



WILDGRASS AT ROCKRIMMON METROPOLITAN DISTRICT

Special Board Meeting

Thursday, November 16th, 2023, at 10:00 a.m.

Via Teleconference and at 614 N. Tejon St., Colorado Springs, CO 80903

Please join my meeting from your computer, tablet or smartphone.

<https://video.cloudoffice.avaya.com/join/080055705>

United States: +1 (213) 463-4500

Access Code: 080-055-705

Board of Director	Title	Term
Doug Conrath	President	May 2025
Karen Brandenburg	Treasurer	May 2025
Greg Mitchell	Secretary	May 2025
Aaron Filonowich	Assistant Secretary	May 2027
Vacant		May 2027

AGENDA

1. Call to Order/Declaration of Quorum
2. Conflict of Interest Disclosures
3. Approval of Agenda. Confirm location of meeting and posting of meeting notice.
4. Public Comment - Members of the public may express their views to the Board on matters that affect the Districts. Comments will be limited to three (3) minutes.
5. Review and consider approval of minutes from the June 8, 2023 regular board meeting. **(enclosure)**
6. Discuss business to be conducted in 2024 and location (virtual and/or physical) of meetings. Schedule regular meeting dates and consider adoption of Resolution Establishing Regular Meeting Dates, Time, and Location, and Designating Location for Posting of 24-Hour Notices **(enclosure)**.
7. Discuss and consider approval of engagement of WSDM, LLC for 2024 Management and Accounting Services **(enclosure)**.
8. Insurance Discussion
 - a. Cyber Security and Increased Crime Coverage.
 - b. Establish Insurance Committee to make final determinations regarding insurance, if necessary.
 - c. Authorize renewal of District’s insurance and Special District Association (SDA) membership for 2024.
9. Discuss District services for 2024 and consider approval of necessary service agreements

for related services (e.g., landscaping)

10. Financial Matters

- a. Review Unaudited Financial Statements as of October 31, 2023 (**under separate cover**).
- b. Conduct Public Hearing to consider amendment of the 2023 Budget. If necessary, consider adoption of Resolution to Amend the 2023 Budget.
- c. Conduct Public Hearing on the proposed 2024 Budget and consider adoption of Resolution to Adopt the 2024 Budget and Appropriate Sums of Money and Resolution to Set Mill Levies (**enclosures**).
- d. Discuss and consider adoption of Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan.
- e. Discuss and consider adoption of Resolution Amending Imposition of District Fees (**enclosure**).
- f. Authorize District Accountant to prepare and sign the DLG-70 Certification of Tax Levies form (“Certification”), and direct District Accountant to file the Certification with the Board of County Commissioners and other interested parties.
- g. Consider appointment of District Accountant to prepare 2025 Budget.
- h. Discuss statutory and bond requirements for an audit. Consider appointment of District Accountant to prepare Application for Exemption from Audit for 2023 - OR- Authorize District Manager to obtain proposals to perform the 2023 Audit.

11. Legal Matters

- a. Discuss requirements of Section 32-1-809, C.R.S., and direct staff regarding compliance for 2024 (District Transparency Notice).
- b. Rescind approval of First Amendment to Resolution No. 2015-11-14 Regarding Colorado Open Records Act Requests Discuss and consider adoption of Resolution Amending Policy on Colorado Open Records Act Requests (**enclosure**).

12. New Business

13. Other Business

14. Adjourn

There are no more regular meetings scheduled for 2023.



**MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
WILDGRASS AT ROCKRIMMON METROPOLITAN DISTRICT
HELD JUNE 8, 2023, AT 10:00 AM**

Pursuant to posted notice, the regular meeting of the Board of Directors (the “Board”) of the Wildgrass at Rockrimmon Metropolitan District (the “District”) was held on Thursday, June 8, 2023, at 10:00 AM, at 614 North Tejon St., Colorado Springs, Colorado 80903, and via electronic means and telephone conference call.

Attendance:

In attendance were Directors:

Doug Conrath, President
Karen Brandenburg, Treasurer
Greg Mitchell, Secretary
Aaron Filonowich, Assistant Secretary

Also in attendance were:

Adam Noel and Sue Gonzales; WSDM, LLC
Suzanne Meintzer, Esq.; McGeady Becher P.C.

1. **Call to Order/Declaration of Quorum:** President Conrath called the meeting to order and confirmed the presence of a quorum.
2. **Conflict of Interest Disclosures:** The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty 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. No disclosures were made.
3. **Agenda / Meeting Location and Posting of Notice / 24-Hour Posting Location:** Following discussion, upon motion duly made by Director Conrath, seconded by Director Mitchell and, upon motion unanimously carried, the Board approved the Agenda.

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. Following discussion, and upon motion duly made by Director Conrath, seconded by Director Mitchell, and upon vote unanimously carried, the Board determined to hold this District Board meeting at the address stated above and via video/teleconference and encouraged public participation. The Board noted that notice of this meeting and video/teleconference meeting information was duly posted and the Board had not received any objections to the meeting location or any requests that the meeting be changed by taxpaying electors within the District’s boundaries.

Following discussion, upon motion duly made by Director Conrath, seconded by Director Mitchell, and upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted on the

District website as least 24 hours prior to each meeting at <https://wildgrass-rockrimmonmd.colorado.gov/>.

