

# RECORD OF PROCEEDINGS

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**MINUTES OF A REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF THE  
PERRY PARK METROPOLITAN DISTRICT  
HELD  
September 14, 2023**

A Regular Meeting of the Board of Directors of the Perry Park Metropolitan District was held at the Larkspur Town Hall, 8720 Spruce Mountain Road, Larkspur, CO 80118, on September 14, 2023, at 6:00 p.m. The meeting was open to the public and was also available via Zoom video / teleconference.

In attendance or participating were Directors:

Christian Warren, President  
Darren Hill, Vice President  
Jill Arthurs, Treasurer  
Steven Ostrowski, Secretary  
Joseph Brickweg, Assistant Secretary

Also participating were:

Nancy Page-Cooper  
Sue Wells  
Brian Arthurs  
Keith Worley  
Ross Ridenhour  
H Mulvin  
Kurt Schlegel, Special District Solutions, Inc.

**CALL TO ORDER:**

Mr. Schlegel noted that a quorum of the Board was present, and Director Warren called the meeting to order at 6:05 p.m.

**CONFLICTS &  
DISCLOSURE  
STATEMENTS:**

Conflict Disclosure Statements have been filed with the Secretary of State's Office and the Directors stated they had no additional conflicts of interest regarding District business to disclose.

**APPROVAL OF AGENDA:**

Director Brickweg moved that the Board approve the agenda as presented. Upon a second by Director Ostrowski a vote was taken, and the motion carried unanimously.

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**CONSENT AGENDA:**

Director Brickweg moved that the Board approve the Consent Agenda, consisting of the following items, as presented:

- Minutes from the August 10, 2023, Regular Meeting
- Ratification of Wire Funds Transfer from the District's Colotrust account to Dove Creek Forestry in the amount of \$59,640.00 for SFA Grant – Phase II Work

Upon a second by Director Hill a vote was taken, and the motion carried unanimously.

**CORRESPONDENCE:**

None

**PUBLIC COMMENT:**

None

**DIRECTOR'S ITEMS:**

Director Warren stated that he attended the Special District Association of Colorado (SDA) Annual Meeting held in Keystone, CO. 41 topics were covered at individual breakout sessions including educational sessions on Americans with Disabilities Act (ADA) compliance, New District requirements that take effect in 2024, and Proposition "HH" that will be on the November 2023 ballot.

Director Arthurs stated that she received a request from a resident, whose property is next to a District owned lot – Tract 32, to remove several dead or dying trees on that property. Following discussion Director Arthurs moved that the Board approve the removal of the dead trees on Tract 32 utilizing District funds in an amount to not exceed \$2,500 for said removal. The motion received a second from Director Hill. Director Hill stated that this property is 1<sup>st</sup> on a list for tree removal utilizing grant funds to offset costs, and that grant application is pending (Spring 2024). Director Arthurs stated her concern if the grant is not approved. Hearing no further discussion, a vote was taken, and the motion failed with 1 Director voting Yes, 3 Directors voted No, and 1 Director abstained from the vote.

The Directors expressed their concern regarding overhead electrical lines in Perry Park and the fact that similar infrastructure has been determined to be the cause of wildfires in other areas around the state and country. Director Warren volunteered to author a letter from the District to CORE expressing this concern and requesting that overhead power lines in Perry Park be buried to minimize the risk.

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Director Ostrowski expressed his concern regarding emails between Directors between meetings to approve expenditures of funds for services that were budgeted for in 2023. Following discussion, it was agreed that the Board of Directors discourage email questions between meetings for items that may be construed as conducting business or requiring decisions, and that in the future any such communication will be directed through the District Manager for dissemination to the Directors requesting their input.

## COMMITTEE REPORTS:

Independence Day Planning Committee – No Report

Entry Committee – Director Arthurs stated that the approved property survey of the entrance area has been completed and that the Committee is waiting on the final price for the potable water tap that will be installed at the entrance to Perry Park. Director Arthurs also stated that the Committee is researching street lighting alternatives for that area, and they are waiting on an updated estimate from CORE Electric Cooperative to bury the existing power lines at the entrance.

Firewise Committee – Director Hill

- All Grant related fire mitigation work in the Upper Cheyenne area is complete.
- An application has been submitted on behalf of the District for a 50/50 match grant program for fire mitigation activities on private lands and District owned properties. Grant awards should be announced in the Spring of 2024.

