

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
ASPEN PARK METROPOLITAN DISTRICT
HELD
AUGUST 20, 2019**

A regular meeting of the Board of Directors of the Aspen Park Metropolitan District was held on Tuesday, August 20, 2019 at 12:00 p.m. at the offices of White Bear Ankele Tanaka & Waldron, PC, 2154 East Commons Avenue, Ste. 2000, Centennial, CO.

Attendance: In attendance were Directors:

Nikki Davidson
Fred Banfield
Eli Martinez

Also in attendance were:

Bob Blodgett, Patrick Shannon and Gigi Pangindian; CliftonLarsonAllen LLP
Tom Schubert and Bob Clodfelter; ORC
Michael Katalinich and Wei Ye; JVA, Inc.
Clint Waldron; White Bear Ankele Tanaka & Waldron
Bill Berg; Martin and Wood
Marti Whitmore; Hockersmith & Whitmore, LLC (via telephone)

I. Call to Order Director Davidson called the meeting to order at 12:01 p.m. The Board excused the absence of Director Sours and Director Shirilla.

II. Director
Qualifications/

Disclosure Matters Mr. Waldron advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Waldron reported that disclosures for those directors with 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. Mr. Waldron inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Board determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

III. Public Comment None.

RECORD OF PROCEEDINGS

CONSENT AGENDA (Section IV-X)

- IV. Review/Approve Minutes of the May 21, 2019 Regular Meeting
- V. Engineering/Construction Items
 - A. Accept 2020 Water and Wastewater Project Eligibility Surveys
- VI. Operations/Maintenance Items
- VII. Financial Items
 - A. Ratify Approval of Prior Claims Totaling \$57,023.35
 - B. Approve Current Claims \$ (there were no current claims) and Directors' Fees
 - C. Ratify Approval of 2018 Audit
- VIII. Manager's Items
 - A. Accept BCWA Information
 - B. Accept Utility Billing Status Report
 - C. Other
- IX. Attorney's Items
 - A. Accept 2019 Legislative Overview Affecting Special Districts
- X. Director's Items
 - A. Other

Upon a motion duly made by Director Banfield seconded by Director Martinez, and upon vote unanimously carried, the Board approved the Consent Agenda as submitted.

DISCUSSION AGENDA (Section XI-XIX)

- XI. Water Rights Update

Executive session pursuant to Section 24-6-402(4)(b) conference with special counsel to the District for the purpose of receiving legal advice on specific legal questions related to water matters.

RECORD OF PROCEEDINGS

Upon a motion duly made by Director Martinez seconded by Director Banfield, and upon vote unanimously carried, the Board entered executive session pursuant to Section 24-6-402(4)(b) conference with special counsel to the District for the purpose of receiving legal advice on specific legal questions related to water matters at 12:07 p.m.

Upon a motion duly made by Director Banfield seconded by Director Martinez, and upon vote unanimously carried, the Board exited executive session at 1:14 p.m.

No action was taken.

XII. Aspen Park Station Updates

A. Leasing Status

B. Other

There were no updates.

XIII. Engineering Items

A. Status of 2019 CIP Projects – See Observation Reports

1. Status of PLC Replacement

Mr. Katalinich reported that 2 of 3 PLCs have been replaced. He proposed deferring replacement of the third PLC at this time. The Board concurred.

2. Review Proposals for Wastewater and Underdrain System Jetting and Videoing - \$TBD

Mr. Katalinich reported that videoing of the underdrain would be required in two years, and pricing to inspect the sewer is now included in the updated CIP.

3. Status of Water Meter Repairs and Replacement

1. Authorize Replacement of Four Meters

Mr. Katalinich requested a not to exceed amount of \$15,300 to replace 5 meters. Mr. Berg asked that the meter specifications be first approved by him. Meters should be replaced within a month. Upon a motion duly made by Director Martinez seconded by Director Banfield, and upon vote unanimously carried, the Board approved the replacement of meters for an amount not to exceed \$15,300.

4. Discuss CDPHE Nutrient Incentive Program

RECORD OF PROCEEDINGS

Mr. Katalinich reported that the State has a voluntary incentive program that the District may enroll in, allowing the District to defer adherence to Regulation 85. JVA will submit an application on behalf of the District.

5. Repair or Replace Existing Check Valve to Stop Reverse Flow into the Water Treatment Plant - \$TBD (to be distributed)

After discussion, upon a motion duly made by Director Banfield seconded by Director Martinez, and upon vote unanimously carried, the Board approved the repair or replacement of the existing check valve to stop reverse flow into the water treatment plant for an amount not to exceed \$3,100.

- B. Update on Pretreatment Water Quality Tests and Inspections

Mr. Katalinich reported that there has not been an additional round of testing completed, but there have not been instances of unusually high loads coming into the facility.

