

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

GVR METROPOLITAN DISTRICT

Held: Wednesday, September 21, 2011 at 6:30 P.M. at the
GVR Metropolitan District Office, 18650 East 45th
Avenue, Denver, Colorado.

Attendance

The regular meeting of the Board of Directors of the GVR Metropolitan District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. Except where indicated, the following Directors, having confirmed their continued qualification to serve on the Board by affidavit filed with the District, were in attendance:

Michael George, President
Mary Schumer, Secretary
Anthony Noble, Treasurer*
Fenna Tanner, Director
Earleen Brown, Director

[*Arrived when indicated.]

Absent: Mike Haskins (absence excused, advance notice provided) and Chuck Britton (absence unexcused).

Also present were Andrew Pimental, District Manager, GVR Metropolitan District; Barbara T. Vander Wall, Seter & Vander Wall, P.C., legal counsel; Mariann Toomey, Elaine Smith, Eric Gravenson and Jim Tanner, District residents.

Call to Order / Quorum

Chairman Michael George noted that a quorum of the Board existed with four directors present. It was noted that Director Noble had indicated that he'd be delayed by approximately 30 minutes. Thereafter, Director George called the regular meeting of the Board of Directors of the GVR Metropolitan District to order.

RECORD OF PROCEEDINGS

- Approval of Agenda The Board reviewed the agenda, and by unanimous vote, the Board approved the agenda.
- Conflict of Interest/
Disclosure Matters The Board had been previously advised that pursuant to Colorado law, certain disclosures by the Board members might be required prior to taking official action at the meeting. Legal counsel advised that written disclosures of the conflicts of interest for each Director (with the exception of Director Britton) had been filed with the Secretary of State prior to the meeting.
- No additional conflict disclosures were announced.
- Approval of Minutes The minutes of the regular meeting of the Board of Directors held August 17, 2011, were read. Director Brown requested certain clarifications, including the spelling out of “AWWA” to read “American Water Works Association.” Upon motion, second and unanimous vote, the Board approved the minutes as revised.
- Public Comment Period: Ms. Elaine Smith shared that her back yard lies right by the community garden; she has observed kids doing mischief in the garden. Ms. Smith also reported that she is trying to start an AARP chapter for which she needs at least 20 persons to sign up.
- HOA On behalf of the HOA, Mariann Toomey reported that meeting packets are in the process of being sent out, which include the renewal of the HOA / District services agreement. The Gobble Wobble is scheduled to occur on the Saturday before Thanksgiving. The Christmas tree lighting is in the planning stages; the CAB is deciding whether to relocate the event to the new high school. She noted that last year the participation was double that of the prior year.
- Denver Police Dept. There were no representatives from the Denver Police Department for comment.
- Other There were no other comments from the public at this time.
- Attorney’s Report Ms. Vander Wall directed the Board members to her written legal report, which identifies outstanding items for the Board. She indicated that the District’s services agreement with the HOA will be discussed later in the meeting.

RECORD OF PROCEEDINGS

Director Items

There were no director items presented at this time.

Board Reports:

- District Manager Report

Mr. Pimental referred the Board members to his written monthly report, and reported on the highlights. Mr. Pimental provided an update on the Special District Association conference held in Breckenridge, Colorado September 14 – 16, 2011, noting that he has prepared a write-up of the sessions attended, which is available to anyone who is interested. The AED equipment has been installed and the certification process has been completed. On Sunday, the District, through the senior programs, is hosting the second trip to the Mount Vernon Country Club for brunch.

[*Director Noble arrived at this time.]

- August Financials

Mr. Noble presented to the Board the financial report for the District for the period ending August 31, 2011. The Board reviewed the comparison year-to-date to the budgeted amounts. Mr. Noble noted that the District's expenses are on track, that some of the revenues are off, such as the parks and recreation programming funds and the CTF grant funds, and discussed the deviation from the budgeted amounts. Following discussion, and upon motion duly made, seconded and a unanimous vote, the Board accepted the August financials as presented.

- Claims Report

Mr. Noble next reviewed with the Board the revised listing of claims payable through September 21, 2011. Upon motion duly made, seconded and unanimous vote, the Board approved the payment of claims as presented.

Discussion Items / Unfinished Business:

- Contract for Filings 33 and 28 Phase 1 Landscape Improvements

Mr. Pimental reported on the bids received for the Filings 33 and 28 Phase 1 landscape improvements project. He referred the Board members to the bid summary prepared and distributed for three contractors. He noted that the All Phase bid in the amount of \$52,000 for the installation of the irrigation improvements, and the landscaping and seeding, was the lowest responsive bid received, and recommended acceptance of the bid. The Board discussed the other bids received and the discrepancies in the bid pricing. There was additional discussion about requesting All

RECORD OF PROCEEDINGS

Phase to modify the bid to incorporate a possible herbicide application to the work description, and to include roto-tilling as part of the soil amendment preparation with Premium 3 compost.. Following further discussion, and upon motion, second and unanimous vote, the Board approved entering into a contract with All Phase for the Filings 33 and 28 Phase 1 landscape improvements project, subject to the expansion of the description of the work, in an amount not to exceed \$58,000.

Discussion related to District Investment Strategies

There was general discussion regarding District investment strategies and possible future modifications. Director Noble indicated that he'd like to table this item and spend more time putting together some additional research that could lead to additional investment options for Board consideration.

Discussion Items / New Business:

- District / HOA Services Agreement

Mr. Pimental presented the renewal of the District / HOA Services Agreement to the Board. He noted that the first year implementation of the Agreement has gone extremely well. He will be making a presentation to the HOA Board regarding the District's revenues and expenditures relative to the Agreement. Mr. Tanner noted that the HOA will be looking at the agreement at the next HOA board meeting and did not anticipate any concerns going into a renewal for 2012. The Board unanimously agreed to proceed with the renewal of the Agreement.

- Presentation re District Budget Process

Mr. Pimental provided a presentation to the Board and the community of the District's budget process for the upcoming year. He indicated that Director Noble will be meeting with him and Micaela Duffy, District Accountant to finalize the District's draft 2012 budget, which will be presented to the Board with their October Board meeting materials on Friday, October 14. The preliminary report indicates that the District's assessed valuation has decreased only slightly.

Executive Session

Upon approval by a vote of at least two-thirds of a quorum of the Board, the Board determined to go into executive session for the purpose of discussing personnel matters relating to the District Manager's annual evaluation, and consultation with the attorney on specific legal questions related thereto, pursuant to § 24-6-402(4)(f) & (b), C.R.S., at approximately 8:40 p.m., with Mr. Pimental present.

RECORD OF PROCEEDINGS

The Board reconvened from executive session at approximately 9:54 p.m. and affirmed that no actions had been taken during executive session.

Other Business

There was no other business for discussion at this time.

Adjournment

There being no further business to come before the Board, and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at approximately 9:55 p.m.

Secretary for the Meeting

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