4. **Public Comment:** There was no public comment.
5. **Results of May 2, 2023 Directors' election:** It was noted that the May 3, 2022 Regular Director Election was cancelled as allowed by statute, as there were not more candidates than Board positions available. Director Filonowich was elected by acclamation to a 4-year term expiring on May 4, 2027.
6. **Appointment of Officers:** Following discussion, upon motion duly made by Director Conrath, seconded by Director Brandenburg, and upon vote unanimously carried, the following slate of officers were appointed for the District:

President:	Doug Conrath
Secretary:	Greg Mitchell
Treasurer:	Karen Brandenburg
Assistant Secretary:	Aaron Filonowich

7. **Meeting Minutes from November 17, 2022:** The Board reviewed the Minutes of the November 17, 2022 Special Meeting. Following review and discussion, upon motion duly made by Director Conrath, seconded by Director Filonowich, and upon vote unanimously carried, the Board approved the Minutes.
8. **Legal Matters:**
 - a. **First Amendment to Resolution No. 2015-11-14 Wildgrass at Rockrimmon Metropolitan District Regarding Colorado Open Records Act Requests:** Attorney Meintzer discussed the need to amend the previous resolution to update the official records custodian to WSDM. Following discussion, upon motion duly made by Director Mitchell, seconded by Director Brandenburg and, upon vote unanimously carried, the Board adopted the First Amendment to Resolution No. 2015-11-14, subject to revisions as discussed.
 - b. **Resolution Adopting the Amended Policies and Procedures Governing the Enforcement of the Protective Covenants of Wildgrass:** Attorney Meintzer discussed that the originally adopted Policies and Procedures needed minor updates to reflect the distinction between general counsel and covenant enforcement counsel. Following discussion, upon motion duly made by Director Conrath, seconded by Director Mitchell and, upon vote unanimously carried, the Board adopted the Resolution Adopting the Amended Policies and Procedures Governing the Enforcement of the Protective Covenants of Wildgrass.

9. Financial Matters:

- a. Unaudited Financial Statements as of April 30, 2023: Mr. Noel reviewed the unaudited financial statements for the period ending April 30, 2023 with the Board. It was noted that the Bond account is used to cover the debt service payments, and that with the increase in assessed valuation, there is a potential for the mill levy to be lowered in the future. Upon motion duly made by Director Mitchell, seconded by Director Brandenburg and, upon vote unanimously carried, the Board approved the April 30, 2023 unaudited financial statements.

10. New Business:

- a. Elevate Landscapes, Inc. d/b/a Elevate Landscapes 2023 Contract: The Board ratified the Elevate Landscapes 2023 Contract in the amount of \$12,587.12.
- b. Landscaping Review Procedure: Mr. Noel discussed issues that the landscapers have found with the irrigation system for the common area landscaping, noting that the landscapers are replacing the transformer for the irrigation clock. The Board discussed increasing problems in the District with homeowners and residents not properly taking care of their front yards as is required by the Covenants. Mr. Noel stated that WSDM, LLC is sending violation letters according to the approved process and requested that any questions on the status of the violations be directed to WSDM, LLC.

Director Brandenburg discussed with the Board that the weed control of the common area next to her home is a continuing problem, as it has been for a few years. Mr. Noel noted that management and a few Board members walked the common area with the landscapers and set clear expectations that the area is to be addressed. It was noted that, in general, landscapers do not pull weeds, but rather spray for pre-emergent/post-emergent weed control, depending on and according to the terms of their contract.

- c. District Landscaping Improvements: The Board discussed the previously-approved \$3,000 to be used for landscape improvements and how amount should be used. President Conrath recommended that Directors Brandenburg and Mitchell, as the two members of the landscaping committee, meet to discuss these options and create a plan for using these funds. Director Mitchell expressed concern regarding several dead trees in the front yards of homeowners and stated that he will send the list of properties with dead trees to Mr. Noel to confirm violation notices are being sent.

11. Adjourn

There being no further business to come before the Board at this time, the Board adjourned the meeting.

Respectfully Submitted,
WSDM District Managers

By: Recording Secretary



DRESOLUTION NO. 2023-11-_____

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE WILDGRASS AT ROCKRIMMON METROPOLITAN DISTRICT
ESTABLISHING REGULAR MEETING DATES, TIME, AND LOCATION, AND
DESIGNATING LOCATION FOR POSTING OF 24-HOUR NOTICES**

A. Pursuant to Section 32-1-903(1.5), C.R.S., special districts are required to designate a schedule for regular meetings, indicating the dates, time and location of said meetings.

B. Pursuant to Section 32-1-903(5), C.R.S., “location” means the physical, telephonic, electronic, or virtual place, or a combination of such means where a meeting can be attended. “Meeting” has the same meaning as set forth in Section 24-6-402(1)(b), C.R.S., and means any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication.

C. Pursuant to Section 24-6-402(2)(c)(I), C.R.S., special districts are required to designate annually at the board of directors of the district’s first regular meeting of each calendar year, the public place at which notice of the date, time and location of regular and special meetings (“**Notice of Meeting**”) will be physically posted at least 24 hours prior to each meeting (“**Designated Public Place**”). A special district is deemed to have given full and timely notice of a regular or special meeting if it posts its Notice of Meeting at the Designated Public Place at least 24 hours prior to the meeting.

D. Pursuant to Section 24-6-402(2)(c)(III), C.R.S., special districts are relieved of the requirement to post the Notice of Meeting at the Designated Public Place, and are deemed to have given full and timely notice of a public meeting if a special district posts the Notice of Meeting online on a public website of the special district (“**District Website**”) at least 24 hours prior to each regular and special meeting.

E. Pursuant to Section 24-6-402(2)(c)(III), C.R.S., if a special district is unable to post a Notice of Meeting on the District Website at least 24 hours prior to the meeting due to exigent or emergency circumstances, then it must physically post the Notice of Meeting at the Designated Public Place at least 24 hours prior to the meeting.

F. Pursuant to Section 32-1-903(1.5), C.R.S., all meetings of the board that are held solely at physical locations must be held at physical locations that are within the boundaries of the district or that are within the boundaries of any county in which the district is located, in whole or in part, or in any county so long as the physical location does not exceed twenty (20) miles from the district boundaries unless such provision is waived.

G. The provisions of Section 32-1-903(1.5), C.R.S., may be waived if: (1) the proposed change of the physical location of a meeting of the board appears on the agenda of a meeting; and (2) a resolution is adopted by the board stating the reason for which meetings of the board are to be held in a physical location other than under Section 32-1-903(1.5), C.R.S., and further stating the date, time and physical location of such meeting.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Wildgrass at Rockrimmon Metropolitan District (the “**District**”), El Paso County, Colorado:

1. That the provisions of Section 32-1-903(1.5), C.R.S., be waived pursuant to the adoption of this Resolution.

2. That the Board of Directors (the “**District Board**”) has determined that conducting meetings at a physical location pursuant to Section 32-1-903(1.5), C.R.S., would be inconvenient and costly for the directors and consultants of the District in that they live and/or work outside of the twenty (20) mile radius requirement.

