to the website, that the draft meeting packet for each meeting be posted to the website, where it will remain until the next draft meeting packet is available, and that draft minutes be posted to the website. Following discussion, the Board determined to provide meeting materials as recommended.

Director Cavanaugh noted that he would like the District to begin providing a quarterly newsletter to the community. Following discussion, the Board directed management to work on a newsletter.

Other Management Matters      None.

**Public Comment**

Mr. Behrendt reported that there is a water leak on the open space path. Mr. Cordova noted that he will coordinate with Richmond and the City to investigate the source of the water leak.

Mr. Baldwin reported that the streetlights on 54<sup>th</sup> Avenue by the cityscape units are still out. Mr. Cordova reported that the initial outages had been reported to Xcel, but the District hasn't received any updates at this time. Mr. Cordova noted that residents should continue to report streetlight concerns directly to Xcel and that the District will follow up as well.

Ms. Tiganella inquired about maintenance responsibilities for the front yard plantings of the duplex units. Mr. Cordova indicated that front yard maintenance of the duplex lots is handled by the HOA.

**Legal Matters**

Discuss Website  
Accessibility and  
Documentation Remediation  
Requirements

Ms. Murphy provided the Board with an overview of the new website accessibility requirements and recommended that the District consider switching to Streamline Software, Inc. for website accessibility. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the change to Streamline Software, Inc. (mid-level package).

Other Legal Matters      None.

**Financial Matters**

Consider Approval of Claims

Ms. Ferreira presented the Board with the claims through April 9, 2024. Following discussion, upon a motion duly made and seconded, the Board unanimously ratified the claims in the amount of \$52,843.30.

Consider Acceptance of December 31, 2023 Unaudited Financial Statements

Ms. Ferreira presented the Board with the Unaudited Financial Statements, dated December 31, 2023. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the Unaudited Financial Statements.

Discuss Status of 2023 Audit

Ms. Ferreira reported that the District has engaged a new auditor to perform the 2023 Audit and a draft is anticipated to be ready next month.

Other Financial Matters

None.

**Other Business**

None.

**Adjournment**

There being no further business to come before the Board, the meeting was adjourned.

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



[Matthew Cavanaugh \(Jul 29, 2024 16:26 MDT\)](#)

---

Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 23<sup>rd</sup> day of July, 2024.