

MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
LIVERPOOL METROPOLITAN DISTRICT (THE “DISTRICT”)  
HELD  
NOVEMBER 4, 2024

A special meeting of the Board of Directors of the Liverpool Metropolitan District (referred to hereafter as the “District”) was convened on Monday, November 4, 2024, at 5:15 p.m. This meeting was held via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors in attendance were:

Paul Tauriello, President  
Charlotte Lagrave, Treasurer  
Dana Graham, Secretary  
Peter Foust, Assistant Secretary  
Heath Shelburn, Assistant Secretary

Also, In Attendance Were:

Stephanie Odewumi, Ashley Heidt, Zach Konkell, and Jason Carroll; CliftonLarsonAllen, LLP (“CLA”)  
Joe Norris; Esq.; Cockrel Ela Glesne Greher & Ruhland P.C.  
Sara Rutman; BrightView Landscapes (“BrightView”)  
Fred Hays; EcoResource Solutions, Inc. (“ERS”)  
Mike Ziegler; Greenfield (HOA)  
Andrew Herkert, Jeff Barber, Zach Marshall, Lauren, Jenn Hua-Jamison, Steve; Members of the Public

ADMINISTRATIVE MATTERS

**Call to Order and Agenda:**

The meeting was called to order at 5:22 p.m. Upon a motion duly made by Director Foust, seconded by Director Lagrave and, upon vote, unanimously carried, the Board approved the agenda, as amended to include a discussion regarding the pond with ERS.

**Disclosures of Potential Conflicts of Interest:**

The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board 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 Board members prior to this meeting in accordance with statute. It was noted 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.

**Quorum, Location of Meeting, Posting of Meeting Notice:**

A quorum was confirmed. The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. The Board determined to conduct the meeting at the above-stated date, time and location, which is within 20 miles of the District. 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 District's boundaries have been received.

**Public Comment:**

Steve asked about the cattails and waterfall issues. Ms. Odewumi mentioned a vendor change for pump servicing, adding that the pump is winterized and not running, but the bubblers will remain active all season. Discussion followed.

**Minutes of September 16, 2024 Regular Meeting:**

The Board reviewed the Minutes of the September 16, 2024 Regular Meeting. Following review and discussion, upon a motion duly made by Director Tauriello, seconded by Director Foust and, upon vote, unanimously carried, the Board approved the September 16 Regular Minutes, as presented.

**Resolution Establishing 2025 Meeting Dates, Time and Location and Authorizing Online Notice of Public Meetings:**

Following review and discussion, upon a motion duly made by Director Tauriello, seconded by Director Foust and, upon vote, unanimously carried, the Board adopted the Resolution Establishing 2025 Meeting Dates, Time and Location and Authorizing Online Notice of Public Meetings, as presented setting regular meetings to the third Monday of the first month of each quarter.

**LANDSCAPE UPDATE**

**Landscaping Maintenance Report:**

Ms. Rutman provided an update to the Board regarding the landscaping maintenance.

**BrightView Landscape Services Agreement for 2025:**

Following review and discussion, upon a motion duly made by Director Tauriello, seconded by Director Lagrave and, upon vote, unanimously carried, the Board approved the BrightView Landscape Services Agreement for 2025.

**BrightView Proposal for 2025 Plant Health Care:**

Following review and discussion, upon a motion duly made by Director Tauriello, seconded by Director Lagrave and, upon vote, unanimously carried, the Board approved the BrightView proposal for 2025 Plant Health Care.

**BrightView proposal for 2024-2025 Tree Winter Watering:**

Ms. Rutman indicated that the proposal pertains to all the newly planted trees this year. Mr. Marshall inquired whether BrightView intends to wrap any of the trees and cover the root ball.

Following review and discussion, upon a motion duly made by Director Tauriello, seconded by Director Lagrave and, upon vote, unanimously carried, the Board approved the BrightView proposal for 2024-2025 Tree Winter Watering, as presented.

**Pond Discussion:**

Mr. Hays introduced himself and explained the process of removing cattails. Director Tauriello inquired about the recovery phase and the types of new vegetation expected to return. Mr. Hays mentioned that some native vegetation is expected to take over the areas previously occupied by cattails. Director Foust asked if there was a way to promote the growth of native vegetation instead of cattails.

Director Foust also inquired if ERS could attend the summer meeting. Ms. Odewumi will coordinate with Mr. Hays.

**FINANCIAL MATTERS**

**Payment of Claims:**

Ms. Odewumi reviewed the claims in the amount of \$234,166.59. Following review, upon a motion duly made by Director Foust, seconded by Director Graham and, upon vote, unanimously carried, the Board approved/ratified approval of the payment of claims in the amount of \$234,166.59, as presented.

