

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE DENVER CONNECTION WEST METROPOLITAN DISTRICT (THE “DISTRICT”) HELD AUGUST 25, 2020

A special meeting of the Board of Directors of the Denver Connection West Metropolitan District (referred to hereafter as the “Board”) was convened on Tuesday, August 25, 2020, at 6:00 p.m. Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board meeting was held by conference call. The meeting was open to the public via conference call.

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**Directors In Attendance Were:**

Marc Robson  
Rafael Martinez (for a portion of the meeting)  
Tina Woodard  
Craig Wagner

**Also In Attendance Were:**

Peggy Ripko and Ryan Williams; Special District Management Services, Inc. (“SDMS”)

Elisabeth A. Cortese, Esq.; McGeady Becher P.C.

Yelena Primachenko; CliftonLarsonAllen LLP

Jeff Hall and Shawn Hampleton; Board Candidates

**Public In Attendance Were:**

Barbara Stinson, Hassan Khokhar, Mel Cagle, Breanne Vailes, Brian, Ron Papsdorf, Tyler Atwood, Cara Wolfe, Laura Kent, Lacey Fisher, Rachelle Weigold, Breanne Vailes, Jeff Howell, Angela Papsdorf, and Bob Bongiovanni

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**DISCLOSURE OF  
POTENTIAL  
CONFLICTS OF  
INTEREST**

The Board noted a quorum was present and 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 by Attorney Cortese that disclosures of potential conflicts of

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interest were filed with the Secretary of State for Director Wagner, and no additional conflicts were disclosed at the meeting.

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### **ADMINISTRATIVE MATTERS**

**Agenda:** The Board reviewed the Agenda for the District's special meeting.

Following discussion, upon motion duly made by Director Robson, seconded by Director Woodard and, upon vote, unanimously carried, the Board approved the Agenda, as amended.

**Meeting Location:** 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, the Board noted that due to concerns regarding the spread of COVID-19 and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board meeting was held by conference video call. The Board further noted that notice of this meet and the conference/video access was duly posted and that it had not received any objections to the format of the meeting or any requests that the meeting format be changed by taxpaying electors within the District's boundaries.

**Resignation of Director:** The Board acknowledged the resignation of Director Jeff McGovern, effective June 4, 2020.

**Appointment of Director:** The Board considered the appointment of Shawn Hampleton and Jeff Hall to fill the vacancy created by the resignation of Jeff McGovern. The Board asked questions of the Board Candidates.

Following discussion, upon motion duly made by Director Woodard, seconded by Director Robson and, upon vote, unanimously carried, Shawn Hampleton was appointed to fill the vacancy created by the resignation of Jeff McGovern and Jeff Hall was appointed to a non-Board position as Community Liaison.

**Appointment of Officers:** Upon motion duly made by Director Robson, seconded by Director Woodard and, upon vote, unanimously carried, the following slate of officers was appointed:

President	Marc Robson
Treasurer	Rafael Martinez
Assistant Secretary	Tina Woodard
Assistant Secretary	Craig Wagner
Assistant Secretary	Shawn Hampleton
Secretary	Peggy Ripko

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**PUBLIC  
COMMENTS**

Homeowners present asked questions; the Board and management answered as needed.

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**CONSENT AGENDA**

The Board considered the following action:

- Approve Minutes of the May 26, 2020 Special Meeting, June 9, 2020 Special Meeting, and July 2, 2020 Special Meeting.

Following discussion, upon motion duly made by Director Martinez, seconded by Director Wagner and, upon vote, unanimously carried, the Board approved the Consent Agenda item.

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**FINANCIAL  
MATTERS**

**Claims:** The Board considered the ratification of approval of the payment of claims as follows:

Fund	Period Ending May 31, 2020	Period Ending June 26, 2020	Period Ending July 29, 2020
General	\$ 19,177.44	\$ 24,173.41	\$ 31,885.37
Debt	\$ -0-	\$ -0-	\$ -0-
Capital	\$ 5,024.78	\$ 10,574.76	\$ 1,956.50
Special Revenue	\$ 24,155.90	\$ 16,182.25	\$ 19,642.27
<b>Total</b>	<b>\$ 48,358.12</b>	<b>\$ 50,930.42</b>	<b>\$ 53,484.14</b>

Following discussion, upon motion duly made by Director Robson, seconded by Director Woodard and, upon vote unanimously carried, the Board ratified approval of the payment of claims, as presented.

**Claims:** The Board further considered approval of the payment of claims through the period ending August 25, 2020 as follows:

General Fund:	\$24,640.70
Debt Service Fund:	\$0.00
Capital Projects Fund:	\$2,125.16
Special Revenue Fund:	<u>\$33,539.89</u>
Total:	\$60,305.75

Following discussion, upon motion duly made by Director Robson, seconded by Director Woodard and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending August 25, 2020.

