

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
WESTOWN METROPOLITAN DISTRICT (THE "DISTRICT")
HELD
NOVEMBER 20, 2024

A Regular Meeting of the Board of Directors of the Westown Metropolitan District (referred to hereafter as the "Board") was convened on Wednesday, November 20, 2024, at 6:00 p.m. The Meeting was held via Zoom videoconference. The meeting was open to the public via Zoom.

ATTENDANCE

Directors In Attendance Were:

Cindy Baldwin
Pamela ("Pam") Benigno
Breann Bellio
Serge ("Serge") Pshichenko

Also In Attendance Were:

Suzanne Meintzer, Esq. (for a portion of the meeting) and Lisa A. Jacoby; McGeady Becher Cortese Williams P.C.
Jerry Jacobs and Traci McDonald; Timberline District Consulting, LLC ("Timberline")
Diane Wheeler; Simmons & Wheeler, P.C. (for a portion of the meeting)
Chase Walker and Michelle; Public

ADMINISTRATIVE MATTERS

Quorum / Disclosure of Potential Conflicts of Interest:

A quorum was confirmed. 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.

Ms. Jacoby requested members of the Board 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 statute. No potential conflicts of interest were disclosed and it was noted that all Directors are residents of the District.

Agenda:

The Board reviewed the Agenda for the meeting. Following discussion, upon motion duly made by Director Benigno, seconded by Director Baldwin, and upon vote unanimously carried, the Board approved the Agenda, as amended and excused the absence of Director Whitney.

Meeting Location/Posting Notice:

The Board entered into 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 Benigno, seconded by Director Baldwin, and upon vote unanimously carried, the Board determined to conduct this meeting via Zoom videoconference and encouraged public participation via Zoom. The Board noted that notice of this meeting and Zoom meeting information was duly posted, and the Board had not received any objections to the Zoom meeting or any requests that the meeting be changed by taxpaying electors within the District’s boundaries.

Resolution No. 2024-11-01 Establishing 2025 Meeting Dates, Time, Location, and Designating 24-Hour Notice Posting Location:

The Board discussed the business to be conducted in 2025 and determined to schedule 2025 Regular Board meetings for February 19, May 21, August 20 and November 19, 2025, at 6:00 p.m., to be held virtually.

Following discussion, upon motion duly made by Director Benigno, seconded by Director Baldwin, and upon vote unanimously carried, the Board adopted Resolution No. 2024-11-01 Establishing 2025 Meeting Dates, Time, Location, and Designating 24-Hour Notice Posting Location.

General Public Comment:

There were no public comments.

CONSENT AGENDA

The Board considered the following Consent Agenda items:

- Minutes of the August 21, 2024, Regular Board Meeting
- Minutes of the September 10, 2024, Special Board Meeting
- Minutes of the October 2, 2024, Budget Work Session
- Change Order No. 1 to A-1 Concrete Leveling North Denver, LLC for leveling and foundation repair, in the amount of \$1,900.

Upon motion duly made by Director Benigno, seconded by Director Bellio, and upon vote unanimously carried, the Board approved or ratified (as appropriate) the approval of the Consent Agenda items.

LEGAL MATTERS

Amendment to Covenant Enforcement Policy to Reflect Changes Mandated by HB 24-1267:

Attorney Meintzer discussed changes mandated by HB 24-1267. Following discussion, upon motion duly made by Director Benigno, seconded by Director Baldwin, and upon vote unanimously carried, the Board authorized Attorney Meintzer to draft Resolution No. 2024-11-02; Second Amended Policies and Procedures Governing the Enforcement of the Protective Covenants, and authorized review and approval by the Board, via email.

Website ADA Compliance:

Ms. McDonald presented a quote from NetCentric Technologies Inc. (dba Allyant and/or CommonLook) (“Allyant”) for remediation of documents to be posted the District’s website.

Following discussion, upon motion duly made by Director Beningo, seconded by Director Bellio, and upon vote unanimously carried, the Board approved the quote from Allyant in the amount of \$1,284.06 for remediation of specific website documents.

