

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE DENARGO MARKET METROPOLITAN DISTRICT NO. 1 HELD SEPTEMBER 15, 2020

A Special Meeting of the Board of Directors (referred to hereafter as the “Board”) of the Denargo Market Metropolitan District No. 1 (referred to hereafter as the “District”) was held on Tuesday, the 15th day of September, 2020, at 4:30 p.m. Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, the District Board meeting was held and properly noticed to be held via telephone conference. The meeting was open to the public telephonically.

ATTENDANCE

Directors In Attendance Were:

Laura H. Newman
Donald D. Cabrera
Jeffrey D. Jones
David H. Smith
Todd T. Wenskoski

Also In Attendance Were:

Ann E. Finn; Special District Management Services, Inc. (“SDMS”)

Paula Williams, Esq.; McGeady Becher P.C.

Jason Carroll and Matt Vigil; CliftonLarsonAllen LLP

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure 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 and to the Secretary of State. It was noted that disclosures of potential conflicts of interest statements for each of the Directors had been filed with the Secretary of State seventy-two hours in advance of the meeting. Attorney Williams requested that the Directors consider whether they had any additional conflicts of interest to disclose. It was noted for the record that there were no additional disclosures made by the Directors present at the meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statutes.

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ADMINISTRATIVE MATTERS

Agenda: Ms. Finn reviewed with the Board a proposed Agenda for the District's Special Meeting.

Following discussion, upon motion duly made by Director Cabrera, seconded by Director Newman and, upon vote, unanimously carried, the Agenda was approved, as presented.

Approval of Meeting Location: 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, upon motion duly made by Director Cabrera, seconded by Director Newman and, upon vote, unanimously carried, the Board determined that due to concerns regarding the spread of COVID-19 and the benefits to the control of the virus by limiting in-person contact, this meeting was conducted by teleconference. The Board further noted that notice of time, date and teleconference information was duly posted and that no objections, or any requests that the means of hosting the meeting be changed were received from taxpaying electors within the District's boundaries.

Minutes: The Board reviewed the Minutes of the June 16, 2020 Special Meeting.

Following discussion, upon motion duly made by Director Cabrera, seconded by Director Jones and, upon vote, unanimously carried, the Minutes of the June 16, 2020 Special Meeting were approved, as presented.

CONSENT AGENDA

The Board considered the following actions:

- Ratify approval of proposal from Arrowhead Landscape Services, Inc. for mulch installation in the park, for the amount of \$7,104.
- Ratify approval of proposal from Arrowhead Landscape Services, Inc. to string trim fence line and remove dead plant material in the park, for the amount of \$1,547.
- Ratify approval of proposal from Arrowhead Landscape Services, Inc to clean the detention pond and drain pan, for the amount of \$1,830.
- Ratify approval of Eligible Governmental Entity Agreement between the Statewide Internet Portal Authority of the State of Colorado and the District.

Following discussion, upon motion duly made by Director Jones, seconded by Director Cabrera and, upon vote, unanimously carried, the Board approved and/or ratified approval of the Consent Agenda items.

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PUBLIC COMMENT

There were no public comments.

FINANCIAL MATTERS

Claims: The Board considered ratifying the approval of the payment of claims as follows:

Fund	Period Ending June 18, 2020	Period Ending July 09, 2020	Period Ending August 18, 2020	Period Ending Sept. 8, 2020
General	\$ 21,449.98	\$ 12,632.66	\$ 28,331.94	\$ 11,952.32
Debt Service	\$ -0-	\$ (17,027.85)	\$	\$
Capital Projects	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total	\$ 21,449.98	\$ 12,632.66	\$ 28,331.94	\$ 11,952.32

Following discussion, upon motion duly made by Director Jones, seconded by Director Cabrera and, upon vote, unanimously carried, the Board ratified approval of the payment of the claims, as presented.

Unaudited Financial Statements: Mr. Vigil reviewed with the Board the unaudited financial statements through the period ending June 30, 2020 and Schedule of Cash Position, updated as of September 14, 2020.

Following review, upon motion duly made by Director Newman, seconded by Director Jones and, upon vote, unanimously carried, the Board accepted the unaudited financial statements through the period ending June 30, 2020 and Schedule of Cash Position, updated as of September 14, 2020.

Budget Workshop: The Board determined to hold a Budget Workshop on Tuesday, October 27, 2020 at 4:30 p.m.

LEGAL MATTERS

Termination of Capital Pledge Agreement by and among Denargo Market Metropolitan District Nos. 1, 2 and 3, as amended September 29, 2016: Attorney Williams reviewed with the Board the Termination of Capital Pledge Agreement by and among Denargo Market Metropolitan District Nos. 1, 2 and 3, as amended September 29, 2016.

Following discussion, upon motion duly made by Director Newman, seconded by Director Jones and, upon vote, unanimously carried, the Board approved the Termination of Capital Pledge Agreement by and among Denargo Market Metropolitan District Nos. 1, 2 and 3, as amended September 29, 2016.

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OPERATIONS AND MAINTENANCE

Operation and Maintenance Report: Ms. Finn provided an Operations Report.

Proposal from Arrowhead Landscape Services, Inc. for the Installation of Additional Mulch in the Tree Lawns, for the amount of \$4,075: The Board deferred discussion.

Proposal from Arrowhead Landscape Services, Inc. for the Installation of Rock in the Tree Lawn, for the amount of \$3,960: The Board deferred discussion.

2021 Service Agreements:

Landscape Services: Ms. Finn reviewed proposals for landscape services with the Board. The Board deferred action.

Snow Removal Service: Ms. Finn reviewed proposals for snow removal service with the Board. The Board deferred action.

Security Services: Ms. Finn reviewed proposals for security services with the Board. The Board deferred action.

Towing: Ms. Finn reviewed proposals for towing services with the Board. The Board deferred action.

Site Lighting Services: Ms. Finn reviewed proposals for site lighting services with the Board. The Board deferred action.

Construction Management Services: The Board deferred discussion.

Walk-Though: The Board requested a walk through of the site to determine necessary services. The walk-through was scheduled for September 22, 2020 at 9:00 a.m.

Cleaning of the Detention Pond: Ms. Finn noted for that cleaning of the detention pond had been completed for \$1,800.

CAPITAL MATTERS

Permits:

Public R-O-W Permit for CFC Construction Inc.: Ms. Finn noted for the Board the Public R-O-W Permit from CFC Construction Inc. has been extended to October 15, 2020.

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Payment of Permit Fee: Ms. Finn advised the Board that CFC Construction Inc. had paid the permit fee for the extension, in the amount of \$8,744.

OTHER MATTERS


Presentation to Resident's Regarding the District and New Development:

The Board discussed the status of development of property surrounding the District. Director Newman reported that the Developer will provide a presentation of its proposed development plans at the November meeting. No action was taken by the Board.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Cabrera, seconded by Director Smith and, upon vote, unanimously carried, the Regular Meeting was adjourned.

Respectfully submitted,

By: 
Secretary for the Meeting