Director Brickweg presented a revised contract between the District and MR Hauling for Slash Removal. This proposed agreement has been vetted by the District's General Counsel and is approved as to form. The Directors discussed the fact that a final agreement must contain the original Request for Proposals (RFP) as well as the response received from MR Hauling and discussed an annual compensation review and "District Representative" designation. Following discussion Director Brickweg moved that the Board approve the proposed agreement with MR Hauling for Slash Removal as presented, with Exhibits attached. Upon a second by Director Hill a vote was taken, and the motion carried with 4 Directors voting Yes and 1 voting No.

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## Parks & Open Space Committee – Director Arthurs

- Gilloon Pond
  - Discussions have taken place regarding Douglas County’s participation in restoration activities.
  - Estimated \$20,000 cost for trail construction.
  - Director Ostrowski will include a question in upcoming survey for public to approve or deny expenditure.
- Wauconda Park
  - Great Outdoors Colorado (GOCO) grant opportunities exist for funding a Park Improvement Plan
  - Landscape architect can be funded with grant monies – will investigate and report back to the Board.
  - Annual maintenance is needed in the park
    - Director Arthurs moved that the Board authorize an expenditure of up to \$600.00 to perform willows mitigation and clean-up of the Wauconda Park. Upon a second by Director Brickweg a vote was taken, and the motion carried unanimously.

## Communications Committee - Director Ostrowski

- The District was not selected for any of the three (3) Statewide Internet Portal Authority (SIPA) Grants requests, will try again next Grant cycle.
- Possible questions for a next community survey were discussed and the Directors were asked to send any additional proposed topics / questions to Director Ostrowski.
- Approved Perry Park Community Fund forms have been uploaded to the District’s website.
- Microsoft licenses will expire soon -
  - Director Ostrowski moved that the Board approve changing the Microsoft license agent from Alternetics.com to SIPA. Upon a second from Director Brickweg a vote was taken, and the motion carried unanimously.

## Wireless Telephone Service Committee - Directors Ostrowski and Brickweg

- Potential tower locations / cellular sites have been identified.
- Next steps are to:
  - Work with a Broker to determine specifications and develop plans for a tower site.

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- Obtain required permits from Douglas County -
  - Will seek letters of support from:
    - Perry Park Country Club
    - Larkspur Fire Protection District

## **UNFINISHED BUSINESS:**

Gateway Pond Water Rights: No update was available at this time.

Apache / Winfield Access: Mr. Schlegel presented an email from Michael McCormick, Legal Counsel for Windfield, regarding the status of the Special Warranty Deed. A revised application and survey of the area in question was submitted to Douglas County on September 9, 2023. Resolution of this issue is still months away.

## **NEW BUSINESS:**

Perry Park Filing No. 7, Tract "A": A report was received from a resident that there may be an encroachment on this District owned property and Mr. Schlegel sent the owner of the private property a letter regarding this matter. Ms. Page-Cooper is representing the owner of the property in question and stated that all buildings were in place when the current owner purchased the property 9 years ago. Mr. Schlegel stated that he has obtained a quote for a property boundary survey of Tract "A" from a local survey firm, at an estimated cost of \$400 - \$500. Following discussion regarding required setbacks, etc., Director Brickweg moved that the Board commission the survey on behalf of the District. Upon a second by Director Arthurs a vote was taken, and the motion carried with 4 Directors voting Yes and 1 Director voting No. Once the survey has been completed the Board will consider actions to be taken, if needed.

Fence Repair Quote: Mr. Schlegel presented a quote to repair the 3-rail fence at the entrance to Perry Park, which was damaged as a result of an unreported auto accident. Following discussion Director Brickweg moved that the Board approve the quote received from Pioneer Fence Company in the amount of \$950.00. Upon a second by Director Arthurs a vote was taken, and the motion carried unanimously.

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Request for “Junk Dump” Reimbursement: Mr. Schlegel presented an invoice received from MR Hauling for reimbursement of costs incurred for the 2023 Junk Dump. The Directors discussed emails that were transmitted prior to the event and the fact that the Board did not authorize the event for 2023 and no advertising for the event took place. MR Hauling staff operated the event for two days with minimal resident participation.

While the Directors appreciate MR Hauling’s efforts, they determined that this was not a District sponsored event. Director Arthurs moved that the Board not pay the invoice received but authorize a contribution in the amount of \$1,000.00 to reimburse MR Hauling for their time and costs incurred at collection site. The Motion received a second from Director Brickweg. Following discussion, Director Hill moved that the Motion on the table be amended to authorize a contribution in the amount of \$500.00 to reimburse MR Hauling for their time at the Junk Dump collection site. Upon a second by Director Arthurs a vote was taken, and the amended motion passed with 3 Directors voting Yes and 2 Director voting No.