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**Financial Statements, Schedule of Developer Advances, Property Tax Reconciliation, and Schedule of Cash Position:** Ms. Primachenko presented to the Board the unaudited financial statements dated June 30, 2020, schedule of developer's advances, updated June 30, 2020, property tax reconciliation 2020, and schedule of cash position statement ending June 30, 2020, updated as of August 17, 2020.

Following review and discussion, upon motion duly made by Director Woodard, seconded by Director Martinez and, upon vote unanimously carried, the Board accepted the unaudited financial statements dated June 30, 2020, schedule of developer's advances, updated June 30, 2020, property tax reconciliation 2020, and schedule of cash position statement ending June 30, 2020, updated as of August 17, 2020.

**2019 Audit:** The Board determined to remove this item from agenda.

**Quarterly Continuing Disclosure Reports with Trustees:** Ms. Primachenko presented to the Board the Quarterly Continuing Disclosure Reports with Trustees. The Board discussed. No action necessary by the Board.

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### **CONSTRUCTION MATTERS**

**Engineer's Report:**

*Status of HUB Facility:*

*Task Order No. 2 to Master Services Agreement ("MSA") with Godden Sudik for Additional Services:* The Board deferred discussion.

**Notice of Contract Close-Out for Final Acceptance of Traffic Signalization Project with WL Contractors, Inc.:** The Board discussed a Notice of Contract Close-Out for Final Acceptance of Traffic Signalization Project with WL Contractors, Inc.

Following discussion, upon motion duly made by Director Robson, seconded by Director Wagner and, upon vote, unanimously carried, the Board ratified approval of the Notice of Contract Close-Out for Final Acceptance of Traffic Signalization Project with WL Contractors, Inc.

*Notice of Contract Close-Out for Final Acceptance of Retaining Walls with Slaton Bros, Inc.:* The Board discussed a Notice of Contract Close-Out for Final Acceptance of Retaining Walls with Slaton Bros, Inc.

Following discussion, upon motion duly made by Director Robson, seconded by Director Wagner and, upon vote, unanimously carried, the Board ratified approval of the Notice of Contract Close-Out for Final Acceptance of Retaining Walls with Slaton Bros, Inc.

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### **LEGAL MATTERS**

There were no legal matters to discuss at this time.

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### **POOL AND HUB OPERATIONS**

**Pool Opening with Regards to COVID-19:** Mr. Williams presented to the Board the pool operations. Ms. Ripko discussed a grant that is available to help offset the extra costs due to COVID-19.

Following discussion, upon motion duly made by Director Robson, seconded by Director Martinez and, upon vote, the Board approved the pool operations and directed Ms. Ripko to apply for the grant to help offset the extra costs due to COVID-19.

**Proposal from Aspen Reserve Specialties for a Reserve Study:** The Board reviewed a proposal from Aspen Reserve Specialties for a Reserve Study.

Following discussion, upon motion duly made by Director Robson, seconded by Director Woodard and, upon vote, the Board approved the proposal from Aspen Reserve Specialties for a Reserve Study. The Board also approved the Level 1 Platinum option with a 6-week turnaround, in the amount of \$7,160.

**Snow Removal Contract with Landtech Contractors, Inc.:** The Board reviewed a Snow Removal Contract with Landtech Contractors, Inc. for snow removal services for the 2020-2021 season.

Following discussion, upon motion duly made by Director Woodard, seconded by Director Robson and, upon vote, the Board approved the Snow Removal Contract with Landtech Contractors, Inc. for snow removal services for the 2020-2021 season

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### **COVENANT ENFORCEMENT/ DESIGN REVIEW/ OPERATIONS**

**Community Manager's Report:** Mr. Williams discussed with the Board the Community Manager's Report.

**Violation Report:** The Board discussed the Violation Report.

**SDP Civil Portion with Regards to Fencing and Sight Triangles:** Mr. Williams and Mr. Bongiovanni discussed with the Board the SDP Civil Portion with regards to Fencing and Sight Triangles.

### **Design Review Committee ("DRC"):**

**Update from DRC Committee:** The DRC Committee provided an update to the Board. Mr. Bongiovanni requested the District provide Spanish translation for residents.

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**Appeal from 15543 47<sup>th</sup> Drive Regarding Pergola Structure:** The homeowner at 15543 47<sup>th</sup> Drive presented his appeal regarding his pergola structure. It was noted that Ms. Ripko will follow up with Altitude Community Law P.C. regarding certain legal questions raised by the Board.

**Social Committee:**

*Update from Social Committee:* There was no report.  
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**OTHER BUSINESS MATTERS**

There were no other business matters at this time.  
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**ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made by Director Woodard, seconded by Director Robson and, upon vote unanimously carried, the meeting was adjourned.

Respectfully submitted,

By Peggy Ripko  
Secretary for the Meeting