

**RECORD OF PROCEEDINGS  
MINUTES OF THE SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF  
FALLBROOK VILLAS METROPOLITAN DISTRICT**

**HELD:**

Friday, the 24<sup>th</sup> day of March, 2023 at 2:00 p.m. via telephone and videoconference.

**ATTENDANCE:**

The special meeting of the Board of Directors (the “Board”) of the Fallbrook Villas Metropolitan District (the “District”), Adams County, State of Colorado, was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

KimNichelle Rivera, President, (2022-2025)  
Shawn Williams, Director (2022-2025)  
Jolene Simon, Treasurer (2022-2023)  
Richard Vogt (2022-2023)  
Jacqueline Phillips (2022-2025)

Also in attendance were Lisa K. Mayers, of Spencer Fane LLP, Melissa Kupferer of Advance HOA, Nicki Simonson of Simonson & Associates, Inc., and members of the public.

**CALL TO ORDER:**

It was noted for the record that a quorum was present of the Board for the purpose of conducting a special meeting, and on behalf of the Board of the District the meeting was called to order at 2:00 p.m.

**APPROVAL OF AGENDA AND MEETING LOCATION:**

Upon motion duly made, seconded, and upon vote unanimously carried, the meeting location and agenda were approved by the Board, as amended.

**CODE OF CONDUCT:**

The Board discussed modifications or additions needed to the Code of Conduct. Following discussion and upon motion duly made, seconded and upon vote unanimously carried the Board approved amendments to the Code of Conduct, with changes as discussed.

**PUBLIC COMMENT:**

None.

**APPROVAL OF MINUTES:**

The Board reviewed the minutes of the special meeting held on January 4, 2023. Upon motion duly made, seconded and upon vote unanimously carried the Board approved the minutes, as presented, and authorized the Board President to execute the minutes as constituting a true and correct record of the proceedings of the meeting.

**APPOINTMENT OF OFFICERS:**

The Board discussed appointing Director J. Phillips as Board Secretary. Following discussion and upon motion duly made, seconded and upon vote unanimously carried the Board appointed Director J. Phillips to serve as Board Secretary.

**FINANCIAL ITEMS:**

- a. Consider ratification and approval of payment of claims. Ms. Simonson presented the claims to the Board. The Board discussed. Following discussion and upon motion duly made, seconded and upon vote unanimously carried the Board ratified the claims.
- b. Financial report. Ms. Simonson presented the financial statements, debt amounts and discussed the reasons for a Fee Resolution with the Board. Discussion ensued regarding preparing a letter to residents. Following discussion and upon motion duly made, seconded and upon vote of four in favor and one vote opposed, the motion carried with the Board approving the Fee Resolution and imposition of fee.

**SCHILLING & COMPANY AUDIT SERVICES PROPOSAL:**

The Board reviewed and discussed the Schilling & Company audit services proposal. Following discussion and upon motion duly made, seconded and upon vote unanimously carried, the Board approved the proposal, as presented.

**ATTORNEY ITEMS:**

None.

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### DIRECTOR ITEMS:

- a. Discuss Amendment to 2022 and 2023 Budget. The Board discussed amendments to the 2022 and 2023 budgets. Tabled. No action was taken.
- b. Review and Discuss Adams County Designated Residential Parking Districts Ordinance. The Board reviewed the Adams County Designated Residential Parking Districts Ordinance. Ms. Mayers advised the ordinance is not applicable to the property or the District because it applies only to unincorporated areas of Adams County, the District is in the City of Thornton. Ms. Mayers advised the Board that the City owns streets and governs activities on the streets, not the District.
- c. Review and Consider Approval of Landscaping Contract. The Board reviewed the various landscaping bids. Discussion ensued. Following discussion and upon motion duly made, seconded and upon vote unanimously carried, the Board approved the BrightView landscaping contract, as presented.
- d. Discuss and Address Debt Amounts and Adoption of Fee Resolution. The Board discussed the debt amounts and adoption of a Fee Resolution earlier in the meeting.
- e. Discuss Management Inspector's Tasks in the Community. The Board discussed the management inspector's tasks in the community. No action was taken.
- f. Discuss Maintenance Responsibilities per Section 5.1 of the Declaration. The Board discussed the maintenance responsibilities per Section 5.1 of the Declaration. No action was taken.
- g. Discuss Steps to Reserve Park Pavilion. The Board discussed a policy for park pavilion reservations. The Board directed legal counsel to prepare a resolution for reservations for the Pavilion which is to be managed by AdvanceHOA Management.
- h. Discuss Playground Safety Checks on Equipment. The Board discussed playground equipment safety inspections. Following discussion and upon motion duly made, seconded and upon vote unanimously carried the Board approved obtaining a safety inspection in an amount to not exceed \$500.00 for Spring 2023 inspection.
- i. Discuss Playground Signage for Homeowner Use. The Board discussed displaying playground signage for homeowner use. No action was taken.
- j. Discuss Modifications or Additions to the Code of Conduct. The Board discussed modifications and/or additions to the Code of Conduct earlier in the meeting.

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**ADVANCE HOA:**

- a. Management Report. Ms. Kupferer provided a management report to the Board. The Board discussed. No action was taken.

**OTHER BUSINESS:**

None

**EXECUTIVE SESSION:**

Not necessary.

**ADJOURNMENT:**

There being no further business to come before the Board of the District and upon motion duly made, seconded and upon vote unanimously carried, the meeting was adjourned at 4:16 p.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the Fallbrook Villas Metropolitan District.



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President to the Board