

**MINUTES OF A REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
WESTOWN METROPOLITAN DISTRICT
HELD JANUARY 23, 2019**

A regular meeting of the Board of Directors (the “**Board**”) of the Westown Metropolitan District (the “**District**”) was held on Wednesday, January 23, 2019, at 6:00 p.m. at the West Woods Community Police Station, 6644 Kendrick Drive, Arvada, Colorado. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Lisa Evans
Cindy Baldwin
Chris Keddie

Directors Absent and Excused:

Eric Dome
Robert McClure

Also In Attendance Were:

Elisabeth A. Cortese, Esq.; McGeady Becher P.C.
Danaly Howe and Anne Ilgenfritz; Centennial Consulting Group, LLC
Brenda Owings, Century Communities
Diane Wheeler, Simmons & Wheeler, P.C.
District residents, as referenced in the attached attendance sheet

ADMINISTRATIVE
MATTERS

Call to Order: Attorney Cortese called the Regular Meeting of the Westown Metropolitan District Board of Directors to order, noting that a quorum was present.

Disclosures of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Attorney Cortese noted that a quorum was present and requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute. Attorney Cortese noted that Disclosure Statements for Directors Evans and Dome had been filed by the statutory deadline.

Agenda: The Board reviewed the Agenda for the meeting and, following discussion, upon a motion duly made by Director Baldwin, seconded by Director Evans and, upon vote, unanimously carried, the Board approved the Agenda as amended.

Meeting Location: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. Following discussion, and upon motion duly made by Director Baldwin, seconded by Director Evans and, upon vote, unanimously carried, the Board determined to conduct the meeting at the above-stated date, time and location. Ms. Howe reported that notices were duly posted and that no objections to the locations or any requests that the meeting place be changed by taxpaying electors within its boundaries have been received.

Designation of 24-Hour Posting Location:

Following discussion, upon motion duly made by Director Baldwin, seconded by Director Evans and, upon vote, unanimously carried, the Board determined the notices of meetings of the District Board required pursuant to section 24-6-402(2)(c), C.R.S., shall be posted within the boundaries of the District at least 24 hours prior to each meeting at the following location:

In front of the pool facility at 15440 W. 64th Place, Arvada, Colorado.

October 24, 2018 Meeting Minutes: The Board reviewed the minutes from the October 24, 2018 regular meeting. Following discussion, upon a motion duly made by Director Evans, seconded by Director Baldwin and, upon vote unanimously carried, the Board approved the minutes from the October 24, 2018 meeting.

Public Comments: Members of the public presented the following concerns to the Board:

- Homeowner has a truck that will not fit in the garage.
- Downspout placement is resulting in additional ice formation on the sidewalk.
- Inquiry regarding ice melting mediums that are safe for dogs.
- There are concerns with the timing of snow removal services.
- Trash removal truck is leaving oil spots in the alley.
- Construction trash is being allowed to scatter in the wind/is not being collected promptly.
- Dogs are damaging grass in the common areas.

FINANCIAL
MATTERS

Ratify and Approve Payment of Claims: Ms. Wheeler distributed claims through the period ending December 31, 2018 for ratification in the amount of \$53,817.65, and the period ending January 23, 2019 for approval in the amount of \$17,971.10. Following discussion, upon a motion duly made by Director Evans, seconded by Director Baldwin and, upon vote, unanimously carried, the Board ratified and approved the payment of claims in the total amount of \$71,788.75.

Statement of Cash Position and Unaudited Financial Statements: The December 31, 2018 unaudited financial statements were reviewed by the Board. Following discussion, upon a motion duly made by Director Evans, seconded by Director Baldwin and, upon vote, unanimously carried, the Board accepted the December 31, 2018 unaudited financial statements as presented.

Authorization of Signers: The Board discussed and considered authorizing all Board members as signers on District bank accounts. Upon a motion by Director Evans, seconded by Director Keddie and, upon vote, unanimously carried, the Board authorized all Board members as signers on District bank accounts.

