

**MINUTES OF A REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF THE  
WESTOWN METROPOLITAN DISTRICT  
HELD OCTOBER 24, 2018**

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A regular meeting of the Board of Directors (the “**Board**”) of the Westown Metropolitan District (the “**District**”) was held on Wednesday, October 24, 2018, 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:

Eric Dome  
Lisa Evans  
Robert McClure

Directors Absent:

None.

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.  
Cynthia Baldwin, Christopher Keddie, District residents  
9 other District residents, as referenced in the attached attendance sheet

ADMINISTRATIVE  
MATTERS

Call to Order: Ms. Howe 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 Evans, seconded by Director Dome and, upon vote, unanimously carried, the Board approved the Agenda as presented.

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 Evans, seconded by Director Dome, 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.

Board Vacancies: The Board discussed current vacancies and considered appointing eligible electors Ms. Cynthia Baldwin and Mr. Christopher Keddie to the Board. Upon a motion by Director Evans, seconded by Director Dome and, upon vote, unanimously carried, the Board appointed Ms. Baldwin and Mr. Keddie to the Board. The Oaths of Office were duly administered.

Appointment of Officers: Following discussion, upon motion duly made by Director Evans, seconded by Director McClure and, upon vote, unanimously carried, the Board appointed Director Baldwin and Director Keddie as Assistant Secretaries.

July 25, 2018 Meeting Minutes: The Board reviewed the minutes from the July 25, 2018 regular meeting. Following discussion, upon a motion duly made by Director Evans, seconded by Director Dome and, upon vote unanimously carried, the Board approved the minutes from the July 25, 2018 meeting.

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

- Dog waste continues to be a concern in the District. Ms. Howe noted that a new pet waste pickup service is proposed for discussion.
- There are complications with mail delivery due to similar addresses. Ms. Ilgenfritz reported that there have been discussions with the post office regarding mail delivery.
- Dead cottonwoods along the canal are City of Arvada responsibility. City of Arvada needs to be contacted to add a handrail on the steps down to the canal.
- Loose wires and orange telecommunication cables are apparent. TDS is being contacted to address these items.

- Some of the poles next to garage are beige and some are red. There is various concrete and curb cracking due to construction. Problems with dead trees and landscaping maintenance have been noted. These issues will be addressed during a final warranty walkthrough with Century Communities.
- Owners are using garages for storage and using alleyway for activities such as barbecuing. District Management will communicate related rules to the neighborhood.
- Visible window-mounted A/C units not in keeping with the Governing Documents have been noted.
- There are multiple apparent short-term rental units in the District.
- Construction work is happening outside of normal hours and construction debris and nails continue to be a nuisance. Ms. Owings stated she would address this with the site superintendents.

Resolution No. 2018-10-01 Establishing 2019 Regular Meeting Dates, Time and Location, and Designating the Locations for Posting of 72-Hour and 24-Hour Notices: The Board discussed holding quarterly meetings on January 23, April 25, July 25 and October 23, 2019 at 6:00 p.m. at the West Woods Community Police Station located at 6644 Kendrick Drive, Arvada, CO 80007. Following discussion, upon motion duly made by Director Dome, seconded by Director Evans and, upon vote, unanimously carried, the Board adopted Resolution No. 2018-10-01.

Insurance renewal, insurance schedules, workers' compensation coverage and renewal of Special District Association membership: Following discussion, upon a motion duly made by Director Dome, seconded by Director Evans and, upon vote unanimously carried, the Board ratified approval of the renewal of District insurance, workers' compensation coverage, and renewal of Special District Association membership.

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FINANCIAL  
MATTERS

Ratify and Approve Payment of Claims: Ms. Wheeler distributed claims through the period ending July 25, 2018 for ratification, and the period ending October 24, 2018 for approval. Following discussion, upon a motion duly made by Director Evans, seconded by Director Dome and, upon vote, unanimously carried, the Board ratified and approved the payment of claims in the total amount of \$72,167.07.

