

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
ASPEN PARK METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
MARCH 28, 2024

A special meeting of the Board of Directors of the Aspen Park Metropolitan District (referred to hereafter as the “Board”) was convened on Thursday, March 28, 2024 at 1:00 p.m. This meeting was held via video conference using Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Rick Merkel, President
Michael Tamblyn, Treasurer
Roxan Rose, Secretary

Also, In Attendance Were:

Lisa Johnson, Shauna D’Amato and Nichole Kirkpatrick; CliftonLarsonAllen LLP (“CLA”)
Heather Hartung Esq. and Clint Waldron Esq.; White Bear Ankele Tanaka & Waldron
Martha Phillips Whitmore Esq.; Hockersmith & Whitmore, LLC
Matt Duncan; Stantec
Michael Katalinich, P.E. and Wei Ye; JVA, Inc. (“JVA”)
Bill Berg; Martin and Wood Water Consultants, Inc.
Gabby Begeman; ORC Water Professionals (“ORC”)

ADMINISTRATIVE MATTERS

Call to Order / Quorum / Disclosures of Potential Conflicts of Interest: It was noted that a quorum of the Board was present, and therefore Ms. Johnson called the meeting to order at 1:02 p.m.

Attorney Hartung reported that disclosures for those Directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State’s Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Attorney Hartung inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regards to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Meeting Location, Posting of Meeting Notices, 24-Hour Posting Location and Agenda: The meeting location, the posting of meeting notices and the designation of a 24-hour posting location were confirmed.

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Following discussion, upon a motion duly made by Director Merkel, seconded by Director Tamblyn and, upon vote, unanimously carried, the Board approved the Agenda as amended, and designated the website as the 24-hour posting location.

Public Comment: There was no public comment.

CONSENT AGENDA

The Board considered the following items under the Consent Agenda:

- Minutes of the November 14, 2023 Regular Meeting and January 11, 2024 Special Meeting
- Claims
- Amended Independent Contractor Agreement with EC Electrical Construction Company d/b/a Power Systems West for Generator Maintenance
- First Amendment to Independent Contractor Agreement with Santec Architecture, Inc. for Xeriscape Design Services – Extension of Term
- Engagement Agreement with Karp Neu Hanlon P.C.
- First Addendum to Independent Contractor Agreement with JVA

Following review, upon a motion duly made by Director Merkel, seconded by Director Rose and, upon vote, unanimously carried, the Board approved/ratified approval of the Consent Agenda, as presented.

VILLAGES AT ASPEN PARK SHOPPING CENTER UPDATES

Leasing Status: Director Rose provided an updates for the Board, noting that Brooks Tavern opens April 1, 2024.

ENGINEERING MATTERS

CIP Updates: Mr. Katalinich provided an update for the Board, noting that JVA is coordinating with ORC regarding screen repair and replacement. They have identified items for the Capital Improvements Plan (“CIP”) in 2024 but pricing has not yet been established.

OPERATIONS/ MAINTENANCE MATTERS

ORC Water Professionals Report: Ms. Begeman presented her report to the Board.

Following review and discussion, upon a motion duly made by Director Tamblyn, seconded by Director Merkel and, upon vote, unanimously carried, the Board approved a potable water system pump and labor costs for installation in an amount not to exceed \$2,000.00.

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Following review and discussion, upon a motion duly made by Director Merkel, seconded by Director Rose and, upon vote, unanimously carried, the Board approved the fabrication and replacement of a wear bar and bolt set in an amount not to exceed \$4,000.00.

Report and Recommendations from Stantec regarding Landscape Improvements: Mr. Duncan presented his report to the Board. The Board directed Mr. Duncan to draft a proposal to present at the Board meeting in May that includes a phasing approach related to landscape improvements.

Landscaping Contract Proposal from ProCam Services, Inc. for 2024 Landscaping: Ms. Johnson reviewed the proposal with the Board. Director Rose stated she would reach out to ProCam Services, Inc. to discuss the contract and lower pricing. In the case that ProCam does not reduce pricing, upon a motion duly made by Director Merkel, seconded by Director Tamblyn and, upon vote, unanimously carried, the Board approved the Landscaping Contract Proposal from ProCam Services, Inc. for 2024 Landscaping in an amount not to exceed \$59,328.00.

