

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
ASPEN PARK METROPOLITAN DISTRICT
HELD
FEBRUARY 18, 2020**

A regular meeting of the Board of Directors of the Aspen Park Metropolitan District was held on Tuesday, February 18, 2020 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:

Sam Sours (via phone)
Nikki Davidson
Fred Banfield
Dennis Shirilla

Also in attendance were:

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

I. Call to Order Director Shirilla called the meeting to order at 12:08 p.m.

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.

RECORD OF PROCEEDINGS

III. Discuss Board

Vacancy No report.

IV. Public Comment None.

CONSENT AGENDA (Section IV-X)

V. Review/Approve Minutes of the January 10, 2020 Regular Meeting

VI. Engineering/Construction Items

A. Approve JVA 2020 Hourly Billing Rates

B. Accept January 2020 Water Accounting Report

VII. Operations/Maintenance Items

A. Ratify Agreement with Alarm Specialists, Inc. for Fire Control Panel Replacement - \$3,015.00

VIII. Financial Items

A. Ratify Approval of Prior Claims Totaling \$199,227.26 and Approve Directors' Fees

B. Ratify Final Closing Memo regarding 2020 loans

C. Other

IX. Manager's Items

A. Accept BCWA Information

B. Ratify 2020 Insurance Policy

C. Other

X. Attorney's Items

A. Consider Approval of Resolution 2020-02-01 Designating the District's Website for Online Posting of Meeting Notices and 24 Hour Posting Location

B. Consider Approval of Resolution 2020-02-02 Regarding the PIF Collection Process

RECORD OF PROCEEDINGS

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- C. Consider Approval of Independent Contractor Agreement with ORC for Water and Wastewater System Management – 4,325.00 / month
 - D. Consider Approval of Independent Contractor Agreement with Martin and Wood for Water Rights Engineering Services
 - E. Consider Approval of Fifth Amendment to Independent Contractor Agreement with Martinson Snow Removal, Inc. (Snow Removal)

XI. Director's Items

- A. Other

Mr. Blodgett reviewed the consent agenda with the Board. Director Banfield noted he would abstain from voting on VI.A. as he is an employee of JVA. The Board removed items VII.A. and X.C. ORC ICA.

Upon a motion duly made by Director Shirilla seconded by Director Banfield, and upon vote unanimously carried, the Board approved the Consent Agenda as revised to remove items VI.A., VII.A. and X.C. Upon a motion duly made by Director Davidson, seconded by Director Shirilla, the Board approved the JVA 2020 Hourly Billing Rates (VI.A.). Director Banfield abstained.

Ms. Begeman reviewed the ORC ICA and scope of work. Upon a motion duly made by Director Davidson, seconded by Director Banfield, and upon a vote, unanimously carried, the Board approved the ORC ICA (X.C.).

DISCUSSION AGENDA (Section XI-XIX)

XII. Water Rights Update – Marti Whitmore / Bill Berg

- 1. 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.

Upon a motion duly made by Director Davidson, seconded by Director Banfield, and upon a vote, unanimously carried, the Board adjourned into Executive Session at 12:20 p.m.

Upon a motion duly made by Director Davidson, seconded by Director Shirilla, and upon a vote, unanimously carried, the Board adjourned out of Executive Session at 12:54 p.m.

The Board directed Martin and Wood to move forward with the new injection well drilling as planned.

RECORD OF PROCEEDINGS

XIII. Aspen Park Station Updates – Director Davidson

A. Leasing Status

Director Davison reported that a collaborative work space and Dominos will be going in next to DWs.

B. Other

None.

XIV. Engineering Items

A. Status of 2020 CIP Projects

Ms. Ye reviewed. She noted that Flow Meter Testing is complete and Flow Meter Plumbing is in process, and asked the Board to approve the contract with Tony V Plumbing and Heating for \$6,310.00.

Upon a motion duly made by Director Banfield, seconded by Director Shirilla, and upon a vote, unanimously carried, the Board approved the contract with Tony V Plumbing and Heating.

Ms. Ye reported that Mr. Clodfelter has been awarded the Golden Trout Award from the Bear Creek Watershed Association. Director Sours asked to add this and a picture of Mr. Clodfelter to the District website.

B. Update on Pretreatment Water Quality Tests and Inspections

No report.

C. Update on Meter Testing and Installation

This is proceeding.

D. Update on Water Rights Reporting

These have been updated and submitted.

E. Update on Injection Well Drilling

This work is moving forward within the next two weeks.

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

A. Phosphorus Exceedance Report

RECORD OF PROCEEDINGS

Mr. Shubert reported that a pump was slightly plugged with aluminum sulfate, which raised the phosphorus levels. Once it was cleaned out, phosphorus levels returned to within permitted limits.

XVI. Attorney Items

A. Update on Director's Election

Mr. Waldron provided an update, noting that if no other candidates submit self-nomination forms, the election will be cancelled.

B. Other

None.

XVII. Manager's Items

A. Website Update

Mr. Blodgett reported the website has been updated.

B. Other

None.

XVIII. Director's Items

A. Discuss Status of Repairs of District Landscaping, Curbs and Gutters, and Streets – Director Davidson

Director Davidson noted that she will re-visit when the snow melts.

B. Other

None.

XIX. Financial Items

A. Review December 31, 2019 Financial Statements and February 2020 Cash Position Report

Ms. Pangindian reviewed the December 31, 2019 Financial Statements and February 2020 Cash Position Report with the Board. Upon a motion duly made by Director Shirilla, seconded by Director Davidson, and upon a vote, unanimously carried, the

RECORD OF PROCEEDINGS

Board accepted the December 31, 2019 Financial Statements and February 2020 Cash Position Report.

B. PIF Collection Report

Ms. Pangindian noted that the PIF payment is now remitted directly to the District rather than UMB, which has delayed the collection of some PIF revenue.

C. Sales Tax Report

D. Other

XX. Other Business

A. Confirm Quorum for May 19, 2020 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.

B. Other

XXI. Adjournment

There being no further business to come before the Board, Director Shirilla adjourned the meeting at 1:24 p.m.

Respectfully submitted,



Secretary for the Meeting