Statement of Cash Position and Unaudited Financial Statements: The September 30, 2018 unaudited financial statements were reviewed by the Board. Following discussion, upon a motion duly made by Director Evans, seconded by Director Dome and, upon vote, unanimously carried, the Board accepted the September 30, 2018 unaudited financial statements as presented.

2017 Audit: The Board reviewed and considered ratifying approval of the 2017 Audit and ratifying execution of the Representations Letter. Following discussion, Director Evans made a motion to ratify approval of the 2017 Audit and ratify execution of the Representations Letter. Director Dome seconded, and the motion was unanimously approved.

Resolution Amending Fees, Rates & Charges for Potable Water Service: Ms. Howe noted that the fees for potable water service did not need to be changed at this time. No action taken.

2018 Budget Amendment: Director Dome opened the public hearing to consider amending the 2018 Budget.

It was noted that notice stating that the Board would consider amending the 2018 Budget, and the date, time and place of the public hearing was published in a newspaper having general circulation within the District, in accordance with statutory requirements. No written objections were received prior to the public hearing.

No public comments were received and the public hearing was closed. It was determined at this time that no amendment to the 2018 Budget was necessary.

2019 Budget: Director Dome opened the public hearing to consider the proposed 2019 Budget and discuss related issues.

It was noted that notice stating that the Board would consider adopting the 2019 Budget, and the date, time and place of the public hearing was published in a newspaper having general circulation within the District, in accordance with statutory requirements. No written objections were received prior to the public hearing.

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No public comments were received and the public hearing was closed.

Ms. Wheeler reviewed the proposed 2019 Budget with the Board. Following discussion, the Board considered the adoption of Resolution No. 2018-10-02 to Adopt the 2019 Budget and Appropriate Sums of Money and Resolution No. 2018-10-03 to Set Mill Levies, a General Fund Mill Levy at 43.495 mills and a Debt Service Mill Levy at 54.369 mills, for a total mill levy of 97.864 mills. Upon motion duly made by Director Evans, seconded by Director McClure and, upon vote, unanimously carried, Resolution Nos. 2018-10-02 and 2018-10-03 were adopted, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2018. The District Accountant was authorized to prepare and sign the DLG-70

Mill Levy Certification and to transmit the same to the Board of County Commissioners of Jefferson County, no later than December 15, 2018. The District Manager was authorized to transmit the Certification of Budget to the Division of Local Government no later than January 30, 2019.

Certification of Tax Levies: The Board discussed and considered authorizing the District Accountant to prepare and sign the DLG-70 Certification of Tax Levies form for certification to the Board of County Commissioners and other relevant parties. Upon a motion by Director Evans, seconded by Director McClure and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Certification of Tax Levies form for certification.

Engagement of Crady, Puca & Associates: The Board discussed the District's audit requirements for 2018 and considered engagement of Crady, Puca & Associates to perform the 2018 Audit. Upon a motion by Director Evans, seconded by Director McClure and, upon vote, unanimously carried, the Board approved engagement of Crady, Puca & Associates to perform the 2018 Audit.

#### LEGAL MATTERS

Second Amendment to 2017 Operation Funding Agreement: The Board reviewed and considered approving the Second Amendment to 2017 Operation Funding Agreement with Park 5<sup>th</sup> Avenue Development Co., LLC. Following discussion, upon a motion by Director Dome, seconded by Director Evans and, upon vote, unanimously carried, the Board approved the Second Amendment to the 2017 Operation Funding Agreement.

Design and Landscape Guidelines: The Board reviewed and discussed the status of the draft Design and Landscape Guidelines of Westtown. The Board directed Ms. Howe to distribute the draft Design and Landscape Guidelines for further review.

Status of Infrastructure Acquisition Report and acquisition of certain public improvements: Attorney Cortese presented the status of the Infrastructure Acquisition Report to the Board.

