

# RECORD OF PROCEEDINGS

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

OF THE

GVR METROPOLITAN DISTRICT

Held: Wednesday, October 19, 2016, 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:

Fenna Tanner, President  
Michael George, Treasurer  
Stephanie Brack, Vice President  
Roger Rohrer, Secretary  
Tim Camarillo, Director

Absent: Matt Stallman (absence excused).

Also present were Micaela Duffy, District Manager, GVR Metropolitan District; Barbara T. Vander Wall, Seter & Vander Wall, P.C., legal counsel; Mariann Toomey, Eric Gravenson, Jim Tanner, community members; Melissa Sotelo, representative for Councilwoman Gilmore, Denver District 11; Joe Erjavec, Crestone Consulting; and Community Resource Officers Sherikera Heflin and Commander Thomas, Denver Police Department.

### Call to Order

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

Director Tanner read the letter of resignation received from Michael Haskins, effective as of September 14, 2016. The Board agreed to proceed with posting a notice of vacancy to be filled at the next Board meeting.

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Approval of Agenda                      The Board reviewed the agenda, and upon motion, second and unanimous vote, the Board approved the agenda as presented.

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 had been filed with the Secretary of State prior to the meeting.

No additional conflict disclosures were announced.

## Public Comment Period:

- Denver Police Dept.                      Officer Heflin and Commander Thomas reported that the crime statistics are down for the Green Valley Ranch area, with the exception of violent crime, which has increased. Officer Heflin announced upcoming events, and noted that they will be hosting the Denver Police CAB meeting scheduled for November 17 at the Montbello Recreation Center, and hope to have public comment on the strategic plan for District 5.

- Master HOA                                      There were no comments on behalf of the Master HOA at this time.

- CAB    Mr. Tanner reported on topics discussed at last night's CAB meeting, including funding, bonds, and the Trunk or Treat event.

- Other    Ms. Melissa Sotelo, from Councilwoman Gilmore's office, provided an update on Tower Road construction, work being done on the traffic signal at 34<sup>th</sup> Avenue, and the timing for the changes. She also reported on the capital activities planned with the 2017 bond funds, including the Green Valley Ranch Rec Center swimming pool, and the widening of 56<sup>th</sup> Avenue to two lanes.

There was no other public comment at this time.

Approval of Minutes                      The minutes of the regular meeting of the Board of Directors held September 14, 2016, were read. Upon motion and second, and unanimous vote the Board approved the minutes as presented.

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## Attorney's Report

Ms. Vander Wall directed the Board members to her written legal report included in the meeting materials. She reminded the Board of the discussion to take place in connection with the renewal of the manager's services agreement and annual evaluation. Director Brack inquired into the process. It was noted that a compensation committee is expected to make recommendations on a range of compensation for the manager for the upcoming fiscal year. Directors Rohrer and George agreed to serve on the compensation committee. Ms. Duffy agreed to provide a summary of her accomplishments, and further agreed to research information from Mountain States Employer's Council and the Special District Association for data which may be used in identifying comparison data.

## Board Reports:

### - September Financials

Director George presented the financial report and claims payable for the period ending September 30, 2016, noting certain highlighted expenditures, including claims owed to Growling Bear and to Denver Water. Upon motion, second and unanimous vote, the Board accepted the September 30, 2016 financial statements as presented.

### - District Manager's Report

Ms. Duffy referred the Board members to her report included in the meeting materials, and addressed the highlights with the Board. The District is hosting the Trunk or Treat event, with approximately 20 vendors currently signed up. Ms. Duffy is in the process of obtaining fence construction pricing options.

## Discussion Items / Unfinished Business:

### - Building Update

Mr. Joe Erjavec, Crestone Consultants, provided an update on the status of the District's maintenance building project. He stated that the submittal has been made to Denver; mylars have been signed, and the building permit is still under review. He anticipates 8-10 weeks for this to occur. The established guaranteed maximum price / schedule deadline for the second phase of the contract occurred on Friday, October 14, 2016; however the contractor has not yet provided the pricing and completion date information. The District has finalized the water tap and sewer tap fees, as well as the Xcel Energy utility costs. Planning committee member Jose Guzman is reviewing the plans. The District regularly holds Wednesday morning team meetings.

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There was a follow up meeting with geotechnical engineers regarding the soil conditions and clarifications.