3. That regular meetings of the District Board for the year 2024 shall be held on _____ at _____, at _____ [indicate physical location and/or virtual location (telephonically, electronically, or by other means)].

4. That special meetings of the District Board shall be held as often as the needs of the District require, upon notice to each director.

5. That, until circumstances change, and a future resolution of the District Board so designates, the physical location and/or method or procedure for attending meetings of the District Board virtually (including the conference number or link) shall appear on the agenda(s) of said meetings.

6. That the residents and taxpaying electors of the District shall be given an opportunity to object to the meeting(s) physical location(s), and any such objections shall be considered by the District Board in setting future meetings.

7. That the District has established the following District Website, <https://wildgrass-rockrimmonmd.colorado.gov/>, and the Notice of Meeting of the District Board shall be posted on the District Website at least 24 hours prior to meetings pursuant to Section 24-6-402(2)(c)(III), C.R.S. and Section 32-1-903(2), C.R.S.

8. That, if the District is unable to post the Notice of Meeting on the District Website at least 24 hours prior to each meeting due to exigent or emergency circumstances, the Notice of Meeting shall be posted within the boundaries of the District at least 24 hours prior to each meeting, pursuant to Section 24-6-402(2)(c)(I) and (III), C.R.S., at the following Designated Public Place:

(a) The mailbox cluster on Wildgrass way near the open space

9. The District Manager, or his/her designee, is hereby appointed to post the above-referenced notices.

[SIGNATURE PAGE FOLLOWS]

**[SIGNATURE PAGE TO RESOLUTION ESTABLISHING REGULAR MEETING
DATES, TIME, AND LOCATION, AND DESIGNATING LOCATION FOR 24-HOUR
NOTICES]**

RESOLUTION APPROVED AND ADOPTED on November 16, 2023.

**WILDGRASS AT ROCKRIMMON
METROPOLITAN DISTRICT**

By: _____
President

Attest:

Secretary





RE: 2024 Annual Engagement Letter

This agreement constitutes a Statement of Work (“SOW”) to the Original Service Agreement made by and between WSDM – District Managers and **WILDGRASS AT ROCKRIMMON METROPOLITAN DISTRICT** (“the District”). This engagement letters serves as a renewal to the service provided or additional service to be provided as prescribed below.

Management Services

1. Meeting and Reporting Services – WSDM will continue to provide the following services:
 - a. Coordinate Board meetings, prepare and distribute meeting agenda. Preparation, filing and posting of legal notices required in conjunction with the meeting.
 - b. Ensure meeting notices are properly and timely posted.
 - c. Contact Board members 72 hours prior to a scheduled meeting to ensure a quorum will be present. In the event of a cancelation of a meeting, contact and advise all parties of the cancelation and any changes to the meeting date, time and place, if available.
 - d. Meeting packets will be distributed by U.S. Mail and/or email, as determined by the Board
 - e. Prepare for and attend regular and special meetings of the Board.
 - f. Draft, revise and finalize the minutes of the meeting and circulate for review and comment to ensure all statutory requirements have been met.
 - g. Prepare and maintain a record of all Board members, consultants and vendors. Direct and oversee all service providers, consultants and employees.
 - h. Prepare and make annual compliance filings (but not judicial filings) with the various State and County officials, as required. Coordinate review and approval of annual compliance filings with the attorney.
 - i. Respond to inquiries made by various officials, property owners or consultants in a timely and professional manner.
 - j. Set up and maintain the official records of the District and service as official custodian for same pursuant to the Colorado Open Records Act.
 - k. Monitor requirements pertaining to HB 1343 (Illegal Aliens).
 - l. Insurance administration, including evaluating risks, comparing coverage, process claims, completing applications, monitoring expiration dates, processing routine written and telephone correspondence. Ensure that all District contractors and subcontractors maintain required coverage for the District's benefit. Obtain quotes for insurance annually.

2. Elections – Service as a Designated Election Official (DEO) for district elections with familiarity with various laws, including, but not limited to the Special District Act, the Colorado Local Government Election Code, the Uniform Election Code of 1992, to the extent not in conflict with the Colorado Local Government Election Code, and Article X, § 20 of the Colorado Constitution ("TABOR")
3. Construction Oversight – we may provide extensive construction management. Our current experience principals have funded and managed over \$100,000,000 in public infrastructure including roads, water, wastewater, electric, gas, telecommunications, and stormwater facilities.
4. Website Administration – continue extensive experience with creating and updating the District websites, specifically including the State Internet Portal Authority funded sites (SIPA). Or continue hosting the district website under www.wsdistricts.co.
5. Employee management – management of full or part time employees including Operators in Responsible Control (ORC), field and operations employees, administrative employees, part time seasonal employees, Certified Pool Operators, etc. Maintain compliance with Human Resource aspects like; labor statutes, insurance, training, safety, etc. issues. Also, automated payroll services
6. Covenant enforcement and CCR Management – WSDM will continue to provide the following services:
 - a. Management of Architectural Control Committees or Design Review Committees, including, but not limited to, coordination of meetings and preparation of meetings.
 - b. Community inspections and review of proposed improvements or architectural requests.
 - c. Provide enforcement of the recorded CCRs (Covenant, Conditions, and Restrictions) and Design Guidelines including, but not limited to, violation tracking and imposition of fines.
7. Insurance – WSDM will continue to be the liaison for the annual insurance renewal and payment, as well coordination for any insurance claims, as needed, and complete the annual insurance audit to ensure the district is properly covered.
8. Inclusion/ Exclusions of Property – WSDM will provide, assistance with Legal Counsel, to coordinate any property inclusions into the District Boundaries or any property exclusions out of the District Boundaries. Determine property eligibility, present to the Board for approval, and file with proper local governing body.

