

# RECORD OF PROCEEDINGS

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## MINUTES OF A CONTINUED SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE CONCORD METROPOLITAN DISTRICT HELD SEPTEMBER 9, 2013

A continued special meeting of the Board of Directors of the Concord Metropolitan District was held on September 9, 2013, at 9:00 a.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  
Hank Vanderryst; Assistant Secretary (via telephone)  
Jeff Dean; Assistant Secretary  
Brian Mott; Secretary/Treasurer

Also in attendance were:

Bob Blodgett & Jason Carroll; CliftonLarsonAllen LLP  
Joe Guerriero & Jason Scandrol; ViaWest  
Mike Evans; Playtime, 8480 Upland Drive (via telephone)  
Bruce Keeler; Blue Water Ventures, 8670 Concord Commons Drive  
(via telephone)  
Lisa Rangel; Representing Dan and Jean Goetz, High Plains Marketing,  
8678 Concord Commons Drive (via telephone)  
Jason Gordon; Heartland Acoustics, 8672 Concord Commons Drive  
(via telephone)  
Todd Schieck; Concord Commons, LLC, 8668 Concord Commons Drive  
(via telephone)

### Call to Order

Director Bess called the meeting to order at 9:15 a.m.

### 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

Consider Appointment

Deferred to the November Board meeting.

Oath of Office

Deferred to the November Board meeting.

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Director  
Items

Discuss IBC Holdings and ViaWest Request for Infrastructure Support,  
Lots 5 and 6, Filing 1 - \$295,000 (est.)

Director Bess summarized the history of the District and its prior projects for major infrastructure. Mr. Blodgett summarized the request by IBC Holdings and ViaWest and the decision at the August Board meeting to table the request until the property owners in the District could be notified, and the issue could be further discussed with a full Board and the property owners.

Director Bess noted the request is for reimbursement of \$295,000 for an L shaped public street network that extends easterly from Peoria Drive at the midpoint between James E. Casey Avenue and Compark Business Campus Blvd. and turns south at the midpoint between Peoria and Concord Commons Drive to Compark Blvd. If the District accepts the internal roadways as public streets, the District will also maintain the streets. ACWWA will maintain the major water line.

Director Mott stated that the distinction between these internal drives and other in the park are because these will connect to signalized intersections which will make these public streets for access by the property owners and the public.

Director Mott reported there is 800 feet of street required. The first phase will be approximately 250 ft. of street, and the remaining portion of the street would be built when phase two proceeds.

Mr. Carroll described the District's Capital Project Fund reserves and operating reserves which are able to assist in financing requests such as this. He indicated the current capital reserve is approximately \$400,000. The District may be responsible for half of one or two traffic signals which could be \$250,000 total. There are also approximately \$100,000 of reserves available in the General Fund. Collectively, these reserves would be able to finance the \$295,000 request in addition to the future traffic signal obligations by the District. In addition, there is approximately \$663,000 of funds due the District from SEMSWA for prior regional stormwater detention pond improvements, as development occurs in that basin in the future. Further, the District will also receive system development fees of \$3,500 per SFE equivalent as additional development occurs within the District including the ViaWest Project.

Mr. Schieck asked about the maintenance of the street in the future. Mr. Blodgett indicated the District had adequate operating funds to pay for this annual maintenance. Director Mott noted the bulk of the cost would probably be snow removal.

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One of the other property owners asked about the future use of the capital improvement reserves. Director Bess reported the primary uses will be traffic signals and potential non potable water lines. Traffic signals may be required someday at the intersection of Concord Commons Drive and Compark Blvd., as well as the future north/south access point between ViaWest and the IBC buildings at Compark Blvd.

Directors Bess and Mott reported their conflicts.

Mr. Blodgett reported that the District general counsel had reported to the Board at the last meeting that as long as their conflicts are properly disclosed, all Board members may vote on this item.

After further discussion, upon a motion duly made by Director Bess, seconded by Director Mott, and upon a vote, unanimously carried, the Board voted to provide funding from the District's reserves for the cost of construction for the two internal drives and the future water line. The internal drives to the public streets to be maintained by Douglas County or the District, the water line to be maintained by ACWWA with a maximum construction cost reimbursement amount of \$295,000. Any obligations above that would be the responsibility of the adjacent property owners.

### Other Business

#### A. Review and Approve Claims for Directors Fees

Upon a motion duly made by Director Mott, seconded by Director Bess, and upon a vote, unanimously carried, the Board approved the Directors Fees for this Board meeting totaling \$369.40.

#### B. Website

Mr. Blodgett reviewed Mr. Nearing's proposal to develop a website for the District in the amount of \$700. Director Dean reported this appears to be a very cost effective proposal.

Upon a motion duly made by Director Dean, seconded by Director Mott, and upon a vote, unanimously carried, the Board approved the establishment of a Concord Metropolitan District website by Mr. Nearing. Mr. Blodgett reported a "dummy" website would be provided to the Board for review before it goes live.

### Adjournment

With there being no further business before the Board, and upon a motion duly made by Director Bess, seconded by Director Mott, and upon a vote, unanimously carried, the meeting adjourned at 10:30 a.m.

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Respectfully submitted,



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Secretary for the Meeting