2025 Insurance:

Attorney Meintzer discussed the status of the District’s insurance.

Following discussion, upon motion duly made by Director Baldwin, seconded by Director Beningo, and upon vote unanimously carried, the Board authorized renewal of the District’s insurance, the District’s insurance broker services with Highstreet TCW Risk Management, and the District’s Special District Association membership for 2025.

Section 32-1-809, C.R.S. Requirements (Transparency Notice):

Attorney Meintzer discussed the special district transparency requirements of Section 32-1-809, C.R.S. with the Board. Following discussion, the Board directed District Counsel to post the special district transparency notice on the District’s and the Special District Association website.

Resolution No. 2024-11-02; Resolution Calling May 6, 2025 Election:

The Board discussed the May 6, 2025 election and the need for ballot issues and/or questions.

Following discussion, upon motion duly made by Director Beningo, seconded by Director Baldwin, and upon vote unanimously carried, the Board adopted Resolution No. 2024-11-02 Calling a May 6, 2025, Directors’ Election and appointed Lisa A. Jacoby as the Designated Election Official and authorized her to perform all tasks required for the Election for the conduct of a mail ballot election.

Adjourn to Executive Session for Legal Advice:

Executive Session was not necessary.

FINANCIAL MATTERS

Payment of Claims:

Ms. Wheeler reviewed the payment of claims with the Board.

Following discussion, upon motion duly made by Director Pshichenko, seconded by Director Bellio, and upon vote unanimously carried, the Board ratified and/or approved (as appropriate), the payment of claims in the amount of \$105,256.22.

Unaudited Financial Statements:

Ms. Wheeler presented the Financial Statements for the period ending September 30, 2024.

Following discussion, upon motion duly made by Director Baldwin, seconded by Director Beningo, and upon vote unanimously carried, the Board accepted the Financial Statements for the period ending September 30, 2024.

Public Hearing on Amendment to 2024 Budget:

The Board opened the public hearing to consider amending the 2024 Budget.

It was noted that a Notice stating that the Board would consider amending the 2024 Budget, along with 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.

Following discussion, it was determined that a 2024 Budget Amendment was not necessary.

Public Hearing on 2025 Budget:

The Board opened the public hearing to consider the proposed 2025 Budget and to discuss related issues. It was noted that Notice stating that the Board would consider adoption of the 2025 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.

The Board reviewed the estimated 2024 expenditures and the proposed 2025 expenditures.

Following discussion, upon motion duly made by Director Beningo, seconded by Director Baldwin, and upon vote unanimously carried, the Board approved the 2025 Budget, adopted Resolution No. 2024-11-03; Resolution to Adopt the 2024 Budget and Appropriate Sums of Money and Resolution No. 2024-11-04; Resolution to Set Mill Levies (53.650 Mills in the General Fund and 36.350 Mills in the Debt Service Fund, for a total of 90.000 Mills), subject to final assessed valuation adjustment, and authorized execution of the Certification of Budget. The District Accountant was directed to transmit the Certification of Tax Levies to the Board of County Commissioners. District Counsel was authorized to transmit the Certification of Budget to the Division of Local Government.

DLG-70 Mill Levy Certification Form:

Following discussion, upon motion duly made by Director Beningo, seconded by Director Baldwin, and upon vote unanimously carried, the Board authorized the District Accountant to prepare, sign and file the DLG-70 Certification of Tax Levies Form and Mill Levy Public Information form (“Certification”) with the Board of County Commissioners and other interested parties.

Preparation of 2026 Budget:

Following discussion, upon motion duly made by Director Beningo, seconded by Director Baldwin, and upon vote unanimously carried, the Board appointed the District Accountant to prepare the 2026 Budget.

COMMUNITY MANAGEMENT / COVENANT ENFORCEMENT MATTERS

Community Manager Report:

The Board reviewed the Community Manager Report. No action was required.

Covenant Violation Matters / Delinquent Accounts:

The Board reviewed the covenant violation report, and delinquent accounts report. No action was required.

