

# RECORD OF PROCEEDINGS

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

OF THE

GVR METROPOLITAN DISTRICT

Held: Wednesday, April 17, 2013, 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  
Mary Schumer, Secretary  
Anthony Noble, Treasurer  
Michael Haskins, Director

Absent: Elaine Smith and Roger Rohrer (absences excused).

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

### Call to Order

Director George noted that a quorum of the Board was present with five directors present. 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 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.

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No additional conflict disclosures were announced.

## Approval of Minutes

The minutes of the regular meeting of the Board of Directors held March 20, 2013, were read. Upon motion, second, and unanimous vote, the Board approved the meeting minutes as presented.

## Public Comment Period:

### - Public Comment

There was no public comment at this time.

### - HOA

Mr. Jim Tanner stated that progress on the detention pond project has been delayed due to unfavorable weather conditions.

### - CAB

Mr. Pimental reported that the CAB has been focused on getting information from Councilman Herndon's office regarding the allowance of marijuana shops in Denver and how it may impact the GVR community. Ms. Toomey reported that the GVR library will now be open seven days per week starting April 29.

### - 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 included in the meeting materials. She reviewed a memo, which provides an update on specific bills of interest which are being considered and/or adopted by the Colorado legislature.

## Board Reports:

### March Financials

Director Noble presented to the Board the District's financial report for the period ending March 31, 2013. Following discussion, and upon motion duly made, seconded and unanimous vote, the Board accepted the March financials as presented.

### Claims Report

Director Noble next reviewed with the Board the listing of claims payable through current date. He noted that the schedule of claims includes the final payment owed to Green Play. The Board noted that Green Play has completed and delivered the master plan to the District. The final invoice is submitted in accordance with the terms of their contract with the District. Upon motion duly made, seconded and unanimous vote, the Board approved the payment of claims as presented, including the payment to Green Play.

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## District Manager's Report

Mr. Pimental referred the Board members to his written monthly report and reported on the highlights. The District's irrigation technician has resigned, and the District is in the process of hiring a replacement technician. He reminded the Board of the car show scheduled to take place on Saturday, June 1, 2013, from 4:00-8:00 p.m. The "Stay Green Keep It Clean" program, a volunteer-based effort, is getting ready to be introduced to the community. The Board discussed the ability to use artificial turf in the community based on Denver and the HOA's restrictions. It was also discussed that if the turf is permitted, then it should be included within the District's demonstration garden.

## Discussion Items / Old Business:

### - Acceptance of Final Park and Rec Master Plan from Green Play

The Board acknowledged that the District has now received the final park and rec master plan from Green Play, which incorporates the comments made at the March 6, 2013 special meeting. Mr. Pimental noted that Mr. John Barnholt has agreed to continue to be a resource to the District as needed. Following motion, second and unanimous vote, the Board accepted and adopted the final park and rec master plan as prepared and presented by Green Play. Mr. Pimental indicated that he will post the plan to the District's website.

### - Follow up to Clean Energy Collective Presentation

Mr. Pimental advised that following the Clean Energy Collective presentation at the last meeting, the Board may consider whether to proceed with the process of preparing an official proposal regarding installation of a community solar garden as discussed. The application and award process with Xcel Energy has strict deadlines, which would require the application process to commence immediately. After further discussion, it was the consensus of the Board to not proceed with the process at this time. However, the Board members agreed to continue to review the concept, pursue additional collection of data, and learn more about its impact on and acceptance by the community. Mr. Pimental agreed to research additional solar panel companies as alternatives to the proposal initiated by Clean Energy Collective. He also stated that he will prepare an online survey for dissemination to the homeowners in the vicinity of the proposed 41<sup>st</sup> and Ensenada detention pond site to inquire into public opinion regarding the proposed project.

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- Filing 28 Tract A Common Area Development      Mr. Pimental reminded the Board of the proposal to proceed with the development of the common area property known as Filing 28, Tract A, consisting of approximately 23,000 square feet of unimproved property. Previously, the Board had agreed to proceed with the seeding of the area. Mr. Pimental advised that the installation of the water tap for the area, to be provided by HC Development, is now projected to be delayed. The tap is not expected to be in place prior to May, and it will be difficult to assure establishment of the turf with the drought restrictions. After further direction, the Board directed Mr. Pimental to continue to work with HC Development with an emphasis on the District's need to have the tap installed as soon as possible. The Board acknowledged that the delay may cause the project to be deferred to another time.

- Other      There were no other new business items brought for discussion at this time.

## Discussion Items / New Business:

- SOP Manual Update      Mr. Pimental advised that the District's Standard Operating Policy Manual needs to be updated. He will bring a draft to the Board members at the May meeting for initial review with the proposed modifications, and request final consideration and approval of the changes at the June meeting. Mr. Pimental described a number of areas which he will suggest modifying; Directors are also invited to bring any suggested changes to his attention for incorporation into the Manual through this process.

- Other      There were no other new business items brought for discussion at this time.

Director Items:      Director Schumer stated that she heard there will soon be a ground-breaking for the construction of the LDS Church within Green Valley Ranch. Director Schumer informed the Board about a recent visit to a community center in the Town of Erie. She stated that the center offered many activities to a small community. The Board members discussed the vacant site located at 38<sup>th</sup> and Himalaya of which they recently received a letter from a homeowner about, which is zoned for commercial use. After some discussion, Mr. Pimental was directed to inquire into the sales price for the lot.

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Director George inquired about the application of PERA benefits specific to Board members and the vesting requirements. Ms. Vander Wall explained the application of such benefits to the directors as “employees” based on compensation and IRS definitions.

There were no other Director items brought at this time for discussion.

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 8:10 p.m.

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Secretary for the Meeting