**September 30, 2024 Unaudited Financial Statements:**

Mr. Carroll reviewed the September 30, 2024 Unaudited Financial Statements with the Board. Following review, upon a motion duly made by Director Foust, seconded by Director Graham and, upon vote, unanimously carried, the Board accepted the September 30, 2024 Unaudited Financial Statements, as presented.

**Public Hearing on Amendment to 2024 Budget:**

Upon a motion duly made by Director Tauriello, seconded by Director Lagrave and, upon vote, unanimously carried, the Board the Board opened the public hearing to consider an amendment to the 2024 Budget at 5:54 p.m.

It was noted that publication of Notice stating that the Board would consider amendment of the 2024 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to the public hearing.

No public comments were received. Upon a motion duly made by Director Lagrave, seconded by Director Foust and, upon vote, unanimously carried, the Board closed the public hearing to consider an amendment to the 2024 Budget at 6:48 p.m.

Mr. Carroll reviewed the need to amend the General Fund in the 2024 Budget Amendment.

Following discussion, upon a motion duly made by Director Foust, seconded by Director Graham and, upon vote, unanimously carried, the Board adopted Resolution to Amend the 2024 Budget.

### **Public Hearing on 2025 Budget:**

Upon a motion duly made by Director Tauriello, seconded by Director Lagrave and, upon vote, unanimously carried, the Board opened the public hearing to consider the proposed 2025 Budget at 5:54 p.m.

It was noted that Notice stating that the Board would consider adoption of the 2025 budget and the date, time and place of the public hearing was published pursuant to statute. No written objections were received prior to the public hearing.

Mr. Carroll reviewed the draft 2025 budget with the Board, which includes 16.672 mills in the General Fund and 9.566 mills in the Debt Service Fund. There was a discussion about paying off the bond in 2025. The Board also discussed the trash collection line item and the revenue versus expenditures.

Mr. Barber inquired about the purpose of the trash collection item, and Ms. Odewumi explained that the District was approached by the HOA to take over trash collection for the community. Mr. Barber asked about the potential benefits, and Mr. Marshall noted that the HOA's reasoning was the increase in property taxes last year and that the District already conducts dumpster day events. Further discussion ensued. Mr. Ziegler provided additional context on the HOA request.

Ms. Marshall also made comments regarding the trash contract.

Following discussion, upon a motion duly made by Director Lagrave, seconded by Director Foust and, upon vote, unanimously carried, the Board closed the public hearing at 6:48 p.m.

Discussion followed regarding the additional payment to pay off the bond.

Following discussion, upon a motion duly made by Director Tauriello, seconded by Director Lagrave and, upon vote, unanimously carried, the Board approved to pay off the debt in 2025, increase legal fees to \$16,500, and raise trash collection costs to \$140,000.

Upon motion duly made by Director Foust, seconded by Director Graham and, upon vote, unanimously carried, the Board approved the 2025 Budget, as discussed, and adopted Resolution to Adopt the 2025 Budget and Appropriate Sums of Money.

**District Accountant to Prepare the DLG-70 Certification of Tax Levies Form for Certification to the Board of County Commissioners and other interested parties. Board Member to sign MLC:**

Following discussion, upon motion duly made by Director Tauriello, seconded by Director Foust and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare the DLG-70 Certification of Tax Levies form for certification to the Board of County Commissioners and other interested parties and authorized Director Tauriello to sign MLC.

**2023 Audit:**

Following discussion, upon motion duly made by Director Tauriello, seconded by Director Foust and, upon vote, unanimously carried, the Board ratified the acceptance and filling of 2023 Audit.

**Engagement Letter with Logan and Associates LLC to Prepare Audit for 2024:**

The Board deferred the approval of the Engagement Letter with Logan and Associates LLC until the letter is received.

**CONSENT AGENDA**

- Allyant Remediation Services Proposal in the amount of \$503.00

Ms. Odewumi reviewed the Allyan Remediation Services Proposal in the amount of \$503.00 with the Board.

Following review and discussion, upon a motion duly made by Director Foust, seconded by Director Lagrave and, upon vote, unanimously carried, the Board ratified approval of the Consent Agenda items as listed above.

**DIRECTOR MATTERS**

None.