- Website Update

Ms. Duffy provided a computer presentation to show options for the District's proposed new website and its home screens. After review of the different home screen options, the Board provided direction to Ms. Duffy regarding adding updated pictures, adding a calendar with events, and adding important links and resources.

Discussion Items / New  
Business:

- HOA Attorney / Contract

Ms. Duffy advised the Board that Hindman Sanchez has resigned its services with the District, due to a conflict of interest. The Board agreed to defer discussion of the contract negotiations for covenant enforcement services in executive session.

- GASB Audit

Ms. Duffy reminded the Board that the District is now required to record and report its PERA liabilities, as part of new GASB standards which recently came into effect. The District was selected to participate in an audit, with a response due to Colorado Public Employee's Retirement Association PERA by March 1, 2017. Ms. Duffy presented a proposal to prepare the requested information by Haynie & Company to perform the PERA audit, in the amount of \$1,200. She advised that Haynie & Company was being recommended as they are already familiar with the District's financial information, operations and practices. Ms. Vander Wall recommended that the Board's approval of the proposal incorporate the required illegal aliens addendum. After further discussion, and upon motion, second and unanimous vote, the Board approved the Haynie & Company proposal as discussed with the addendum.

- Presentation of Proposed  
2017 Budget

Ms. Duffy presented the District's 2017 draft budget to the Board. She noted that the District's assessed valuation has increased from the prior year. The budget projects maintaining a consistent mill levy. She reviewed the detailed budget for each of the District funds, including the District operations fund, the covenant enforcement services fund, the facilities and maintenance fund, the capital projects fund, the community programs fund and the conservation trust fund. The Board discussed the covenant enforcement fund balances, and agreed to

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adjust the mill levy dedicated for this fund to 2.002 mills to cover what is needed. The Board reviewed the increase in insurance costs for 2017. Ms. Duffy discussed the proposed capital projects for 2017, including landscaping, medians, monuments and fencing in the total amount of \$272,000. The Board agreed to fund these improvements out of the capital projects fund rather than the contingency line item. Ms. Duffy also reviewed the amounts set aside in the capital projects fund for the construction of the building in the amount of \$700,000; soils, permits and taps for \$90,000, and construction project management costs of \$50,000. The Board agreed that these costs may increase, which may be funded out of the contingency line item. It was also noted that there is approximately \$348,000 in conservation trust funds which may be used for the community garden portion of the new maintenance building.

The public hearing on the District's proposed budget is scheduled to take place at the Board meeting in November.

Ms. Rose Thomas, on behalf of the HOA, stated that the HOA will be updating the design guidelines.

The Board discussed the members of the HOA committee, who are tasked to meet and discuss District / HOA issues per the committee guidelines and the covenant enforcement services agreement. Ms. Duffy stated that a round table discussion has been proposed in order that the parties can talk about issues to be addressed in a contract amendment. Director Brack requested that another Board member substitute for her due to her not having much background on the contract requirements; Director Rohrer agreed to fill in for her on the committee. Ms. Toomey reflected on the 2009-2010 working group's efforts to make the covenant enforcement services agreement work with the District.

There were no other items of old business for discussion at this time.

## Executive Session

A motion was made to go into executive session for the purpose of development of negotiating positions and to receive legal advice following consultation with the attorney, authorized pursuant to Section 24-6-402(4)(b) and (e), C.R.S., at 8:15 p.m.

The Board returned from executive session at 8:40 p.m. and affirmed that no actions had been taken while in executive session.

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- HOA Contract Discussions      Following a motion duly made, seconded and voted unanimously, the Board agreed to form a contract committee on behalf of the Board consisting of Fenna Tanner and Roger Rohrer, for the purpose of meeting with representatives of the HOA, and review the proposed contract modifications and hold discussions to amend the existing covenant enforcement services contract between the District and the Master HOA. It was agreed that the committee would narrow the discussions to four categories: (1) educational; (2) relationship-building, (3) expectations of the parties; and (4) clarification of services. Ms. Duffy agreed to send out a meeting request to the contract committee with options for meeting dates and times.

Director Items                              Director Camarillo reported that he is back in school, and that he enjoyed the SDA conference last month. Director Rohrer stated that he cares about the covenant enforcement services agreement with the Master HOA. Director Tanner requested that Board members identify nominees for the volunteer of the year.

There were no other director items brought before the Board.

Other Matters                              There were no other matters 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 8:50 p.m.

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Secretary for the Meeting