

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

THE CANYONS METROPOLITAN DISTRICT NO. 5

Held: Monday, May 13, 2019 at 3:30 p.m. at 3033 East 1<sup>st</sup> Ave., Suite 725, Denver, Colorado.

Attendance

The regular meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve, were in attendance.

Jonathan Alpert  
Scott Alpert  
Darren Everett

Also present were Clint C. Waldron, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Shelby Clymer, CliftonLarsonAllen, District Accountant; and Kaitlin Noreen, Alpert Companies.

Call to Order

Director Jonathan Alpert called the meeting to order.

Declaration of Quorum/Director Qualifications/Reaffirmation of Disclosures

of Mr. Waldron advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Waldron reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. Waldron inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Board determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda

Mr. Waldron presented the proposed agenda to the Board for consideration. Following discussion, upon motion duly made and seconded, the Board approved the agenda as presented.

Public Comment

None.

**Consent Agenda**

Mr. Waldron presented the items on the consent agenda to the Board for consideration. Mr. Waldron advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any director. No items were requested removed from the consent agenda. Upon motion duly made and seconded, the following items on the consent agenda were unanimously approved and adopted:

Approval of Minutes from February 11, 2019 Board Meeting

**Legal Matters**

Discussion Regarding Facilities Fees

Ms. Clymer reviewed the current collections and tracking process with the Board. Following discussion, the Board requested that Facilities Fees be added to the City’s sign-off.

Discuss Service Plan Disclosure

Mr. Waldron reviewed the requirement in the Service Plan regarding disclosure to residents and taxpayers. Following discussion, the Board requested that as District No. 7 is managing the contracts and operations, District No. 7 provide the disclosure for the Board’s review.

Other Legal Matters

Mr. Waldron reviewed HB19-1087 with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously determined to continue posting the notices on site and requested that District No. 7 create a District Website.

**Financial Matters**

Consider Acceptance of Unaudited Financial Statements

Ms. Clymer reviewed the March 31, 2018 Unaudited Financials with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the financials.

Consider Approval/Ratification of Claims Payable

Ms. Clymer reviewed the claims payables with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the claims listing in the amount of \$6,723.87.

Consider Adoption of Resolution Regarding Acceptance of Verified Costs

Ms. Clymer reviewed the Resolution Regarding Acceptance of Verified Costs with the Board. Following discussion, upon motion duly made and seconded, the Board unanimously approved the Resolution Regarding Acceptance of Verified Costs.

Consider Approval of Requisition No. 9 in the Amount of \$6,113,621.46

Ms. Clymer reviewed Requisition No. 9 in the amount of \$6,113,621.46 with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved Requisition No. 9 in the amount of \$6,113,621.46.

Consider Approval of 2018  
Audit

Ms. Clymer reviewed the 2018 draft audit with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the 2018 audit subject to receipt of clean opinion from the auditor.

Other Financial Matters

None.

**Directors' Items**

None.


**Other Business**

None.

**Adjourn**

There being no further business to come before the Board, and following discussion and upon motion duly made, seconded and unanimously carried, the Board determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.



---

Secretary for the Meeting

The foregoing minutes were approved on this 12<sup>th</sup> day of August, 2019.