Accounting and bookkeeping

1. Standard Service – WSDM will continue to provide the following services (with a Certified Public Accountant):
 - a. Accounting:
 - i. Prepare monthly, quarterly, and annual financial statements for the monthly meeting packets.
 - ii. Reconcile bank statements and trustee statements on a monthly basis.

- iii. Coordinate bank account setup and maintenance of signature cards.
 - iv. Prepare and file Continuing Disclosure Notices with the Trustee and other required parties. Coordinate review with legal counsel.
 - v. Coordinate capital project draws and requisitions.
 - vi. Prepare and review all payments of claims prior to release to ensure funds are available.
 - vii. Monthly review of all expenditures and coordinate preparation and distribution of same with the manager for the District to monitor the district is on track with the budget and appropriated expenditures.
- b. Accounts Payable:
- i. Receive and review invoices for accuracy and appropriateness for payment. Code the invoices in accordance with the budgeted line item.
 - ii. Prepare issuance of checks (or virtual checks) to be presented to the Board for approval and signatures. The claims (Payables) list will be included in the monthly meeting packets.
 - iii. Prepare funding requests, if required.
 - iv. Release checks to vendors when all approvals and funding have been received.
- c. Accounts Receivable:
- i. Process deposit of revenues
 - ii. Process bank charges and other miscellaneous accounts receivable matters.
- d. Financial Projections:
- i. Provide multi-year forecasting on Board request
 - ii. Provide a Utility consumption versus rate analysis, and possible water loss calculations
 - iii. Provide commercial billing and rate structure analysis.
- e. Budgets:
- i. Prepare annual budget and budget message for approval by the Board and coordinate with legal counsel for same.
 - ii. Prepare or assist in the preparation of supplemental and/or amended budgets and accompanying documents, if required.
 - iii. Prepare and assist in the compliance of filing the annual Budget, or amendment, as needed.
- f. Audits:
- i. Obtain proposals for conducting the annual audit for consideration at budget hearing meeting. Proposals should be included in the meeting packet.
 - ii. Coordinate and participate in audit bids, engagements, fieldwork and audit draft review.
 - iii. Assist the auditor in performing the annual audit, to accomplish timely completion and filing by statutory deadline.
 - iv. Help present the Annual Audit for approval by the Board to be file din compliance with State, local, and federal requirements.
- g. Bonds:
- i. Monitor and comply with Bond documents, State Statute, and Auditing requirements
 - ii. Transfer debt obligated funds to correct Reserve Funding accounts as applicable

- iii. Coordinate principal and interest payments as required by the governing documents.
- iv. Coordinate with Bond counsel to issue bonds as directed by the Board of Directors
- v. Coordinate the proper compliance filing including but not limited to the DLG-30, etc.
- h. Developer Reimbursements/ Advances:
 - i. Coordinate with Developers to ensure all advances are received, tracked, or accounted for to fund the district as needed.
 - ii. Monitor and comply with Developer Reimbursement agreements and Auditing requirements
 - iii. Coordinate principal and interest payments required by the Reimbursement agreement

Billing and Collections

1. Standard Services—WSDM will continue to utilize the Continental Utility Solutions, Inc. (CUSI) billing software system for the residents, BILL billing software, or QuickBooks billing software—as seen applicable.
 - a. CUSI system is compatible with the Automatic Meter Reading (AMR), Badger Beacon systems as well as state of the art integration with direct payment options (Customer Web Portals, ACH, and Credit Card).
2. Additional Standard Services will include:
 - a. Provide resolution of re-reads for meter reads, if necessary.
 - b. Customize billing system to download meter readings directly into accounting software to allow for automatic updates to customer accounts.
 - c. Produce and transmit customer invoices to a mailing facility or perform the mailing in house, whichever is more economical.
 - d. Process and make daily deposits of all receipts mailed directly to the billing company, as necessary.
 - e. Communicate with customers and transmit Automated Clearing House ("ACH") authorization forms allowing the District to initiate an ACH withdrawal of the customer bill directly from their checking or savings account. Initiate ACH batches using dual controls.
 - f. Coordinate and provide correspondence regarding terminations, delinquencies, payment plans and shut-off notices in compliance with the District's collection policies and in coordination with the District's legal counsel.
 - g. Process payoff requests from title company for closings and set up new ownership information.
 - h. Collect transfer fee due upon the transfer of and account or property.
 - i. Process payment arrangements for customers facing economic hardship at the direction of the Board.
 - j. Process and transmit delinquent notices.
 - k. Process shutoff notices and direct the District's operator to proceed with shutoff.

- l. Certify delinquent accounts with the County, as applicable, in coordination with the District's legal counsel.
- m. Coordinate processing of statements of liens with the District's legal counsel, and release of liens as account are paid current.
- n. Respond to customer calls and inquiries in a timely and professional manner.
- o. Track tap fee payments and coordinate with the Water Operator to provide installation of a new Tap for water utility.

Customer Service

1. WSDM will continue to provide customer service support by phone, email, social media, and text messaging, and fax to help all customers with their inquiries, questions, or request for information.
2. WSDM will continue to provide access to a 24-hour emergency number at 719-447-4840.
3. WSDM will continue to collaborate with security teams and monitor any security camera's as needed.
4. All customer inquiries will have a response to them within 1 hour during regular business hours or immediately the following business day, if not an emergency.

Hourly Rates

WSDM will continue to provide all applicable services as listed to the District at a monthly cost or not to exceed contractual monthly limit of **\$2,500 / month.**

Principal	\$225.00
Senior Manager	\$180.00
Senior Accountant (CPA)	\$190.00
Assistant Manager	\$150.00
Bookkeeper	\$ 75.00
Administrative/ Supporting Staff	\$ 50.00

- *Signature Page to Follow* -

Thank you,



Kevin Walker,
President of WSDM

APPROVED AS SIGNED:

Signature

Title

Date



RESOLUTION NO. 2023-11-____

**RESOLUTION TO ADOPT BUDGET AND APPROPRIATE SUMS OF MONEY
RESOLUTION OF THE BOARD OF DIRECTORS OF WILDGRASS AT
ROCKRIMMON METROPOLITAN DISTRICT, EL PASO COUNTY, COLORADO,
PURSUANT TO SECTION 29-1-108, C.R.S., SUMMARIZING EXPENDITURES AND
REVENUES FOR EACH FUND, ADOPTING A BUDGET AND APPROPRIATING
SUMS OF MONEY FOR THE BUDGET YEAR 2024**

A. The Board of Directors of Wildgrass at Rockrimmon Metropolitan District (the “**District**”) has appointed Walker Schooler District Managers to prepare and submit a proposed budget to said governing body at the proper time.

