**RECORD OF PROCEEDINGS MINUTES OF THE REGULAR MEETING**

**OF THE BOARD OF DIRECTORS OF FALLBROOK VILLAS METROPOLITAN DISTRICT**

**HELD:**

Thursday, the 20th day of February, 2025 at 6:00 p.m. via telephone and videoconference.

**ATTENDANCE**:

A regular 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) Jolene Simon, Treasurer (2023-2027) Kaitlyn Stroud, Secretary (2022-2025) Robert Bullion, Director (2022-2025)

Todd Geist, Director (2023-2025)

Also in attendance were Judy Simonson, Nicki Simonson and Rebecca Hill of Simonson & Associates, Inc. and Daniel Rubin, District legal counsel with Dietze and Davis, P.C.

1. **AGENDA & ADMINISTRATIVE MATTERS:**
   1. Call to Order: It was noted for the record that a quorum was present of the Board for the purpose of conducting a meeting and the meeting was called to order.
   2. Agenda and Meeting Location: The meeting location and agenda were approved upon motion by Director K. Rivera and second by Director J. Simon with amendments to add agenda items at Director T. Geist’s request regarding transparency and district management concerns and Director K. Rivera’s request regarding ice accumulation on sidewalks.
   3. Public Comment: A homeowner voiced her concern regarding ice accumulation on the sidewalk that drains and pools there from property on a north facing slope. The homeowner and EDI have been diligent in treating the area with ice melt. Summertime also presents an issue with excessive rain causing a mud pool, so she is looking for a long term solution and is asking for collaboration from the District on a more permanent fix. Director T. Geist brought up his design request for an antenna that was not approved by the committee but didn’t have a specific question.

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* 1. Minutes – January 16, 2025: The minutes of the regular meeting held on January 25, 2025 were approved upon motion by Director K. Rivera and second by Director J. Simon. Director T. Geist was opposed. Director T. Geist was muted for disruptive behavior.

1. **MANAGEMENT & MAINTENANCE MATTERS:**
   1. The Davey Tree Expert Company Proposal: The Board discussed the presented proposal from The Davey Tree Expert Company. Director T. Geist was unmuted so he could provide input. Director J. Simon asked if an option for every other month watering would be available, and Ms. N. Simonson stated she would follow up with Davey Tree to get their recommendations. Director T. Geist put forth a motion to deny the proposal which then received no second and subsequently died. Director T. Geist then put forth a second motion for a more detailed proposal containing the time, place, manner and which trees would be maintained. The motion received no second and died. Director K. Rivera made a motion to revisit the proposal at the March Board meeting with a revised quote. The motion was approved upon second by Director J. Simon. Director T. Geist abstained.
   2. Resolution No. 4 – Specifying the Intent to Prevent Posting Signage: This resolution was previously approved at the January Board meeting, however, it was revised to include language recommended by legal counsel to make it compliant with the US First Amendment. Director K. Rivera moved to approve Resolution No. 4 banning signs on property owned or controlled by the Fallbrook Villas Metro District. The motion was approved upon second by Director J. Simon. Director T. Geist was advised he was being muted for the remainder of the meeting for disruptive behavior, while Director K. Rivera and Director J. Simon both received warnings for interruptions.
   3. Ice Accumulation Issues in the District: Extensive discussion was held between the Board and a couple of homeowners regarding ice accumulation. French and chase drains were discussed as options, along with putting up signs warning of ice on the sidewalk. Ms. J. Simonson suggested engaging a civil engineer to look at the drainage patterns. The idea of a committee was proposed to spearhead some of these issues and ideas. Ms. N. Simonson will reach back out to the City of Thornton regarding the sidewalks and any repair issues, some that may have been damaged with excessive use ice melt due to the water pooling. Ms. N. Simonson will get with EDI to price out signs.
   4. Voting to Unmute Director T. Geist: Attorney Daniel Rubin suggested the Board vote to see if they felt it appropriate to unmute Director T. Geist for the remainder of the meeting. Director K. Stroud made the motion, and it was approved upon second by Director R. Bullion. Director T. Geist was then unmuted and immediately threatened the Board with a Federal lawsuit and was muted again for being disruptive.

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1. **EXECUTIVE SESSION: No** Executive Session was required.
2. **FINANCIAL MATTERS:**

Approve Disbursements for December 1, 2024 through January 31, 2025: The Board reviewed and discussed the check register presented. Director J. Simon moved to approve the disbursements for the period from December 1, 2024 through January 31, 2025. The motion was approved upon second by Director K. Rivera.

The Board then reviewed the aged payables through February 12, 2025 along with the unaudited financial statements ending December 31, 2024 and Ms. J. Simonson answered any questions.

1. **OTHER BUSINESS:**

**ADJOURNMENT**:

There being no further business to come before the Board of the District and upon motion duly made by Director K. Rivera and second by Director J. Simon, and upon unanimous vote, the meeting was adjourned at 8:02 p.m.

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

Kaitlyn Stroud, Secretary