

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE DENARGO MARKET METROPOLITAN DISTRICT NO. 1 HELD OCTOBER 5, 2021

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 5th day of October 2021, 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 Zoom. The meeting was open to the public via Zoom.

ATTENDANCE

Directors In Attendance Were:

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

Also In Attendance Were:

Matt Cohrs; Special District Management Services, Inc. (“SDMS”)

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

Jason Carroll and Lindsay Ross; 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.

RECORD OF PROCEEDINGS

ADMINISTRATIVE MATTERS

Confirmation of Quorum and Approval of Meeting Location: Mr. Cohrs confirmed the presence of a quorum. 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, upon motion duly made by Director Cabrera, seconded by Director Jones 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 via Zoom meeting. The Board further noted that notice of the time, date and meeting access 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.

Agenda: Mr. Cohrs 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 Jones and, upon vote, unanimously carried, the Agenda was approved, as presented.

Minutes: The Board reviewed the Minutes of the June 15, 2021 Special Meeting.

Following discussion, upon motion duly made by Director Jones, seconded by Director Smith and, upon vote, unanimously carried, the Minutes of the June 15, 2021 Special Meetings were approved, as presented.

CONSENT AGENDA

The Board considered the following actions:

- Ratify approval of proposal from Consolidated Divisions, Inc., D/B/A CDI Environmental Contractor for Detention Pond Maintenance, in the amount of \$9,000.00.

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

PUBLIC COMMENT

There were no public comments.

RECORD OF PROCEEDINGS

FINANCIAL MATTERS

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

Fund	Period Ending June 30, 2021	Period Ending July 31, 2021	Period Ending August 31, 2021
General	\$ 30,215.14	\$ 24,072.08	\$ 19,526.29
Debt Service	\$ -0-	\$ -0-	\$ -0-
Capital Projects	\$ -0-	\$ -0-	\$ -0-
Total	\$ 30,215.14	\$ 24,072.08	\$ 19,526.29

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

Unaudited Financial Statements: Mr. Carroll reviewed the unaudited financial statements through the period ending June 30, 2021 and Schedule of Cash Position, updated as of September 9, 2021, with the Board.

Following review, upon motion duly made by Director Newman, seconded by Director Cabrera and, upon vote, unanimously carried, the Board accepted the unaudited financial statements through the period ending June 30, 2021 and Schedule of Cash Position, updated as of September 9, 2021.

LEGAL MATTERS

Resolution 2021-10-01; Resolution Establishing Impact Fee for Developments Outside of District: The Board entered into discussion regarding a Resolution Establishing Impact Fee for Developments Outside of District.

Following discussion, upon motion duly made by Director Cabrera, seconded by Director Jones and, upon vote, unanimously carried, the Board adopted Resolution 2021-10-01; Resolution Establishing Impact Fee for Developments Outside of District.

OPERATIONS AND MAINTENANCE

Change Order No. 1 to Service Agreement for Snow Removal Services by and between the District and BrightView Landscape, Inc. (“Change Order No. 1”): The Board reviewed Change Order No. 1.

Following discussion, upon motion duly made by Director Cabrera, seconded by Director Newman and, upon vote, unanimously carried, the Board approved Change Order No. 1.

RECORD OF PROCEEDINGS

Change Order No. 11 to Service Agreement for Landscape Services by and between the District and BrightView Landscape, Inc. (“Change Order No. 11”): The Board reviewed Change Order No. 11.

Following discussion, upon motion duly made by Director Jones, seconded by Director Newman and, upon vote, unanimously carried, the Board approved Change Order No. 11.

Service Agreement by and between the District and Crest Exteriors LLC for Creation of a Dog Play Area: The Board entered into discussion regarding a Service Agreement by and between the District and Crest Exteriors LLC for the Creation of a Dog Play Area.

Following discussion, upon motion duly made by Director Jones, seconded by Director Smith and, upon vote, unanimously carried, the Board approved the Service Agreement by and between the District and Crest Exteriors LLC for Creation of a Dog Play Area, subject to adding additional fencing to enclose the entire dog park, at a total cost not to exceed \$18,000.


OTHER MATTERS

Status of Development: Director Cabrera and Mr. Cohrs updated the Board on the status of development.

ADJOURNMENT

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

Respectfully submitted,

By: 
Secretary for the Meeting