**LEGAL MATTERS**

**Potential Third-party recordings of District meetings:**

Attorney Norris discussed the item with the Board. He suggested several options, including taking no action, approaching the HOA with suggestions for modifying surveillance practices such as excluding audio recording, and/or reporting the issue. Director Foust inquired about the duration for which the recordings are retained, to which

Attorney Norris responded that the HOA's letter indicates they are only kept for a couple of days. Director Graham questioned the requirements for notifying individuals that such surveillance is taking place, leading to further discussion. Director Lagrave expressed her view that the surveillance constitutes an invasion of privacy and advocated for notifying the neighborhood. Director Tauriello pointed out that the HOA had violated their policy as stated on their website. Attorney Norris suggested that the two legal firms arrange a meeting between the respective presidents of each board to discuss the matter.

Attorney Norris recommended that a couple of Board members attend the next HOA meeting to raise this issue. The Board agreed to authorize legal counsel and CLA to notify the community via mailer about the audio recording at the clubhouse, and legal will inform the HOA of their intention to send this notification to the community.

**District options regarding addition of solid waste collection services:**

Attorney Norris reviewed the item with the Board and noted that there are two options: a service plan amendment or a 45-day notice, which is meant to cover discrete one-time actions. Attorney Norris further mentioned that the district would have to publicly bid for the contract. Director Lagrave expressed support for the service plan amendment, and Director Graham agreed.

Following review and discussion, upon a motion duly made by Director Tauriello, seconded by Director Lagrave and, upon vote, unanimously carried, the Board determined to postpone the issue indefinitely and advise HOA they are not moving forward.

**Resolution Calling a Regular Election for Directors on May 6, 2025, appointing the Designated Election Official (“DEO”), notice and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election:**

Attorney Norris reviewed the Election Resolution with the Board.

Following review and discussion, upon a motion duly made by Director Tauriello, seconded by Director Lagrave and, upon vote, unanimously carried, the Board adopted Resolution Calling a Regular Election for Directors on May 6, 2025, appointing the Designated Election Official (“DEO”), notice and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election, as presented.

**Updated Resolution Regarding Colorado Open Records Act Requests:**

Attorney Norris reviewed the updated Resolution Regarding Colorado Open Records Act Requests with the Board.

Following review and discussion, upon a motion duly made by Director Lagrave, seconded by Director Foust and, upon vote, unanimously carried, the Board adopted the updated Resolution Regarding Colorado Open Records Act Requests, as presented.

**MANAGER MATTERS**

**Greenfield HOA Update:**

There were no updates at this time.

**2025 Schedio Group LLC (dba Colorado Service Company) Service Agreement for Pump Maintenance:**

Following review, upon a motion duly made by Director Foust, seconded by Director Graham and, upon vote, unanimously carried, the Board ratified the approval of the 2025 Schedio Group LLC (dba Colorado Service Company) Service Agreement for Pump Maintenance.

**Proposal for repainting fence along Smokey Hill Road:**

Ms. Odewumi reviewed the proposal for repainting fence along Smokey Hill Road with the Board. The Board deferred action at this time.

**Electrified Solutions estimate for Solar Bollard Installs in the amount of \$35,533.50:**

The Board deferred action at this time.

**Radiant Lighting Services Inc. proposal for install of six total solar light posts in the amount of \$17,017.61:**

The Board deferred action at this time.

**CliftonLarsonAllen LLP Statements of Work for 2025:**

Ms. Odewumi reviewed statements of work with the Board. Following review, upon a motion duly made by Director Tauriello, seconded by Director Lagrave and, upon vote, unanimously carried, the Board approved the CliftonLarsonAllen LLP Statements of Work for 2025, as presented.

**Property and Liability Coverage renewal for 2025.:**

Ms. Odewumi noted that the Property and Liability Coverage renewal for 2025 has not yet been received but will be sent out once it arrives.

**Worker's Compensation Insurance for 2025:**

Ms. Odewumi mentioned that the documents have not been received yet but they will be sent out once received.

**Membership in the Special District Association for 2025:**

Ms. Odewumi reviewed the Special District Association membership renewal with the Board. Following review, upon a motion duly made by Director Graham, seconded by Director Foust and, upon vote, unanimously carried, the Board authorized the District's membership renewal in the Special District Association for 2025, as presented.

**Website transition to ADA compliant hosting platform:**

Ms. Odewumi reviewed the website transition to ADA compliant hosting platform with the Board. Following review, upon a motion duly made by Director Graham, seconded by Director Foust and, upon vote, unanimously carried, the Board authorized Director Foust to work with CLA regarding the website transition to ADA compliant platform and to designate CLA as the designated compliance coordinator once transitioned.

**OTHER BUSINESS**

The Board decided that meetings will be held virtually until further notice.

**ADJOURNMENT**

There being no further business to come before the Board at this time, the meeting was adjourned at 8:52 p.m.

Respectfully submitted,

By \_\_\_\_\_

Secretary for the Meeting