B. Walker Schooler District Managers has submitted a proposed budget to this governing body for its consideration.

C. Upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 16, 2023, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget.

D. The budget has been prepared to comply with all terms, limitations and exemptions, including, but not limited to, reserve transfers and expenditure exemptions, under Article X, Section 20 of the Colorado Constitution (“**TABOR**”) and other laws or obligations which are applicable to or binding upon the District.

E. Whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

F. The Board of Directors has made provision therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget.

G. It is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, thereby establishing a limitation on expenditures for the operations of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF WILDGRASS AT ROCKRIMMON METROPOLITAN DISTRICT, EL PASO COUNTY, COLORADO:

1. The budget, as submitted, amended, and summarized by fund, is hereby approved and adopted as the budget of the District for the year stated above.

2. The budget is hereby approved and adopted, shall be certified by the Secretary of the District to all appropriate agencies and is made a part of the public records of the District.

3. The sums set forth as the total expenditures of each fund in the budget attached hereto as **Exhibit A** and incorporated herein by reference are hereby appropriated from the revenues of each fund, within each fund, for the purposes stated.

[SIGNATURE PAGE FOLLOWS]

**[SIGNATURE PAGE TO RESOLUTION TO ADOPT
BUDGET AND APPROPRIATE SUMS OF MONEY]**

RESOLUTION APPROVED AND ADOPTED on November 16, 2023.

**WILDGRASS AT ROCKRIMMON
METROPOLITAN DISTRICT**

By: _____
President

Attest:

By: _____
Secretary

EXHIBIT A

Budget

I, _____, hereby certify that I am the duly appointed Secretary of the Wildgrass at Rockrimmon Metropolitan District, and that the foregoing is a true and correct copy of the budget for the budget year 2024, duly adopted at a meeting of the Board of Directors of the Wildgrass at Rockrimmon Metropolitan District held on November 16, 2023.

Secretary

**WILDGRASS AT ROCKRIMMON METROPOLITAN DISTRICT
2023 AMENDED AND 2024 BUDGET
GENERAL FUND**

	2022 ACTUAL	2023 ACTUAL 9/27/2023	2023 PROJECTED	2023 BUDGET	2024 BUDGET
GENERAL FUND BEGINNING BALANCE	\$ 4,688	\$ 8,514	\$ 8,514	\$ 16,520	\$ 57,854
REVENUES					
PROPERTY TAXES - O&M	\$ 24,136	\$ 24,373	\$ 24,373	\$ 24,373	\$ 33,158
SPECIFIC OWNERSHIP TAXES - O&M	\$ 2,510	\$ 1,435	\$ 1,435	\$ 1,706	\$ 2,321
DELINQUENT INTEREST	\$ 33	\$ 3	\$ 3	\$ -	\$ -
DEVELOPER ADVANCE	\$ 24,662	\$ -	\$ -	\$ -	\$ -
DISTRICT SERVICE FEES	\$ 100,174	\$ 90,481	\$ 118,560	\$ 118,560	\$ 91,200
LATE FEES/PENALTIES	\$ 450	\$ -	\$ -	\$ 1,000	\$ -
INTEREST INCOME	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL REVENUES	\$ 151,965	\$ 116,292	\$ 144,371	\$ 145,639	\$ 126,679
TOTAL REVENUES AND FUND BALANCE	\$ 156,653	\$ 124,806	\$ 152,885	\$ 162,159	\$ 184,532
EXPENDITURES					
GENERAL AND ADMINISTRATIVE					
DISTRICT MANAGEMENT/ACCOUNTING	\$ 38,827	\$ 11,308	\$ 36,000	\$ 36,000	\$ 30,000
AUDIT	\$ 7,935	\$ -	\$ -	\$ -	\$ -
BANK FEES	\$ 32	\$ 61	\$ 61	\$ -	\$ -
LEGAL	\$ 44,493	\$ 10,520	\$ 12,000	\$ 31,000	\$ 15,000
COVENANT ENFORCEMENT	\$ 69	\$ -	\$ -	\$ 1,500	\$ -
COUNTY TREASURERS FEE	\$ 362	\$ 656	\$ 656	\$ 366	\$ 497
DUES - SDA	\$ 377	\$ 477	\$ 477	\$ 400	\$ 500
INSURANCE	\$ 3,067	\$ 886	\$ 886	\$ 3,000	\$ 3,000
MISCELLANEOUS	\$ 2,113	\$ -	\$ -	\$ -	\$ -
POSTAGE	\$ 613	\$ 1,048	\$ 1,048	\$ 516	\$ 750
ELECTION	\$ 4,973	\$ 374	\$ 374	\$ 3,500	\$ -
CLA SETTLEMENT	\$ 250	\$ 2,500	\$ 3,000	\$ 3,000	\$ 3,000
CONTINGENCY	\$ -	\$ -	\$ -	\$ 2,500	\$ -
OPERATIONS AND MAINTENANCE					
REPAIRS & MAINTENANCE	\$ 800	\$ 226	\$ 226	\$ 5,456	\$ 5,000
LANDSCAPING	\$ 8,688	\$ 14,289	\$ 14,289	\$ 12,000	\$ 17,000
SNOW REMOVAL	\$ -	\$ 397	\$ 2,000	\$ 4,000	\$ 4,000
STORM WATER	\$ 116	\$ 414	\$ 414	\$ -	\$ -
UTILITIES	\$ 1,011	\$ 417	\$ 600	\$ 750	\$ 750
WATER/SEWER	\$ 13,307	\$ 4,367	\$ 7,000	\$ 16,000	\$ 10,000
TRASH COLLECTION	\$ 17,106	\$ 11,986	\$ 16,000	\$ 16,000	\$ 16,000
TOTAL EXPENDITURES	\$ 144,139	\$ 59,926	\$ 95,031	\$ 135,988	\$ 105,497
TRANSFER TO DEBT SERVICE FUND	\$ (4,000)			\$ -	\$ -
ENDING FUND BALANCE	\$ 8,514	\$ 64,880	\$ 57,854	\$ 26,172	\$ 79,035
EMERGENCY RESERVE: State Required 3%	\$ 4,324	\$ 1,798	\$ 2,851	\$ 4,080	\$ 3,165
ASSESSED VALUATION	\$ 2,168,170	\$ 2,129,980	\$ 2,129,980	\$ 2,129,980	\$ 2,897,630
MILL LEVY	11.132	11.443	11.443	11.443	11.443

