

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
ASPEN PARK METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
MAY 21, 2024

A regular meeting of the Board of Directors of the Aspen Park Metropolitan District (referred to hereafter as the “Board”) was convened on Tuesday, May 21, 2024 at 10:00 a.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

Also, In Attendance Were:

Lisa Johnson, Shauna D’Amato, Gigi Pangindian and Aly Roland;
CliftonLarsonAllen LLP (“CLA”)

Heather Hartung Esq. and Clint Waldron Esq.; White Bear Ankele Tanaka &
Waldron

Matt Duncan and Casey Johnston; Stantec

Michael Katalinich, P.E.; JVA, Inc. (“JVA”)

Bill Berg; Martin and Wood Water Consultants, Inc.

Gabby Begeman and Eric Philyaw; ORC Water Professionals (“ORC”)

Susan Selix; TKG Management Inc.

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 the meeting was called to order at 10:03 a.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 and Agenda: The meeting location and the posting of meeting notices 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.

Public Comment: There was no public comment.

Resignation of Roxan Rose, Effective May 17, 2024: The Board acknowledged the resignation of Roxan Rose, effective May 17, 2024.

Vacancy on the Board: The Board discussed the vacancy on the Board and directed legal staff to publish a notice of vacancy. The Board will consider filling the vacancy at the August meeting.

CONSENT AGENDA

The Board considered the following items under the Consent Agenda:

- Minutes of the March 28, 2024 Special Meeting
- Claims
- Resolution Designating Meeting Notice Posting Location for 2024
- Independent Contractor Agreement with ProCam Services, Inc. for 2024 landscaping services

Following review, upon a motion duly made by Director Merkel, seconded by Director Tamblyn 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: No new update was provided.

Correspondence from UPS Store regarding Request for Reclassification related to Sewer Fees: Ms. Johnson presented the request from the UPS Store that was received. Following discussion, upon a motion duly made by Director Merkel, seconded by Director Tamblyn and, upon vote, unanimously carried, the Board approved the request from the tenant to change the billing classification from consumer services to specialty retail, effective with the next billing cycle.

The Board discussed analyzing the current user classifications to refresh the information as well as to review the current assigned classifications. Staff will work to gather the required data and present it to the Board at the August meeting.

ENGINEERING MATTERS

CIP Updates: Mr. Katalinich provided an update for the Board regarding the capital improvements projects.

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OPERATIONS/ MAINTENANCE MATTERS

ORC Water Professionals Report: Ms. Begeman presented her report to the Board. Following discussion, upon a motion duly made by Director Merkel, seconded by Director Tamblyn and, upon vote, unanimously carried, the Board approved the expense to replace the motor and gear box in an amount not to exceed \$6,200.00 and to purchase a cellular modem and an amount not to exceed \$700.00.

Proposal from Stantec regarding Landscape Improvements: Mr. Duncan presented the updates to the report that was presented to the Board at the last meeting. The Board asked Stantec to provide a more detailed explanation of Options A and Option B in the report for the next meeting. No action was taken.

Water Sampling Results for PFAS, Uranium and Gross Alpha and Consumer Notification: Attorney Hartung presented the results to the Board. The Board reviewed the information and determined to transmit the required information to users via inclusion in the next utility bill and to post on the District's website.

LEGAL MATTERS

Website Accessibility, Document Remediation, Compliance Officer, Accessibility Statement and Plan:

Resolution Adopting a Digital Accessibility Policy: Attorney Hartung reviewed the resolution and pending legislation with the Board. Following discussion, upon a motion duly made by Director Merkel, seconded by Director Tamblyn and, upon vote, unanimously carried, the Board adopted the Resolution Adopting a Digital Accessibility Policy.

Purchase of Shares form Mountain Mutual Reservoir Company: Mr. Berg informed the Board that the next step with these new water shares is to prepare a new augmentation plan for this water. Ms. Johnson informed the Board that she received an email from Attorney Whitmore suggesting the Board solicit proposals for water rights counsel to prepare the augmentation plan. Attorney Whitmore provided a list of suggested attorneys. The Board directed staff to contact the attorneys suggested to solicit their interest and their rates and present at a future meeting.

FINANCIAL MATTERS

March 31, 2024 Unaudited Financial Statements: Ms. Pangindian reviewed the Unaudited Financial Statements with the Board. Following discussion, upon a motion duly made by Director Tamblyn, seconded by Director Merkel and, upon vote, unanimously carried, the Board accepted the March 31, 2024 Unaudited Financial Statements, as presented.

Schedule of Cash Position and Tax Collection Summary: Ms. Pangindian reviewed the schedule cash position and tax collection summary with the Board.

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Following discussion, upon a motion duly made by Director Tamblyn, seconded by Director Merkel and, upon vote, unanimously carried, the Board accepted the schedule cash position and tax collection summary, as presented.

2023 Audit: Ms. Pangindian reviewed the 2023 audit with the Board. Following discussion, upon a motion duly made by Director Merkel, seconded by Director Tamblyn and, upon vote, unanimously carried, the Board authorized CLA to file the audit by July 31, 2023, subject to the audit being completed, receipt of a clean opinion and final legal review.

WATER RIGHTS UPDATE

Engagement of New Water Rights Counsel: This matter was previously discussed.

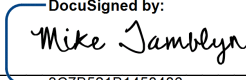
OTHER BUSINESS

Quorum for August 20, 2024 Regular Meeting: A quorum was confirmed for the August 20, 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 11:57 a.m.

Respectfully submitted,

By 
 DocuSigned by:
Mike Tamblyn
3C7B521B1458486
Secretary for the Meeting

Certificate Of Completion

Envelope Id: 62CB1D800D924F36BE5A3D9EDA5850BC	Status: Completed
Subject: Complete with DocuSign: APMD - Minutes 05-21-2024	
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: 67.162.148.150

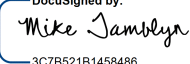
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8/28/2024 8:30:26 AM	Natalie.Herschberg@claconnect.com	

Signer Events

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

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 Signed: 8/28/2024 10:31:22 AM

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 Accepted: 8/28/2024 10:31:15 AM
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In Person Signer Events	Signature	Timestamp
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Maudie A. Johns
 mjohns@wbapc.com
 Security Level: Email, Account Authentication (None)

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Electronic Record and Signature Disclosure:
 Accepted: 7/11/2022 9:30:35 AM
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Records Team
 sdrecordsretention@claconnect.com
 Security Level: Email, Account Authentication (None)

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Electronic Record and Signature Disclosure:
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 ID: 2eeab7cf-9041-488d-bed0-8baedf289723

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	8/28/2024 10:31:22 AM
Completed	Security Checked	8/28/2024 10:31:22 AM

Payment Events	Status	Timestamps
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