

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CONCORD METROPOLITAN DISTRICT HELD MAY 7, 2013

A regular meeting of the Board of Directors of the Concord Metropolitan District was held on May 7, 2013, at 12:00 p.m. at the offices of CliftonLarsonAllen LLP, 8390 E. Crescent Parkway, Suite 500, Greenwood Village, CO 80111. The meeting was open to the public.

- Attendance In attendance were Directors:
- Dan Bess; Chairman and President (via telephone)
 Hank Vanderryst; Assistant Secretary
 Jeff Dean; Assistant Secretary
- Also in attendance were:
- Bob Blodgett & Jason Carroll; CliftonLarsonAllen LLP
 Russ Dykstra; Spencer Fane & Grimshaw
- Call to Order Director Bess called the meeting to order at 12:15 p.m. The absence of Director Mott was excused by the Board.
- Disclosure of
Potential Conflicts
Of Interest Written conflict of interest disclosure statements were filed with the Secretary of State on behalf of the District 72 hours prior to this meeting.
- Board Vacancy No report.
- Approval
Of Minutes Upon a motion duly made by Director Bess, seconded by Director Vanderryst, and upon a vote, unanimously carried, the Board approved the April 30, 2013 Special Board Minutes as submitted.
- Financial Items Review and Approve 2012 Draft Audit
- Mr. Carroll reviewed the 2012 Draft Audit with the Board.
- After discussion, and upon a motion duly made by Director Bess, seconded by Director Dean, and upon a vote, unanimously carried, the Board approved the 2012 Draft Audit as presented, and subject to final

RECORD OF PROCEEDINGS

legal review by counsel and any non substantive changes, the Board authorized Mr. Carroll to file with the Division of Local Government.

Review and Accept March 31, 2013 Financial Statements and May 1, 2013 Updated Cash Position – Jason Carroll

Mr. Carroll reviewed with the Board. Upon a motion duly made by Director Bess, seconded by Director Vanderryst, and upon a vote, unanimously carried, the Board accepted the March 31, 2013 Financial Statements and May 1, 2013 updated Cash Position.

Review and Ratify November 2012 Through March 2013 Claims Represented by Check Numbers 1577 Through 1593 Totaling \$21,321.08

Upon a motion duly made by Director Dean, seconded by Director Bess, and upon a vote, unanimously carried, the Board approved to ratify the November 2012 through March 2013 claims totaling \$21,321.08.

Review and Consider Approval of April 2013 Claims Totaling \$3,591.79 and Directors' Fees Totaling \$554.10

Upon a motion duly made by Director Dean, seconded by Director Bess, and upon a vote, unanimously carried, the Board approved the April 2013 claims totaling \$3,591.79 represented by check numbers 1600 through 1604..

Other

After discussion, the Board decided that they should be treated as employees rather than contractors in the future. Mr. Carroll and Mr. Dykstra both recommended this approach for the handling of future Director's fees. This means there will be a deduction for FICA and Medicare on each Director's fee check in the future.

Manager
Items

Status of Viawest Project

The Board asked Mr. Blodgett to contact Mr. White to request a copy of the draft letter of conditional approval for review by Mr. Dykstra and the Board prior to it being sent to Viawest as a result of the April 30th Board meeting. The Board also asked the Mr. White obtain samples of images of other exposed ducts similar to that proposed by Viawest for review by the Board before that design element is finally approved.

1. Future System Development Fees

RECORD OF PROCEEDINGS

The Board reviewed the System Development Fees Resolution. They also reviewed the current ACWWA tap fee schedule on the ACWWA website. After discussion, the Board asked Mr. Blodgett to develop a schedule of system development fee charges consistent with the multipliers used by ACWWA and other districts for tap fees.

For example, a ¾" single family equivalent will be \$3,500. A 1" tap will be two single family equivalent equal to \$7,000, and so forth. Mr. Blodgett will develop the schedule. The Board also asked that the schedule included information regarding the fee that applicants pay of \$.02 per square foot for the ACC costs to review a proposed project. The District Board now meets as the ACC. The schedule will also indicate that the applicant pays all the other consulting costs of the architect, attorney, and manager to approve their submitted plans. Mr. Blodgett will prepare the schedule and circulate to the attorney and Board for review and final approval.

Maintenance Items

No report.

Discuss SDF Schedule for Tap Sizes Greater Than ¾" Inch

Previously discussed.

Referrals

Mr. Blodgett reported a referral was received Friday from Douglas County regarding the Viawest project. After discussion, the Board authorized Mr. Blodgett to respond with a favorable comment subject to complying with the requirements of the ACC review to be expressed in Mr. White's letter.

Attorney Items

IBC and Viawest Request for Improvements

Mr. Dykstra reported that he understood that Mr. Mott would be requesting the District to maintain the drives between the future Viawest building and the IBC building as District improvements. Director Bess stated that he disagreed with this approach. These are private drives. This is the way they have been handled throughout the development of the Concord Commons Business Park.

After further discussion, the Board decided to wait and respond to a letter request when and if Director Mott sends that to the Board in the future.

RECORD OF PROCEEDINGS

Mr. Blodgett reported the estimate for handling the Viawest ACC request to date for management and architectural charges is approximately \$2,800. This does not yet include Mr. Dykstra's costs. The Board expressed concern about the costs for the ACC to meet as a District Board and review the applicant's request. The Board asked Mr. Blodgett to prepare the schedule of estimated costs for an applicant for the distribution to other property owners. The Board also discussed other ways to reduce the future costs of convening the ACC at a District Board meeting.

Action was deferred to a future Board meeting.

Director
Items

Confirm Next Regular Board Meeting: Tuesday, August 6, 2013 at 12:00 p.m. at CliftonLarsonAllen LLP located at 8390 E. Crescent Pkwy., Suite 500, Greenwood, Village 80111

A quorum was confirmed.

Adjournment

With there being no further business before the Board, and upon a motion duly made by Director Bess, seconded by Director Vanderryst, and upon a vote, unanimously carried, the Board adjourned the meeting at 1:15 p.m.

Respectfully submitted,


Secretary for the Meeting