Landscape Matters:

Condo Landscape Proposals:

The Board reviewed a summary of landscape options provided by High Plains Landscape for the condo quad area between buildings 15345 and 15295. Following discussion, the Board determined to focus on the most distressed areas, and deferred further discussion to allow for drawings/plans to be prepared and to be considered at the February Board Meeting.

Wizard Works' Proposal to Automate Pool Gate:

The Board reviewed the proposal from Wizard Works to automate the pool gate. Following discussion, upon motion duly made by Director Beningo, seconded by Director Pshichenko, and upon vote unanimously carried, the Board approved the proposal from Wizard Works for an amount of \$5,120.12, and authorized a Service Agreement be prepared.

Handicapped Private Parking Space:

The Board reviewed the location for requested handicap private parking space. Following discussion, upon motion duly made by Director Beningo, seconded by Director Baldwin, and upon vote unanimously carried the Board approved the installation of signage designating the subject parking space as a private permit only parking space.

Extend Holiday Lighting Period:

Following discussion, upon motion duly made by Director Beningo, seconded by Director Bellio, and upon vote unanimously carried the Board approved holiday lights to remain up through the duration of the Stock Show, or until January 26, 2025.

Light Pole Repair:

The Board discussed the need for a light pole repair. Following discussion, upon motion duly made by Director Beningo, seconded by Director Bellio, and upon vote unanimously carried the Board approved Foothills Facilities Maintenance to perform the required repair, for a not to exceed amount of \$2,000.

ADJOURNMENT

There being no further business to come before the Board at this time, upon vote unanimously carried, the Board adjourned.

Respectfully submitted,

By 
Secretary for the Meeting

MINUTES OF THE STATUTORY ANNUAL MEETING OF
THE BOARD OF DIRECTORS OF THE
WESTOWN METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
NOVEMBER 20, 2024

Pursuant to Section 32-1-903(6), C.R.S., a statutory annual meeting of the Board of Directors of the Westown Metropolitan District (referred to hereafter as the “Board”) was convened on Wednesday, November 20, 2024, at 6:00 p.m. via video teleconference. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Cindy Baldwin
Pamela (“Pam”) Benigno
Breann Bellio
Serge (“Serge”) Pshichenko

Also In Attendance Were:

Lisa A. Jacoby; McGeady Becher Cortese Williams P.C.
Jerry Jacobs and Traci McDonald; Timberline District Consulting, LLC (“Timberline”)
Diane Wheeler; Simmons & Wheeler, P.C.
Chase Walker and Michelle; Public

ANNUAL MEETING ITEMS

Confirmation of Posting of Annual Meeting Notice:

It was noted for the record that notice of the time, date and location of the annual meeting was duly posted on the District’s website and that no objections to the means of hosting the meeting by taxpaying electors within the District’s boundaries have been received.

Presentation Regarding the Status of the Public Infrastructure Projects Within the District and Outstanding Bonds:

Ms. Wheeler summarized information regarding the Series 2020 Taxable Loan, and noted that all planned public infrastructure projects within the District were complete.

Unaudited Financial Statements, Including Year-to-Date Revenue and Expenditures of the District in Relation to its Adopted Budget, for the Calendar Year:

Ms. Wheeler presented the District’s Unaudited Financial Statements, including year-to-date revenue and expenditures of the District in relation to the District’s adopted budget, for the calendar year.

Public Questions:

There were no questions from the public.

ADJOURNMENT

There being no further business to come before the Board at this time, upon vote unanimously carried, the Board adjourned.

Respectfully submitted,

By *Lisa Jacoby*
Secretary for the Meeting

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SENT

02 / 26 / 2025
17:10:59 UTC

Sent for signature to Lisa A. Jacoby
(ljacoby@specialdistrictlaw.com) from
ljacoby@specialdistrictlaw.com
IP: 50.220.120.106



VIEWED

02 / 26 / 2025
17:11:05 UTC

Viewed by Lisa A. Jacoby (ljacoby@specialdistrictlaw.com)
IP: 50.220.120.106



SIGNED

02 / 26 / 2025
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The document has been completed.