Cost Sharing Agreement: The Board discussed and considered ratifying the Cost Sharing Agreement between the District and Westtown Condominium Association, Inc. Following review, upon a motion by Director Evans, seconded by Director Dome and, upon vote, unanimously carried, the Board ratified approval of the Agreement.

#### OPERATIONS & MAINTENANCE

Conveyance of Monument: The Board discussed the status of conveyance of the monument sign.

Change Order No. 3 to Trash and Recycling Service Agreement with Republic Services, Inc: The Board reviewed and considered approving Change Order No. 3 to Service Agreement with Republic Services, Inc. for Trash and Recycling Services. Following discussion, upon a motion by Director Evans, seconded by Director McClure and, upon vote, unanimously carried, the Board approved Change Order No. 3 to the Service Agreement with Republic Services, Inc.

Change Order No. 2 to Snow Removal Service Agreement with Metco Landscape, LLC: The Board reviewed and considered ratifying approval of Change Order No. 2 to Service Agreement with Metco Landscape, LLC for Snow Removal Services. Following discussion, upon a motion by Director Evans, seconded by Director McClure and, upon vote, unanimously carried, the Board ratified approval of Change Order No. 2 to the Snow Removal Service Agreement with Metco Landscape, LLC.

Change Order No. 2 to Landscape Maintenance Service Agreement with Metco Landscape, LLC: The Board reviewed and considered ratifying approval of Change Order No. 2 to the Landscape Maintenance Service Agreement with Metco Landscape, LLC for Playground Trash Services through 2018. Following discussion, upon a motion by Director Evans, seconded by Director McClure and, upon vote, unanimously carried, the Board ratified approval of Change Order No. 2 to the Landscape Maintenance Service Agreement with Metco Landscape, LLC for Playground Trash Services through 2018.

Change Order No. 3 to Landscape Maintenance Service Agreement with Metco Landscape, LLC: The Board reviewed and considered approving Change Order No. 3 to Service Agreement with Metco Landscape, LLC for Landscape Maintenance Services to update pricing and extend services through December 31, 2019. Following discussion, upon a motion by Director Evans, seconded by Director McClure and, upon vote, unanimously carried, the Board approved Change Order No. 3 to Service Agreement with Metco Landscape, LLC for Landscape Maintenance Services to update pricing and extend services through December 31, 2019.

Service Agreement with Pet Scoop Commercial, LLC for Dog Waste Removal Services: The Board reviewed proposals and considered Dog Waste Removal Services for 2019 with Extreme Plant Care, Inc. or Pet Scoop Commercial, LLC. Following discussion, upon a motion by Director Evans, seconded by Director Dome and, upon vote unanimously carried, the Board approved a Service Agreement with Pet Scoop Commercial, LLC for Dog Waste Removal Services.

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

- Pool winterization
- City of Arvada parking signage review
- Pet waste
- Yard area submittals
- Violation report

CONSTRUCTION

The Board reviewed and discussed status of improvements and sales of individual units in the District.

OTHER MATTERS:

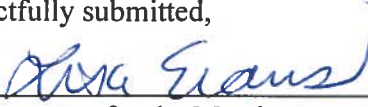
The Board directed the District Manager to post the District's Transparency Notice and mode of eligible elector notification for 2019 on the Special District Association website.

ADJOURNMENT

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

Respectfully submitted,

By


  
Secretary for the Meeting

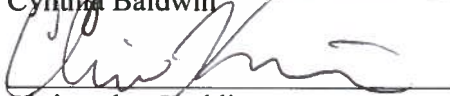
THESE MINUTES ARE APPROVED AS THE OFFICIAL OCTOBER 24, 2018 MINUTES OF THE WESTOWN METROPOLITAN DISTRICT BY THE MEMBERS OF THE BOARD OF DIRECTORS SIGNING BELOW:

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Eric Dome

  
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Lisa Evans

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Robert McClure

  
\_\_\_\_\_  
Cynthia Baldwin

  
\_\_\_\_\_  
Christopher Keddie

