

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
INDEPENDENCE OVERLAY METROPOLITAN DISTRICT,
HELD
December 11, 2023**

A Regular Meeting of the Board of Directors of the Independence Overlay Metropolitan District was held virtually on December 11, 2023, at 1:00 p.m. The meeting was open to the public.

ATTENDANCE:

In attendance were Directors:

Timothy Craft, President
Jim Yates, Secretary/Treasurer
Randy Roberts, Assistant Secretary
Kevin Haughn, Assistant Secretary

Director Guerard was not able to participate – excused absence.

Also, in attendance were:

Dianne Miller, Miller & Associates Law Offices, LLC
Kurt Schlegel, Special District Solutions, Inc.

CALL TO ORDER:

Ms. Miller stated that a quorum of the Board was present, and Director Craft called the meeting to order at 1:14 p.m.

**CONFLICTS &
DISCLOSURE
STATEMENTS:**

Ms. Miller stated that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors prior to this meeting and no new conflicts of interest were disclosed at the meeting.

APPROVAL OF AGENDA:

After review of the Agenda Director Yates moved that the Board approve the Agenda as presented. Upon a second by Director Roberts a vote was taken, and the motion carried unanimously.

CONSENT AGENDA:

Director Yates moved that the Boards approve the Consent Agenda consisting of the following item, as presented:

1. Approval of Minutes from the Special Meeting of August 9, 2023 (enclosure)

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2. Ratification of 2023 Agreement with Brightview Landscape Services for the Maintenance of District Common Areas.
 3. Ratification of 2023 Agreement with Front Range Recreation for the Maintenance and Management of the Community Center and Pool.
 4. Ratification of Payments made through November 30, 2023 represented by checks #1165 – 1193 totaling \$200,834,65
- Upon a second by Director Roberts a vote was taken, and the motion carried with three Directors voting in-favor and Director Haughn abstained from the vote.

CORRESPONDENCE: None

PUBLIC COMMENT: None

UNFINISHED BUSINESS: Exterior Lighting Standards: Director Haughn addressed the issue of residents installing “Jelly Lights” without architectural review or approval. A group of residents met to discuss the use of these types of lights. Some residents are opposed to the installation and use of these types of exterior lighting while some say certain restrictions should be enforced, such as time of use. Residents are opposed to these installations as “Safety Devices”, such as motion activated lighting. Director Yates suggested that staff develop language for review and consideration for the use of this type of exterior lighting. Mr. Schlegel stated that he will develop draft language and circulate to the Directors for their consideration.

Architectural Control Committee (ACC): Director Haughn stated that he believes the current Overlay District Board of Directors act as the ACC for the community. He stated that there is a significant number of residents that are interested in being appointed to an ACC. Director Yates asked Counsel if the District has the authority to establish an ACC. Ms. Miller concurred that the District’s Board of Directors may appoint an ACC, of at least three (3) individuals, made up of residents of the community. Director Haughn volunteered to communicate with the residents and request letters of interest on being appointed to an ACC. Director Yates stated that he believed this could be accomplished, but only for Filing No. 1 at this time and requested that staff develop a Resolution for the Board’s consideration for the

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appointment of an ACC for Filing No. 1. Ms. Miller will develop draft language for the Board's consideration at a later date.

Streets Sub-Committee: Director Haughn presented a report that was developed by this group of residents regarding the parking of vehicles on the streets during snow events, thereby preventing snow clearing crews from plowing snow for the streets in Independence. This group wishes to begin a dialogue with County officials and request that they consider adopting a "Snow Route" ordinance thereby enabling local law enforcement to tow vehicles from the streets if these vehicles are parked on the road and hinder the clearing of snow from these routes. It was suggested that residents attend a Board of County Commissioner's meeting or contact the Commissioners to initiate a request to consider a Snow Route ordinance. Director Yates suggested that Mr. Schlegel contact the Public Works Superintendent and request a meeting with the residents to discuss traffic and parking issues.

License Plate Camera Installation: Director Haughn stated that there is an interest in pursuing this type of installation and requested that the District's Board of Directors consider this.

NEW BUSINESS:

2024 District Budget: Mr. Schlegel stated that the required notice of the 2024 Budget Hearing was published in the Ranchland News. President Craft opened the Public Hearing on the proposed 2024 Operating Budget at 2:08 p.m.

Mr. Schlegel presented for the Board's review and consideration a proposed Operating Budget for the Independence Overlay Metropolitan District.

Mr. Caleb Scott inquired as to how the Design Review fees are collected and for what are these revenues are paid out.

President Craft closed the Public Hearing at 2:15 p.m.

Following discussion Director Yates moved that the Board approve and adopt the 2024 Budget Resolution, pending receipt of the final certification of assessed values; Appropriating Funding for Expenditures; and Approving the Certification of MILL Levy for 2024. Upon a second by Director Craft a vote was taken, and the motion carried unanimously.

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NEXT MEETING:

The Board members determined that a Special Meeting will be scheduled in January 2024 to review and discuss the agenda items that were not covered in today's meeting.

ADJOURNMENT:

There being no further business to come before the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 2:18 p.m.

Respectfully Submitted:

Kurt Schlegel

Secretary for the Meeting