DRAFT

**WILDGRASS AT ROCKRIMMON METROPOLITAN DISTRICT
2023 AMENDED AND 2024 BUDGET
DEBT SERVICE FUND**

	2022 AMENDED	2023 AMENDED	2023 PROJECTED	2023 BUDGET	2024 BUDGET
DEBT FUND BEGINNING BALANCE	\$ 135,483	\$ 157,036	\$ 157,036	\$ 153,036	\$ 209,878
REVENUES					
PROPERTY TAXES	\$ 72,413	\$ 73,122	\$ 73,122	\$ 73,122	\$ 99,476
SPECIFIC OWNERSHIP TAXES	\$ 7,529	\$ 4,304	\$ 4,304	\$ 5,119	\$ 6,963
DELINQUENT INTEREST	\$ 98	\$ 9	\$ 9	\$ -	\$ -
INTEREST INCOME	\$ 1,602	\$ 4,464	\$ 4,464	\$ 300	\$ -
TOTAL REVENUES	\$ 81,642	\$ 81,899	\$ 81,899	\$ 78,541	\$ 106,439
TOTAL REVENUES AND FUND BALANCE	\$ 217,124	\$ 238,935	\$ 238,935	\$ 231,577	\$ 316,317
EXPENDITURES					
COUNTY TREASURER'S FEE	\$ 1,088	\$ 807	\$ 807	\$ 1,097	\$ 1,492
PAYING AGENT FEE	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000
CONTINGENCY	\$ -	\$ -	\$ -	\$ -	\$ -
BOND PRINCIPAL	\$ 10,000	\$ -	\$ 10,000	\$ 10,000	\$ 10,000
BOND INTEREST	\$ 49,000	\$ 24,250	\$ 48,500	\$ 48,500	\$ 48,000
TOTAL EXPENDITURES	\$ 64,088	\$ 29,057	\$ 63,307	\$ 63,597	\$ 63,492
TRANSFER FROM GENERAL FUND	\$ 4,000				
ENDING FUND BALANCE	\$ 157,036	\$ 209,878	\$ 175,628	\$ 167,980	\$ 252,825
ASSESSED VALUATION	\$ 2,168,170	\$ 2,129,980	\$ 2,129,980	\$ 2,129,980	\$ 2,897,630
MILL LEVY	33.398	34.330	34.330	34.330	34.330

DRAFT



RESOLUTION NO. 2023-11-_____

RESOLUTION TO SET MILL LEVIES

RESOLUTION OF THE WILDGRASS AT ROCKRIMMON METROPOLITAN DISTRICT LEVYING GENERAL PROPERTY TAXES, PURSUANT TO SECTION 39-1-111, C.R.S., FOR THE YEAR 2023, TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE 2024 BUDGET YEAR

A. The Board of Directors of the Wildgrass at Rockrimmon Metropolitan District (the “**District**”) has adopted an annual budget in accordance with the Local Government Budget Law, on November 16, 2023.

B. The adopted budget is attached as Exhibit A to the Resolution of the Board of Directors of the District to Adopt Budget and Appropriate Sums of Money, and such budget is incorporated herein by this reference.

C. The amount of money necessary to balance the budget for general operating/general fund expenses from property tax revenue is identified in the budget.

D. The amount of money necessary to balance the budget for debt retirement/debt service fund expenses from property tax revenue is identified in the budget.

NOW, THEREFORE, PURSUANT TO SECTIONS 39-1-111(5) and 39-5-128(1), C.R.S., BE IT RESOLVED by the Board of Directors of the Wildgrass at Rockrimmon Metropolitan District, El Paso County, Colorado, that:

1. For the purpose of meeting all general operating expenses of the District during the 2024 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

2. That for the purpose of meeting all debt retirement expenses of the District during the 2024 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

3. That for the purpose of meeting all contractual obligation expenses of the District during the 2024 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

4. That the Secretary is hereby authorized and directed to immediately certify to the Board of County Commissioners of El Paso County, Colorado, the mill levies for the District as set forth in the District’s Certification of Mill Levies, attached hereto as **Exhibit 1** and incorporated herein by reference, recalculated as needed upon receipt of the final certification of valuation from the County Assessor in order to comply with any applicable revenue and other budgetary limits.

[SIGNATURE PAGE FOLLOWS]

[SIGNATURE PAGE OF RESOLUTION TO SET MILL LEVIES]

RESOLUTION APPROVED AND ADOPTED on November 16, 2023.

**WILDGRASS AT ROCKRIMMON
METROPOLITAN DISTRICT**

By: _____
President

Attest:

By: _____
Secretary

EXHIBIT 1

Certification of Tax Levies

I, _____, hereby certify that I am the duly appointed Secretary of the Wildgrass at Rockrimmon Metropolitan District, and that the foregoing is a true and correct copy of the Certification of Mill Levies for the budget year 2023, duly adopted at a meeting of the Board of Directors of the Wildgrass at Rockrimmon Metropolitan District held on November 16, 2023.