LEGAL MATTERS

Amended and Restated Rules and Regulations: Attorney Hartung provided an update to the Board, noting the amended and restated rules and regulations are in progress and she hopes to distribute documentation soon for initial review.

Governor's Office of Information Technology Adoption of Permanent Rules, 8 CCR 1501-11, Rule Establishing Technology Accessibility Standards:

Website/Accessibility Provider and Document Remediation Provider Options: Attorney Hartung discussed the website/accessibility provider and document remediation provider options with the Board. She will circulate a memo regarding website accessibility.

Accessibility Statement and Resolution Adopting a Website Accessibility Policy: The item was deferred to the next Board meeting.

FINANCIAL MATTERS

December 31, 2023 Unaudited Financial Statements: Ms. Kirkpatrick reviewed the Unaudited Financial Statements with the Board. Following discussion, upon a motion duly made by Director Merkel, seconded by Director Rose and, upon vote, unanimously carried, the Board accepted the December 31, 2023 Unaudited Financial Statements, as presented.

Schedule of Cash Position and Tax Collection Summary: Ms. Kirkpatrick reviewed the Schedule of Cash Position and Tax Collection Summary with the Board. Following discussion, upon a motion duly made by Director Merkel,

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seconded by Director Rose and, upon vote, unanimously carried, the Board approved the Schedule of Cash Position and Tax Collection Summary, as presented.

2023 Audit: The Board discussed proceeding with Haynie & Co. as the auditor for the 2023 audit and directed staff to solicit additional proposals for the 2024 audit later in the year. No further action was needed.

WATER RIGHTS UPDATE

Ms. Whitmore provided an update for the Board and discussed new augmentation plans. Ms. Whitmore will send Ms. Johnson recommendations for the Board to review at the next meeting.


OTHER BUSINESS

Quorum for May 21, 2024 Regular Meeting: A quorum was confirmed for the May 21, 2024 Regular Meeting.

ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director Merkel, seconded by Director Tamblyn and, upon vote, unanimously carried, the Board adjourned the meeting at 2:25 p.m.

Respectfully submitted,

By 
3C7B521B1458486
Secretary for the Meeting

Certificate Of Completion

Envelope Id: 48E2E849DFB2499284D8D465B901B536	Status: Completed
Subject: Complete with DocuSign: APMD - Minutes 03-28-2024.pdf	
Client Name: APMD	
Client Number: A523127	
Source Envelope:	
Document Pages: 4	Signatures: 1
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped Stamping: Enabled	Natalie Herschberg
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 S 6th St Ste 300
	Minneapolis, MN 55402-1418
	Natalie.Herschberg@claconnect.com
	IP Address: 73.153.120.72

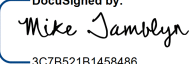
Record Tracking

Status: Original	Holder: Natalie Herschberg	Location: DocuSign
5/24/2024 5:23:35 PM	Natalie.Herschberg@claconnect.com	

Signer Events

Mike Tamblyn
 mtamblyn@thekroenkegroup.com
 President
 Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

 3C7B521B1458486...
 Signature Adoption: Pre-selected Style
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 Viewed: 5/26/2024 8:15:17 AM
 Signed: 5/26/2024 8:15:44 AM

Electronic Record and Signature Disclosure:
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In Person Signer Events	Signature	Timestamp
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Editor Delivery Events	Status	Timestamp
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Agent Delivery Events	Status	Timestamp
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Andrea Bobb abobb@wbapc.com Security Level: Email, Account Authentication (None)	COPIED	Sent: 5/24/2024 5:24:38 PM
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Electronic Record and Signature Disclosure:
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Records Team srerecordsretention@claconnect.com Security Level: Email, Account Authentication (None)	COPIED	Sent: 5/24/2024 5:24:38 PM Viewed: 5/28/2024 10:02:38 AM
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Signing Complete	Security Checked	5/26/2024 8:15:44 AM
Completed	Security Checked	5/26/2024 8:15:44 AM

Payment Events	Status	Timestamps
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