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

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

**HELD:**

Thursday, the 17th day of April, 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) 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. Director K. Stroud’s absence was excused.

# 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 R. Bullion. Director T. Geist was opposed.
  3. Public Comment: Director T. Geist made a few comments regarding transparency and freedom of information during the public comment section.
  4. Minutes – February 20, 2025: Director T. Geist made a motion to include his personal comments in the minutes. No second was made so the motion was not considered. The minutes of the regular meeting held on February 20, 2025 were then approved with correction to the date, upon motion by Director K. Rivera and second by Director J. Simon. Director T. Geist was opposed.

**Meeting Minutes**

Fallbrook Villas Metropolitan District April 17, 2025

Page 2

# MANAGEMENT & MAINTENANCE MATTERS:

* 1. Review Outstanding Maintenance Items:
     + Sidewalks - There was extensive discussion surrounding the sidewalks within the District and in which division at the City of Thornton the responsibility lies to coordinate repair. Ms. N. Simonson will send her contact person a map and meet with him to get a better understanding of ownership and circle back with the Board. Any District costs associated with repairs will be built into the budget.
     + Street Signs - Director J. Simon made a motion to have Ms. N. Simonson reach out to EDI to install a “not a through street” sign at the entrance to the alley off 141st Street, and a “dead end” sign behind her home where the road abruptly ends with a stipulation that the budget not exceed $1,500. The motion was approved upon second by Director K. Rivera.
     + Playground - Ms. N. Simonson will reach out for an updated quote on mulch/wood chips for the playground along with a free standing enclosed bulletin board for posting community information. She will also see if there has been another award of safety grant money to the District for 2025.
     + Dead Tree Removal – Director T. Geist advised the Board that some tree stakes on the District trees had not been removed last fall so Ms. N. Simonson will ensure that EDI takes care of that. She will also have them check any dead trees for removal that the Board has pointed out, such as one over by the pavilion (Director K. Rivera is keeping an eye on this one as it hasn’t shown buds yet) and two over by the Jackson Street cul-de-sac on the north side that Director T. Geist mentioned. EDI still has a shrub on their agenda to replace in the median on 141st Street now that spring is here.
     + Broken Pedestal – the broken pedestal located on the north side of the firehouse belongs to Comcast and they are scheduled to repair it within the next two weeks.
  2. Summer Landscaping: The overall performance and approximate 4% cost increase of the EDI contract year over year was discussed by the Board. The idea of cutting the grass every other week was brought up with EDI and they explained there would be no cost savings as they would then only cut the grass in half the District each week. Also, the grass would be longer in between cuts and therefore take more time to cut, thereby increasing the cost. The Board decided to keep the weekly service schedule in place.
  3. Ratify Approval of the Environmental Designs Summer 2025 Contract: The EDI contract expired on March 31, 2025 so it was signed outside of a Board meeting. Director J. Simon

**Meeting Minutes**

Fallbrook Villas Metropolitan District April 17, 2025

Page 3

made a motion to ratify the approval of the EDI contract. The motion was approved upon second by Director K. Rivera. Director T. Geist was opposed.

* 1. Draft Covenants Violation Form: Ms. N. Simonson presented a form to the Board that could be used as an initial warning step in the District covenant violation procedure. The intent of the form was to be a time and cost saver for the District to provide a warning to homeowners via a handwritten notice that could be left on their front door prior to receiving an actual violation. The Board had discussed creating a committee potentially made up of homeowners that could assist with this. Attorney Daniel Rubin will review applicable rules within the statute related to covenant enforcement prior to any decisions being made. The Board was ok with putting a notice in the Fallbrook Villas next Newsletter in the meantime, to see if any homeowners volunteered to be on such a committee and take any feedback into account.

# FINANCIAL MATTERS:

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

The Board then reviewed the April 30, 2025 check register which was approved upon motion by Director K. Rivera and second by Director J. Simon. Director T. Geist was opposed.

Ms. J. Simonson presented the financial statements and answered any questions. She also presented the Accounts Receivable as the District received some payments from the Adams County Treasurer for the liens against 2024 property taxes for the special assessments from 2023.

# ELECTIONS:

With two new Board members being elected, it will be necessary for them to submit conflicts of interest forms and oaths of office prior to the next Board meeting to be eligible

**Meeting Minutes**

Fallbrook Villas Metropolitan District April 17, 2025

Page 4

to participate in that meeting. Simonson & Associates and Dietze & Davis will work together to ensure all paperwork is completed and filed within the necessary timeframes.

1. **EXECUTIVE SESSION:** No Executive Session was required.

# OTHER BUSINESS:

Director J. Simon wanted to thank Director T. Geist and Director R. Bullion for serving on the Board. Both Directors then thanked her.

# ADJOURNMENT:

There being no further business to come before the Board of the District and upon motion duly made by Director T. Geist and second by Director J. Simon, and upon unanimous vote, the meeting was adjourned at 7:25 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