Secretary



When recorded return to:
McGeady Becher P.C.
450 E. 17th Avenue, Suite 400
Denver, CO 80203

RESOLUTION NO. 2023-11-_____
**RESOLUTION OF THE BOARD OF DIRECTORS OF WILDGRASS AT
ROCKRIMMON METROPOLITAN DISTRICT FURTHER AMENDING AND
RESTATING THE IMPOSITION OF DISTRICT FEES**

A. Wildgrass at Rockrimmon Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado located in the City of Colorado Springs (the “**City**”), County of El Paso, Colorado.

B. The District was organized pursuant to its Amended and Restated Service Plan approved by the City on May 22, 2018, as it may be amended from time to time (the “**Service Plan**”).

C. The District’s boundaries are described in the legal description attached hereto as **Exhibit A**, which legal description may be amended from time to time, pursuant to the inclusion and/or exclusion of property into or from the District (the “**Property**”).

D. Century at Wildgrass, LLC, a Colorado limited liability company (the “**Developer**”), caused the Covenants and Restrictions of Wildgrass to be recorded in the real property records of El Paso County on May 25, 2018, at Reception No. 218059535 as the same may be amended and/or modified from time to time (the “**Covenants**”) and applicable to the Property.

E. The Covenants provide the District with the authority to enforce each of the provisions provided therein.

F. The District, pursuant to the Covenants and the Service Plan, is authorized to furnish covenant enforcement and design review services and is authorized and responsible for the ownership, operation, maintenance and construction of facilities to benefit the Property (the “**District Improvements**”).

G. The Board of Directors of the District (the “**Board**”) previously determined that the Property would benefit from the District furnishing covenant enforcement and design review services.

H. The Board further determined that the District would benefit from the District Improvements and the District’s operation and maintenance of the same.

I. The District is authorized pursuant to Section 32-1-1001(1)(j), C.R.S., and its Service Plan to fix and impose fees, rates, tolls, charges and penalties for services, programs, or

facilities provided by the District, which, until paid, shall constitute a perpetual lien on and against all property served.

J. The District is providing a service by operating and maintaining the District Improvements and furnishing covenant enforcement and design review services (collectively, the “**Services**”).

K. The Board previously determined that, to meet the costs of providing the Services (the “**Service Costs**”), it was necessary to impose a fee (the “**Operations Fee**”) on each lot and/or single-family residential dwelling unit (“**Residential Unit**”) on the Property.

L. The Board previously adopted the following resolutions related to the imposition of District Fees:

1. Resolution No. 2018-11-05, Resolution of the Board of Directors of the Wildgrass at Rockrimmon Metropolitan District Regarding the Imposition of District Fees, which was recorded in the real property records of El Paso County, Colorado, at Reception No. 219062415;
2. Resolution No. 2020-11-02, Amended and Restated Resolution of the Board of Directors of the Wildgrass at Rockrimmon Metropolitan District Regarding the Imposition of District Fees, which was recorded in the real property records of El Paso County, Colorado, at Reception No. 220196090;
3. Resolution No. 2021-11-05, Resolution of the Board of Directors of the Wildgrass at Rockrimmon Metropolitan District Amending and Restating the Imposition of District Fees, which was recorded in the real property records of El Paso County, Colorado, at Reception No. 222085811; and
4. Resolution No. 2022-11-09, Resolution of the Board of Directors of the Wildgrass at Rockrimmon Metropolitan District Further Amending the Imposition of District Fees, which was recorded in the real property records of El Paso County, Colorado, at Reception No. 223027146 (collectively, the “**Previous Resolutions**”).

M. The District has determined that the Operations Fee, as set forth in the Previous Resolutions, is reasonably related to the overall cost of providing the Services and paying the Service Costs, and that imposition thereof is necessary and appropriate.

N. Since the District’s adoption of the Previous Resolutions, the costs to operate and maintain the District Improvements have changed, and, therefore, a related change in the amount of fees imposed on each Residential Unit on the Property is necessary.

O. The District wishes to amend and restate the amount of the Operations Fee as set forth in the Previous Resolutions through the adoption of this Resolution in order to change the amount of fees imposed on each Residential Unit on the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WILDGRASS AT ROCKRIMMON METROPOLITAN DISTRICT, AS FOLLOWS:

1. The Board hereby amends and restates the amount of the Operations Fee as set forth in the Previous Resolutions.

2. The Board finds, determines, and declares that it is in the best interests of the District, its inhabitants, and taxpayers to exercise its power by imposing the following fees:

(a) **Operations Fee.**

(i) The Board hereby imposes an Operations Fee as follows:

(1) Upon sale of a lot to an Owner (other than the homebuilder constructing the initial Residential Unit).

a) One Hundred Thirty and 00/100 Dollars (\$100.00) per month per Residential Unit.

(ii) The District reserves the right to amend this Resolution in the future to increase or decrease the amount of the Operations Fee.

(iii) The Operations Fee shall be paid monthly as provided above. An invoice for the Operations Fee payable for each month will be mailed to each property owner (“**Owner**”) on or before the 1st day of each month, unless such day falls on a weekend or holiday, then the invoice will be mailed on the next day that is not on a weekend or holiday (each a “**Bill Date**”). The Owner shall pay the Operations Fee for each month within thirty (30) days of the Bill Date (“**Due Date**”). If payment in full is not received by the Due Date, following a five (5) day grace period thereafter, the Operations Fee is deemed past due and otherwise outstanding. A “Reminder Notice” may be, but is not required to be, sent at such time.

(iv) Failure to make payment of any Operations Fee due hereunder shall constitute a default in the payment of such Operations Fee. Upon default, Owner shall be responsible for a late payment (“**Late Payment Fee**”) in the amount of Fifteen Dollars (\$15.00) per late payment.

(v) If the Owner does not make payment of all past due amounts, which in the District’s sole discretion may include simple interest as permitted by Section 29-1-1102(7), C.R.S. (the “**Delinquent Balance**”), within sixty (60) days from the Past Due Date, the District may deliver to the Owner a Notice of Intent to File a Lien Statement (a “**Lien Notice**”). The Lien Notice shall give notice to the Owner that the District intends to perfect its lien against

the Residential Unit by recording a Lien Statement in the office of the El Paso County Clerk and Recorder if the Delinquent Balance is not paid in full within thirty (30) days after said Lien Notice is served upon Owner by certified mail, return receipt requested, pursuant to Section 38-22-109(3), C.R.S.