## **FINANCIAL AND MANAGEMENT ITEMS:**

Review of Cash Position and Financial Statements: Mr. Schlegel presented the unaudited Financial Statements dated August 31, 2023, for the Board’s review.

Approval of Claims: Mr. Schlegel presented a list of Metropolitan District claims for consideration and payment. After review, Director Brickweg moved that the Board approve the September 2023 claims presented for payment totaling \$211,7444.09 represented by checks #6953 through #6969. Upon a second by Director Brickweg a vote was taken, and the motion carried unanimously.

## **OTHER BUSINESS:**

None

## **NEXT MEETING:**

**The Board’s next regular meeting will take place on Thursday – October 19, 2023, at 6:00 p.m.**

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## ADJOURNMENT

There being no further business to come before the Board, upon motion duly made, seconded, and unanimously carried, the meeting was adjourned at 8:38 p.m.

Respectfully Submitted:

*Kurt C. Schlegel*

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Secretary for the Meeting

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## Park Metropolitan District

Regular Meeting – September 14, 2023  
Motions and Action

Agenda Item #	Motion #	Motion Language	Passed (Y or N)
2	M2023-09-14_01	Director Brickweg moved that the Board approve the agenda as presented. Upon a second by Director Ostrowski a vote was taken, and the motion carried unanimously.	Y
3	M2023-09-14_02	Director Brickweg moved that the Board approve the Consent Agenda, consisting of the following items, as presented: <input type="checkbox"/> Minutes from the August 10, 2023, Regular Meeting <input type="checkbox"/> Ratification of Wire Funds Transfer from the District’s Colotrust account to Dove Creek Forestry in the amount of \$59,640.00 for SFA Grant – Phase II Work Upon a second by Director Hill a vote was taken, and the motion carried unanimously.	Y
6	M2023-09-14_03	Director Arthurs moved that the Board approve the removal of the dead trees on Tract 32 utilizing District funds in an amount to not exceed \$2,500 for said removal. The motion received a second from Director Hill. A vote was taken, and the motion failed with 1 Director voting Yes, 3 Directors voted No, and 1 Director abstained from the vote.	N
9-A	M2023-09-14_04	Director Brickweg moved that the Board approve the proposed agreement with MR Hauling for Slash Removal as presented, with Exhibits attached. Upon a second by Director Hill a vote was taken, and the motion carried with 4 Directors voting Yes and 1 voting No.	Y
10	M2023-09-14_05	Director Arthurs moved that the Board authorize and expenditure of up to \$600.00 to perform willow mitigation and clean-up of the Wauconda Park. Upon a second by Director Brickweg a vote was taken, and the motion carried unanimously.	Y
11	M2023-09-14_06	Director Ostrowski moved that the Board approve changing the Microsoft license agent from Alternetics.com to SIPA. Upon a second from Director Brickweg a vote was taken, and the motion carried unanimously.	Y

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13	M2023-09-14_08	Director Brickweg moved that the Board approve a survey of Filing No. 7, Tract A at a cost to not exceed \$500.00. Upon a second by Director Arthurs a vote was taken, and the motion carried with 4 Directors voting Yes and 1 voting No.	Y
16	M2023-09-14_09	Director Brickweg moved that the Board approve the quote received from Pioneer Fence Company in the amount of \$950.00. Upon a second by Director Arthurs a vote was taken, and the motion carried unanimously.	Y
17	M2023-09-14_10	Director Arthurs moved that the Board authorize a contribution in the amount of \$1,000.00 to reimburse MR Hauling for their time at the Junk Dump collection site. The Motion received a second from Director Brickweg. Following discussion, Director Hill moved that the Motion on the table be amended to authorize a contribution in the amount of \$500.00 to reimburse MR Hauling for their time at collection site. Upon a second by Director Arthurs a vote was taken, and the amended motion passed with 3 Directors voting Yes and 2 Director voting No.	Y
19	M2023-09-14_11	Director Brickweg moved that the Board approve the September 2023 claims presented for payment totaling \$211,7444.09 represented by checks #6953 through #6969. Upon a second by Director Brickweg a vote was taken, and the motion carried unanimously.	Y