XIV. Operations/Maintenance Update – Bob Clodfelter/Tom Schubert

- A. Status of Water Treatment Plant Heater Replacement

Mr. Clodfelter reported that the heater has been replaced.

- B. Discuss Repairs Due to Electrical Storm

1. Discuss Proposals for Electrical Repairs

Mr. Clodfelter reported that the Water Treatment Plant suffered a major lightning strike in June that left considerable damage to plant equipment. The strike has caused issues in communication between the well site and treatment plant. Mountain Peaks believes there is damage to the wiring between the treatment plant and well site and has recommended moving away from the hard wire system and going to a radio system. This would cost about \$7,700 per well, for a total of about \$23,100. Mr. Katalinich suggested installing lightning protection in the facilities as well. Mr. Katalinich will discuss this further with Mountain Peaks to determine whether to consider lightning protection.

After discussion, upon a motion duly made by Director Banfield seconded by Director Martinez, and upon vote unanimously carried, the Board approved replacing the hard wired system with a radio system.

- C. Other

Mr. Clodfelter noted that there is a software called XL Reporter that extracts data from SCADA to Excel at a chosen interval that could be beneficial to the District. This software costs about \$2,500. Mr. Berg will review the software.

RECORD OF PROCEEDINGS

XV. Attorney Items

A. Approve Resolution Regarding Electronic Posting of Meeting Notices

Mr. Waldron reviewed the Resolution Regarding Electronic Posting of Meeting Notices. Upon a motion duly made by Director Banfield seconded by Director Martinez, and upon vote unanimously carried, the Board approved the Resolution Regarding Electronic Posting of Meeting Notices.

B. Approve Termination of Treatment Technology Contract and Consider Approval of Contractor Agreement for Water/Wastewater Facilities Operation and Maintenance Services with ORC Water Professionals, Inc.

After review, upon a motion duly made by Director Martinez seconded by Director Banfield, and upon vote unanimously carried, the Board approved the termination of the Treatment Technology contract and approved the contractor agreement for water/wastewater facilities operations and maintenance services with ORC Water Professionals, Inc. subject to final consultant review. The SOP will be added to the ORC scope.

C. Approve Amendment to Rules and Regulations to Require Annual Back Flow Prevention Testing (to be distributed)

After review, upon a motion duly made by Director Banfield seconded by Director Martinez, and upon vote unanimously carried, the Board approved the Amendment to Rules and Regulations to Require Annual Backflow Prevention Testing subject to final review by Mr. Katalinich.

D. Other

XVI. Manager's Items

A. 2020 Budget Process

August 25 Preliminary AV Received
October 15 – Draft Budget to the Board
November 19, 2019 Board Meeting – Public Hearing to Review and Approve 2020 Budget
December 15, 2019 – Mill Levy Certified

Mr. Blodgett reviewed the 2020 budget process.

B. Website Update

Mr. Blodgett provided an update on the website.

C. Update on Utility Billing and PIF Collection Procedures

RECORD OF PROCEEDINGS

Mr. Shannon provided an update on the utility billing and PIF collection procedures. Director Davidson asked that management provide a record of calls and emails to Relax Salon.

XVII. Director's Items

- A. Discuss Status of Repairs of District Landscaping, Curbs and Gutters, and Streets

Director Davidson reported that an invoice has been submitted to the District for landscaping expenses.

- B. Confirm Quorum for November 19, 2019 Regular Meeting at White Bear Ankele Tanaka & Waldron PC at 2154 E. Commons Ave, Suite 2000, Centennial CO 80122 at 12:00 p.m.

A quorum was confirmed.

XVIII. Financial Items

- A. Review June 30, 2019 Financial Statements and August 2019 Cash Position Report

Ms. Pangindian reviewed the June 30, 2019 Financial Statements and August 2019 Cash Position Report. After review, upon a motion duly made by Director Martinez seconded by Director Banfield, and upon vote unanimously carried, the Board accepted the June 30, 2019 Financial Statements and August 2019 Cash Position Report.

- B. PIF Collection Report (to be distributed)

Ms. Pangindian reviewed the PIF Collection Report.

- C. Sales Tax Report (to be distributed)

Ms. Pangindian reviewed the Sales Tax Report.

- D. Review Subordinate Bond Financial Forecast (to be distributed)

Ms. Pangindian reviewed the subordinate bond financial forecast. The Board discussed potentially refinancing the District's bonds. Mr. Waldron will contact an underwriter to discuss further.

XIX. Other Business

- A. Accept the Resignation of Eli Martinez

The Board thanked Director Martinez for his service to the District and accepted his resignation.

RECORD OF PROCEEDINGS

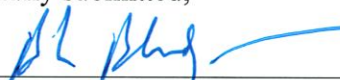
B. Discuss Board Vacancy

No discussion.

XX. Adjournment

There being no further business to come before the Board, Director Davidson adjourned the meeting at 2:07 p.m.

Respectfully submitted,



Secretary for the Meeting