3. The Operations Fee shall constitute a statutory and perpetual charge and lien upon the Property pursuant to Section 32-1-1001(1)(j), C.R.S., from the date the same becomes due and payable until paid. The lien shall be perpetual in nature as defined by the laws of the State of Colorado on the Property and shall run with the land and such lien may be foreclosed by the District in the same manner as provided by the laws of Colorado for the foreclosure of mechanics' liens. This Resolution shall be recorded in the real property records of the Clerk and Recorder of El Paso County, Colorado.

4. The District shall be entitled to institute such remedies and collection proceedings as may be authorized under Colorado law, including, but not limited to, foreclosure of its perpetual lien. The defaulting Owner shall pay all costs, including attorneys' fees, incurred by the District in connection with the foregoing. In foreclosing such lien, the District will enforce the lien only to the extent necessary to collect the Delinquent Balance and costs of collection (including, but not limited to, reasonable attorneys' fees).

5. Judicial invalidation of any of the provisions of the Resolution or of any paragraph, sentence, clause, phrase or word herein, or the application thereof in any given circumstances shall not affect the validity of the remainder of the Resolution, unless such invalidation would act to destroy the intent or essence of this Resolution.

6. Any inquiries pertaining to the Operations Fee may be directed to the District Manager at: Adam Noel, Walker Schooler District Managers, 614 N. Tejon St., Colorado Springs, CO 80903, phone number: (719) 447-1777.

7. This Resolution shall take effect immediately upon its adoption and approval.

[SIGNATURE PAGE FOLLOWS]

[SIGNATURE PAGE TO RESOLUTION NO. 2023-11-_____]

APPROVED AND ADOPTED this 16th day of November 2023.

**WILDGRASS AT ROCKRIMMON
METROPOLITAN DISTRICT**, a quasi-
municipal corporation and political subdivision
of the State of Colorado

By: _____
President

Attest:

Secretary or Assistant Secretary

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Lots 1 through 76 inclusive,
Wildgrass Filing No. 1,
City of Colorado Springs, County of El Paso, State of Colorado.



RESOLUTION NO. 2023-11-
WILDGRASS AT ROCKRIMMON METROPOLITAN DISTRICT
AMENDING POLICY ON COLORADO OPEN RECORDS ACT REQUESTS

A. On November 13, 2015, Wildgrass at Rockrimmon Metropolitan District (the “**District**”) adopted Resolution No. 2015-11-14 Regarding Colorado Open Records Act Requests (the “**Resolution**”), in which the District adopted a policy related to Colorado Open Records Act Requests (the “**Policy**”).

B. In 2023, the Colorado General Assembly enacted Senate Bill 23-286, which provided for certain changes in the law related to Colorado Open Records Act Requests.

C. The District desires to amend the Policy due to the legislative changes set forth in Senate Bill 23-286 and due to a change in the District’s Official Custodian.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Wildgrass at Rockrimmon Metropolitan District, El Paso County, Colorado:

1. Defined Terms. Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Resolution.

2. Amendments to Policy. The Policy is hereby amended as follows:

(a) Amendment to Section 1 of Resolution. Section 1 of the Resolution is hereby deleted in its entirety, and substituted in lieu thereof shall be the following:

“1. WSDM, LLC, the Manager for the District, is hereby designated as the “**Official Custodian**” of the public records of the District, as such term is defined in Section 24-72-202(2), C.R.S. Contact information for the Official Custodian is: WSDM, LLC, 614 N. Tejon Street, Colorado Springs, Colorado 80903; (719) 447-1777.”

(b) Amendment to Section 3 of the Resolution. Section 3 of the Resolution is hereby deleted in its entirety, and substituted in lieu thereof shall be the following:

“3. Within the period specified in Section 24-72-203(3)(a), C.R.S., as amended from time to time, the Official Custodian shall notify the record requester that a copy of the record is available, but will only be sent to the requester once the custodian either receives payment or makes arrangements for receiving payment for all costs associated with records transmission and for all other fees lawfully allowed, unless recovery of all or any portion of such costs or fees has been waived by the Official Custodian, or where prohibited or limited by law. Upon either receiving such payment or making arrangements to receive such payment at a later date, the Official Custodian shall provide the record(s) to the requester as

soon as practicable, but no more than three (3) business days after receipt of, or making arrangements to receive, such payment.”

(c) Amendment to Section 5 of the Resolution. Section 5 of the Resolution is hereby deleted in its entirety, and substituted in lieu thereof shall be the following:

“5. The Official Custodian shall not charge a per-page fee for providing records in a digital or electronic format.”

(d) Amendment to Section 7 of the Resolution. Section 7 of the Resolution is hereby deleted in its entirety, and substituted in lieu thereof shall be the following:

“7. All requests for copies or inspection of public records of the District shall be submitted to the Official Custodian in writing. Such requests shall be delivered by the Official Custodian to the District’s legal counsel for review and legal advice regarding the lawful availability of records requested and related matters, including without limitation, whether to deny inspection or production of certain records or information for reasons set forth in Sections 24-72-204(2) and (3), C.R.S., as amended from time to time. The District may, from time to time, designate specific records for which written requests are not required and with respect to which review by legal counsel is not required; i.e., service plans, rules and regulations, minutes, etc. Such designations shall occur in the minutes of the meetings of the District.”

3. Except as expressly set forth herein, the Resolution continues to be effective without modification.

[SIGNATURE PAGE FOLLOWS]

[SIGNATURE PAGE TO RESOLUTION AMENDING POLICY ON COLORADO OPEN RECORDS ACT REQUESTS]

RESOLUTION APPROVED AND ADOPTED ON November 16, 2023.

**WILDGRASS AT ROCKRIMMON
METROPOLITAN DISTRICT**

By: _____
President

Attest:

Secretary