LEGAL MATTERS

Design and Landscape Guidelines: The Board reviewed and considered approving the Design and Landscape Guidelines of Westtown and considered adoption of Resolution No. 2019-01-01 adopting the Design and Landscape Guidelines of Westtown. Following discussion, upon motion duly made by, Director Evans, seconded by Director Baldwin and, upon vote, unanimously carried, the Board adopted Resolution No. 2019-01-01, subject to final legal review.

Status of Infrastructure Acquisition Report and acquisition of certain public improvements: Attorney Cortese reported there is no update at this time.

Engagement of Legal Services Regarding Covenant Enforcement: The Board discussed and considered the engagement of Altitude Community Law for legal services for covenant enforcement in the District. Upon a motion by Director Evans, seconded by Director Baldwin and, upon vote, unanimously carried, the Board approved the engagement of legal services regarding covenant enforcement with Altitude Community Law.

CONSTRUCTION

The Board reviewed and discussed status of improvements and sales of individual units in the District. Director Evans reported that all remaining unsold units are under contract.

OPERATIONS &
MAINTENANCE

Conveyance of Monument: The Board discussed the status of conveyance of the monument sign. No action taken.

Manager's Report: Ms. Ilgenfritz presented the management report to the Board, including:

- Pool winterization and cover issues
- Violation report

Reserve Study: The Board determined to defer discussion on the Reserve Study to a subsequent meeting.

OTHER MATTERS: The Board notified those present it would need to convene in Executive Session to receive legal advice on specific legal questions regarding the notice of liability claim.

Pursuant to Section 24-6-402(4), C.R.S., upon motion duly made by Director Evans, seconded by Director Baldwin, and upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in Executive Session for the purpose of receiving from the Board's attorney legal advice on specific legal questions regarding the notice of liability claim.

Furthermore, pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., no record or electronic recording will be kept of those portions of the Executive Session that, in the opinion of the Board's attorney, constitute privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

The Board reconvened in public session.


No action was taken.

ADJOURNMENT

There being no further business to come before the Board, upon a motion by Director Baldwin, seconded by Director Keddie and unanimously approved, the meeting was adjourned.

Respectfully submitted,

By

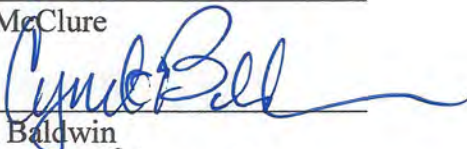


Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL JANUARY 23, 2019 MINUTES OF THE WESTOWN METROPOLITAN DISTRICT BY THE MEMBERS OF THE BOARD OF DIRECTORS SIGNING BELOW:



Robert McClure



Cynthia Baldwin



Christopher Keddie

Attorney Statement
REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing the Westown Metropolitan District (the “District”), I attended the executive session meeting of the District convened on January 23, 2019, for the purpose of receiving legal advice on specific legal questions regarding the notice of liability claim, as authorized by Section 24-6-402(4)(b), C.R.S. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S.

Elisabeth A. Cortese, Attorney for the District

Date: January 23, 2019

Westown Metro District - January 23, 2019

<u>Name</u>	<u>Address</u>
Pam Benigno	15349 W. 64 th Dr, Unit C
Cecilia Noyes	15358 W 64 th Drive Unit A
Brenda Dwingo	
RICHARD CAHOEN	15561 W 64 th Pl Unit C
PHILLIP PATRICK	"
Dave Weiss	15345 W 6 th Ln #30
Patty Brown	15471 W 64 th Pl #B
Katie Dickerson	15476 W. 64 th Loop A
Gboluwaga Oresiji	15541 W. 64 th Plac #B
* Michael Healy	Mhealy 203@gmail.com 15349 W 64 th Dr. Unit B
* Ingrid Carlson	Ingridrose 813@gmail.com 15349 W 64 th Dr. Unit B

Please add
to email
list