

# RECORD OF PROCEEDINGS

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## MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CONCORD METROPOLITAN DISTRICT HELD MAY 6, 2014

A regular meeting of the Board of Directors of the Concord Metropolitan District was held on May 6, 2014, 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  
   Hank Vanderryst; Assistant Secretary (left the meeting at 1:15 p.m.)  
   Jeff Dean; Assistant Secretary  
   Brian Mott; Secretary/Treasurer
- Also in attendance were:
- Bob Blodgett, Jason Carroll & Denise Denslow; CliftonLarsonAllen LLP  
   Russ Dykstra; Spencer Fane Britt & Browne LLP  
   Ned White; Intergroup Architects (via telephone)  
   Hank Koch; Team Technologies LLC (via telephone)  
   Brett Van Zee; Invision Architects (via telephone)
- Call to Order                      Director Bess called the meeting to order at 12:00 p.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.
- May 6, 2014  
Directors'  
Election Results                      A.        Oath of Offices for Directors Bess and Vanderryst
- Directors Bess and Vanderryst took their Oath of Office.
- B.        Election of Officers
- Upon a motion duly made by Director Bess, seconded by Director  
Vanderryst, and upon a vote, unanimously carried, the Board confirmed  
the current slate of officers.
- Minutes                              A.        Review and Approve Minutes of the February 4, 2014 Regular

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## Board Meeting

Upon a motion duly made by Director Mott, seconded by Director Vanderryst, and upon vote, unanimously carried, the Board approved the February 4, 2014 regular Board meeting minutes as submitted.

Discuss  
Board  
Vacancy

No report.

Financial  
Items

A. Review and Accept March 31, 2014 Financial Statements and Cash Position Report

Mr. Carroll reviewed with the Board.

Upon a motion duly made by Director Mott, seconded by Director Bess, and upon a vote, unanimously carried, the Board accepted the March 31, 2014 Financial Statements and Cash Position Report. The Board asked that an invoice be sent to ViaWest for the District's system development fee charge due upon certificate of occupancy based on their tap size.

Mr. Blodgett noted that the cost of the review of the Team Technologies site plan by the ACC and Mr. White's time also should be reimbursed by Team Technologies.

B. Review and Consider Approval of Current Claims Totaling \$4,781.99 and Director's Fees Totaling \$369.40

Upon a motion duly made by Director Bess, seconded by Director Mott, and upon vote, unanimously carried, the Board approved the current claims totaling \$4,781.99 and Director's fees totaling \$369.40 as submitted.

C. Review and Ratify March 2014 Claims Represented by Check Numbers 1672 Through 1680 Totaling \$11,905.33

Upon a motion duly made by Director Bess, seconded by Director Mott, and upon vote, unanimously carried, the Board ratified the March 2014 claims represented by check numbers 1672 through 1680 totaling \$11,905.33.

D. Review and Consider Approval of 2013 Draft Financial Statements

Mr. Carroll reviewed with the Board. He noted an "unmodified" opinion is being provided by the Auditor.

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Upon a motion duly made by Director Bess, seconded by Director Dean, and upon a vote, unanimously carried, the Board approved the 2013 Audit.

E. Other

None.

Manager  
Items

A. Team Technologies Project Referral

The Board discussed with Mr. Koch, Mr. White and Mr. Van Zee by telephone the Team Technologies project site plan. The Board expressed appreciation to Team Technologies for their investment within the District. They indicated they are not opposed to the structure. They want to improve its landscaping. After discussion, the Board decided to ask Mr. White to work with Team Technologies to provide additional landscaping along Compark Boulevard. The Board also asked Mr. White to have Team Technologies provide landscaping along Compark Boulevard to their property line to the west that adjoins with ViaWest.

B. Website Update

Mr. Blodgett indicated the new Board member terms and the District map will be added to the website.

C. Landscape Maintenance Issue – Concord Center Sign

1. Discuss Enclosed Proposal for Repairs to be Paid by Mortenson Construction

Upon a motion duly made by Director Mott, seconded by Director Bess, and upon a vote, unanimously carried, the Board approved the \$2,749 repair proposal by DesignScapes for damages caused by ViaWest Construction at the District's entry sign. These costs will be reimbursed by ViaWest.

2. DesignScapes Proposal for Annuals - \$794

Upon a motion duly made by Director Bess, seconded by Director Dean, and upon a vote, unanimously carried, the Board approved the proposal for annuals in the amount of \$794.

D. Other

None.

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Attorney  
Items

- A. Consider Approval of Public Improvements Reimbursement Agreement Between the District and IBC Holdings, ViaWest and TTS – NTE \$295,000

Mr. Dykstra indicated this agreement is on hold until the parties who are subject to the agreement and the specific amounts to be reimbursed to each party are finalized. The Board discussed this issue with Mr. Koch. He indicated he would review with his attorney and get back to the Board in the near future. Director Mott will provide Mr. Koch with the engineer's cost estimate of \$295,000.

Mr. Koch offered to have a separate conference call with Director Mott and others to discuss the reimbursement agreement.

- B. Approve Agreement with Tamarac Consulting for 3<sup>rd</sup> Party Verification of Public Improvements Construction – NTE \$2,000

Mr. Dykstra reported this agreement cannot be completed until the Public Improvement Reimbursement Agreement is finalized and the scope of work for Tamarac is verified.

Director  
Items

- A. Development Activity Update

Director Mott indicated that IBC Holdings will begin construction on a fourth building in the near future. The Board noted that the Team Technologies building may be comparable in assessed value to the ViaWest building when completed.

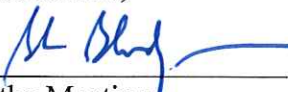
- B. Confirm Next Regular Board Meeting: Tuesday, August 5, 2014 at 12:00 p.m. at CliftonLarsonAllen LLP, 8390 E. Crescent Parkway., Suite 500, Greenwood Village, CO 80111

The Board confirmed a quorum for the August 5, 2014 quarterly Board meeting. Mr. Carroll indicated he will have a draft 2015 Budget available for review at this meeting.

Adjournment

With there being no further business before the Board, and upon a motion duly made by Director Bess, seconded by Director Dean, and upon a vote, unanimously carried, the meeting adjourned at 1:30 p.m.

Respectfully submitted,

  
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Secretary for the Meeting