



**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
MOUNTAIN VISTA METROPOLITAN DISTRICT
HELD SEPTEMBER 7, 2023, AT 10:00 AM**

Pursuant to posted notice, the regular meeting of the Board of Directors of the Mountain Vista Metropolitan District was held on Thursday, September 7, 2023, at 10:00 AM, at 8605 Explorer Dr, Colorado Springs, CO 80920 and virtually via video teleconference.

Attendance

In attendance were Directors:

Brian Bahr (Excused)
Craig Anderson
John Eliot
Richard Vorwaller

Also in attendance were:

Kevin Walker, WSDM
Rebecca Harris, WSDM
Rylee DeLong, WSDM
Pete Susemihl, Susemihl, McDermott & Downie, P.C.
Eric Stedman, Resident

1. Call to Order: Mr. Walker called the meeting to order at 10:06 a.m.
2. Declaration of Quorum/ Director Qualifications/ Disclosure Matters: Mr. Walker confirmed a quorum was present with President Bahr excused. Mr. Susemihl confirmed all Directors are qualified and disclosures have been filed.
3. Approval of Agenda: Director Vorwaller moved to approve the Agenda as presented; seconded by Director Eliot. Motion passed unanimously.
4. Review Letter of Interest to Fill Vacant Position and Consider Appointment: Mr. Walker introduced a letter of interest received from Eric Stedman to fill the vacant position on the Board of Directors. Mr. Stedman commented that he and his neighbors feel that their voices are not represented on the Board. His goal for joining would be better communication between the residents and the District. He would like to help provide a solution to concerns from the community regarding weeds.

Mr. Walker commented that one responsibility of a board member is to represent the District as a fiduciary. Board members have a fiduciary responsibility to the District. Mr. Walker noted that Mr. Stedman has a lien on his property for fees that have not been paid to the District and asked him if he could address that. Mr. Stedman commented that he does not pay the trash bill because he doesn't use the service and expressed that there are things in the Covenants he would like to see changed as they do not represent the residents. He commented that if the trash lien is the deal breaker, he can figure something out. Mr. Stedman said he does not feel that his unpaid trash billing should not be an issue with him representing the District. Director Eliot commented that it is important to

understand what the goals and mandates of the District are versus individual needs, and noted that the District serves a collective community. Director Eliot recommended the Board table this item until the lien issue is cleaned up. Mr. Stedman commented on the weeds in the community and compared it to him not paying his trash bill.

Director Anderson asked if Mr. Stedman has additional concerns other than the weeds. Mr. Stedman confirmed he has a long list of concerns that he has drafted with neighbors and would like to get resolved. Director Anderson asked why the issues could not be presented to the Board of Directors and District Management at this time. Mr. Stedman responded that he has brought his concerns, and his goal is to have a voice and a vote for the community. The Board discussed that they would like to get the conflict of the lien resolved and consider taking action at the next Board meeting. The Board discussed that the Covenants require the trash service fee be paid whether the service is used or not. Mr. Stedman commented that him paying his trash bill is not a requirement to serve on the Board, and the Covenants also require that public spaces have weeds removed and that is not being done. Director Anderson commented that residents cannot pick and choose which Covenants they would like to abide by. Director Eliot noted that when issues such as weeds are brought to the Board, the Board and District Manager takes action to correct the issue and comply with the Covenants.

Ms. Harris discussed the District's budget regarding weed control and landscaping costs. She noted the Board will discuss this during the 2024 budget process and will address the option of increasing the landscape and maintenance budget.

Director Eliot moved to table this item until the next meeting to get the outstanding issue resolved before taking an action. Director Eliot added that he is uncomfortable taking an action with this true conflict out there. Mr. Walker noted it is not a legal requirement to pay outstanding fees in order to join the Board, but existing Board members can exercise proper judgement and request additional time to review and consider filling the vacant position. Director Vorwaller seconded the motion. Motion passed unanimously.

5. Regular Business Items

- a. Approval of Board Meeting Minutes from the July 20, 2023 Special Meeting: Director Eliot moved to approve the July 20, 2023 Meeting Minutes; seconded by Director Vorwaller. Motion passed unanimously.
- b. Ratify approval of Payables through the Period ending August 22, 2023: Director Eliot moved to ratify approval of Payables through the period ending August 22, 2023; seconded by Director Anderson. Motion passed unanimously.
- c. Acceptance of Unaudited Financial Statements as of August 31, 2023 and the schedule of cash position updated as of August 31, 2023: Mr. Walker presented the Unaudited Financial Statements as of August 31, 2023. After review, Director Eliot moved to approve the Unaudited Financial Statements; seconded by Director Vorwaller. Motion passed unanimously.

6. Financial Matters:

- a. Discuss of 2023 Assessed Valuations: Mr. Walker outlined a substantial increase in the 2023 assessed valuations, which creates both opportunities and issues relative to budgeting for next year. Valuations are 20% higher than last year and very little is from new construction. The draft budget will be presented to the Board by October 15th. Mr. Walker discussed proposed legislation, Proposition HH which would include property tax breaks.

7. Management Matters

- a. Manager's Report: Mr. Walker presented the Manager's Report and discussed landscaping maintenance.

8. Public Comment: Mr. Stedman asked about the timeline on the pond and retaining wall repairs. Mr. Walker explained the pond is operating correctly and was not compromised. An engineer was engaged for the retaining wall and the repairs are currently in the bidding process and will be discussed further in item 9(a). Mr. Walker noted the region was declared a disaster area from the recent storms, and preliminary work has been done for the District regarding any potential reimbursements from the EPA or FEMA.
9. General Business:
 - a. Review and Consider Approval of Proposals for Retaining Wall Repairs: Mr. Walker presented three proposals for the retaining wall repairs. WSDM recommends selecting the bid from Hammers Construction based on the one-year warranty for workmanship. They have also done maintenance on the pond and are very familiar with the situation. After review, Director Eliot moved to move forward with the Hammers Construction proposal; seconded by Director Vorwaller. Motion passed unanimously.
 - b. Discuss Annual Townhall Meeting: Ms. Harris explained the new legislation that requires the District to hold an Annual Townhall Meeting for the community to provide information on the District's financials and answer questions. Ms. Harris recommended scheduling the meeting in November in conjunction with the Budget Hearing. Management is instructed to confirm availability with Brian Bahr and set a date in November.
10. Adjourn: There being no further business to come before the Board, Director Eliot moved to adjourn at 11:00 a.m.; seconded by Director Anderson. Motion passed unanimously.

Respectfully Submitted,

Craig Anderson

Craig Anderson (Oct 30, 2023 14:30 MDT)

Craig Anderson, Secretary







MVMD 2023 09 07 Minutes - approved

Final Audit Report

2023-10-30

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