

# RECORD OF PROCEEDINGS

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## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

GVR METROPOLITAN DISTRICT

Held: Wednesday, November 21, 2012, 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 in accordance with the statutes of the State of Colorado. The following Directors, having confirmed their qualifications to serve on the Board, were in attendance:

Michael George, President  
Fenna Tanner, Vice President  
Anthony Noble, Treasurer  
Elaine Smith, Director

Absent: Mary Schumer, Roger Rohrer and Michael Haskins (absences excused).

Also present were Andrew Pimental, District Manager, and Micaela Duffy, Accountant, GVR Metropolitan District; Barbara T. Vander Wall, Seter & Vander Wall, P.C., legal counsel; Jim Tanner, Eric Gravenson, and Paul Gilberto, District residents; and Commander Perry and Officer Sherikera Heflin\*, Denver Police Department.

### Call to Order

Director George noted that a quorum of the Board was present with four directors. Thereafter, Director George called the regular meeting of the Board of Directors of the GVR Metropolitan District to order.

### Approval of Agenda

The Board reviewed the revised agenda, and upon motion, second and unanimous vote, the Board approved the revised 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

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interest for each Director 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 October 17, 2012, were read. Upon motion and second, and unanimous vote, the Board approved the minutes as presented, with the name spelling correction noted.

The minutes of the special meeting of the Board of Directors held November 14, 2012, were read. Upon motion and second, and unanimous vote, the Board approved the special meeting minutes as presented.

## Public Comment Period:

### - Denver Police Dept.

Commander Perry introduced Officer Sherikera Heflin as one of the newly appointed community resource officers for the area. Her partner is Brandy Thomas; they are both scheduled to attend the District's January meeting to present the crime statistics for the area. He indicated that car break-in statistics are still up.

### - Public Comment

Mr. Gilberto stated that he and Art Connelly have determined to cease volunteer patrolling of the community for graffiti to be removed. Instead, they will continue the service based on reports of graffiti incidents identified through the District's hotline number. This is to encourage more of the community to be involved in the hotline itself.

### - HOA

Mr. Jim Tanner stated that a P.A. system is on order for use at the public meetings, which will assist with poor acoustics.

### - CAB

There were no comments from the CAB.

### - Other

There was no other public comment at this time.

## Attorney's Report

Ms. Vander Wall directed the Board members to her written legal report, specifically advising on the proposed Amendment to HOA Services Agreement, and a recommendation for an executive session to address a personnel issue.

## Board Reports:

### September Financials

Director Noble presented to the Board the financial report for the District for the period ending October 31, 2012. Following discussion, and upon motion duly made, seconded and a

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unanimous vote, the Board accepted the October financials as presented.

## Claims Report

Director Noble next reviewed with the Board the listing of claims payable through current date. He noted that these claims include the District's annual payment on its bonds. Upon motion duly made, seconded and a unanimous vote, the Board approved the payment of claims as presented.

## District Manager's Report

Mr. Pimental referred the Board members to his written monthly report, and reported on the highlights. He noted that he has been contacted by a homeowner who was inspired by the District's graffiti committee and wants to now create a "clean up committee." Mr. Pimental has reached out to the Town Center Metropolitan District, MSI and the district delegates for input on the establishment of such a committee. Director George suggested the committee meet monthly to pick up trash. Director Noble recommended the committee coordinate with Denver's schedule for trash pick-up services.

Mr. Pimental presented promotional disc golf course discs to the Board, and congratulated the directors on accomplishing the project. He noted the disc golf course project has been very well-received, and the course is getting a lot of use.

District employee Joyce Measmer, HOA assistant, has submitted her resignation to the District to spend more time at home. Her resignation is effective December 31, 2012. Mr. Pimental has posted the position for hire.

Mr. Pimental announced the annual District – HOA holiday volunteer, staff and board appreciation dinner, scheduled for December 14, 2012.

The gift card winners of the Master Planning survey were announced.

Mr. Pimental reported on his research following up from the suggestion that detention pond extracted soils may be useful as turf top dressing. The soil has been sampled and determined to have only very little nutrient value thereby making it not a good option.

## Discussion Items / Old Business:

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Presentation of 2013 Budget      Mr. Pimental provided a power point presentation to the Board regarding the District's proposed 2013 budget and the statutory process required to be followed regarding the budget adoption.

Ms. Vander Wall noted that the meeting had been published as the District's hearing for its 2013 budget. Director Anthony Noble provided a summary of the District's proposed 2013 budget which includes an increase in the District's debt service and operational mill levy.

The Chairman of the Board, Director George, opened the public hearing for public comment on the District's proposed budget for 2013.

Comments were made concerning the increase in mills and taxes. Director Noble indicated that the budget reflects the Board's intent to retire the District's debt early, at the end of 2014 (instead of 2019), and to take advantage of substantive interest payment savings. The District's general fund taxes are now budgeted at the ceiling allowed, for 2013.

After hearing comments and responding to the specific questions from the public, Director George closed the public hearing.

The Board then took up the proposed 2013 budget. It was noted that the final assessed valuation for the District is expected in early December, 2012. The Board agreed that staff should prepare a newsletter article to inform the community of the 2013 budget, and to explain the purpose of the District's mill levy increase as being done to allow the District to pay off its debt early and achieve taxpayer savings over time. Following further discussion and upon motion by Director Tanner, seconded by Director Smith, and a unanimous vote, the Board approved the proposed budget, and approved the resolution adopting the 2013 budget, appropriating the funds and certifying the mill levy, as presented and with flexibility for minor changes resulting from deviations in the District's final assessed valuation.

Amendment to HOA  
Services Agreement

Ms. Vander Wall reviewed with the Board the proposed amendment to the services agreement with the HOA, including the modifications to the scope of services. The amendment was discussed by the HOA Board at its last meeting with no additional comments received by the District. Upon motion by Director Tanner, second by Director Smith and unanimous vote, the Board approved the amendment as presented.

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Follow Up re Greenplay /  
Survey Results / Master Plan

The Board discussed the results from the Greenplay Master Planning survey. The directors asked that the survey results be presented to Denver so that the City can be advised of the identified park and recreation facility weaknesses for the area, including the perceived failure from many respondents of the Rec Center. There was discussion about whether District staff may be able to obtain survey respondent data, so that the District may expand its communications, particularly to those who have expressed an interest in sharing their opinions on District matters. The Board discussed some of the simpler improvements which could be made, as identified from the survey results. Such improvements might include bench and lighting improvements along the Highline Canal trail, or enhancements to the natural gas easement parcel. The suggestion of swimming pool facilities should be a project taken on by Denver. Director Noble suggested that the Board figure out “parties and price” for such improvements for future discussions.

Mr. Pimental agreed to take the Board’s ideas back to Greenplay for further refinement and suggestions. The date for the public meeting on the results is scheduled for early 2013.

Discussion Items / New  
Business:

Community Volunteer of the  
Year Program

Mr. Pimental advised the Board that he is proceeding with the establishment of a “Community Volunteer(s) of the Year” program, and expects to present an award to the selected individual(s) at the Volunteer Appreciation dinner.

Director Items

There were no Director items brought at this time.

Additional Public Comment

There was no additional public comment at this time.

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 certain personnel matters, and consultation with the attorney on specific legal questions related thereto, pursuant to § 24-6-402(4)(e),(f) & (b), C.R.S., at approximately 8:40 p.m.

The Board reconvened from executive session at approximately

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8:55 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 8:58 p.m.

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Secretary for the Meeting