

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE SHERIDAN STATION WEST METROPOLITAN DISTRICT HELD DECEMBER 10, 2020

A Special Meeting of the Board of Directors of the Sheridan Station West Metropolitan District (referred to hereafter as the “Board”) was convened on Thursday, December 10, 2020 at 10:00 a.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, this District Board meeting was held by conference call without any individuals (neither District Representatives nor the General Public) attending in person. The meeting was open to the public.

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**Directors In Attendance Were:**

Douglas Elenowitz  
Jordan Scharg  
Scott M. Watkins

Following discussion, upon motion duly made by Director Scharg, seconded by Director Watkins and, upon vote, unanimously carried, the absence of Directors Malone and Martines were excused.

**Also In Attendance Were:**

David Solin; Special District Management Services, Inc.  
Megan Becher, Esq. and Chris Brummitt, Esq.; McGeedy Becher P.C.  
Ashley Begley, Karlyn Franchini and Sara Wright; Residents

**DISCLOSURE OF  
POTENTIAL  
CONFLICTS OF  
INTEREST**

**Disclosure of Potential Conflicts of Interest:** Attorney Becher noted that disclosures of potential conflict of interest statements for each of the Directors were filed with the Secretary of State seventy-two hours in advance of the meeting. Mr. Solin requested that the Directors consider whether they had any additional conflicts of interest to disclose. Mr. Solin noted for the record that there were no new 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 and in accordance with the statutes.

**ADMINISTRATIVE  
MATTERS**

**Agenda:** Mr. Solin distributed for the Board’s review and approval a proposed Agenda for the District's Special Meeting.

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Following discussion, upon motion duly made by Director Scharg, seconded by Director Watkins and, upon vote, unanimously carried, the Board approved the Agenda, as amended.

**Approval of Meeting Location:** 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 Scharg, seconded by Director Watkins and, upon vote, unanimously carried, the Board determined that 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, this District Board meeting was held by conference call without any individuals (neither District Representatives nor the General Public) attending in person on location.

**Resignation of Director:** The resignation of Director Michael Martines effective as of December 10, 2020 was acknowledged.

**Appointment of Director:** The Board considered the appointment of Ms. Ashley Begley to fill a vacancy on the Board of Directors.

Following discussion, upon motion duly made by Director Watkins, seconded by Director Scharg and, upon vote, unanimously carried, the Board appointed Ms. Ashley Begley to fill a vacant position on the Board of Directors. The Oath of Office was administered.

**Appointment of Officers:** The Board entered into discussion regarding appointment of officers.

Following discussion, upon motion duly made by Director Elenowitz, seconded by Director Scharg and, upon vote, unanimously carried, the following slate of officers were appointed:

President	Douglas Elenowitz
Treasurer	Jordan Scharg
Secretary	David Solin
Assistant Secretary	Scott M. Watkins
Assistant Secretary	Paul Malone
Assistant Secretary	Ashley Begley

**Minutes:** The Board reviewed the Minutes of the July 29, 2020 Special Meeting.

Following discussion, upon motion duly made by Director Scharg, seconded by Director Watkins and, upon vote, unanimously carried, the Board approved the Minutes of the July 29, 2020 Special Meeting, as presented.

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**Resolution No. 2020-12-01; Resolution of the Board of Directors of the Sheridan Station West Metropolitan District Establishing Regular Meeting Dates, Time and Location, and Designating Location for posting 24-Hour Notices:** Mr. Solin discussed with the Board Resolution No. 2020-12-01; Resolution of the Board of Directors of the Sheridan Station West Metropolitan District Establishing Regular Meeting Dates, Time and Location, and Designating Location for posting 24-Hour Notices.

The Board determined to meet at 10:00 a.m. on June 10, 2021 and December 9, 2021 at the offices of Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado.

Following discussion, upon motion duly made by Director Elenowitz, seconded by Director Scharg and, upon vote, unanimously carried, the Board adopted Resolution No. 2020-12-01; Resolution of the Board of Directors of the Sheridan Station West Metropolitan District Establishing Regular Meeting Dates, Time and Location, and Designating Location for posting 24-Hour Notices.

**§32-1-809, C.R.S. Reporting Requirements, Mode of Eligible Elector Notification for 2021:** The Board discussed §32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2021.

Following discussion, upon motion duly made by Director Elenowitz, seconded by Director Scharg and, upon vote, unanimously carried, the Board determined to post the required transparency notice information on the Special District Association's website and the District website.

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### **PUBLIC COMMENTS**

Residents offered various public comments regarding:

1. Process for filling a Board vacancy.
2. Concerns about snow removal.
3. How property taxes are assessed.
4. Concerns about landscape maintenance.

### **COMMUNITY MANAGEMENT**

**Community Manager's Report:** Mr. Solin discussed with the Board the Community Manager's report.

**Website Status:** Mr. Solin noted for the Board the District's website has been established.

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**Concrete Spalling:** The Board discussed matters relative to concrete spalling. It was noted the Developer is soliciting bids for repair or replacement of the concrete and the repair work is forecasted to begin in April 2021.

**Executive Session:** The Board determined it was not necessary to adjourn to Executive Session.

### **FINANCIAL MATTERS**

**Claims:** The Board considered ratifying the approval of the payment of claims for the following period:

Fund	Period Ending Aug. 19, 2020	Period Ending Sept. 23, 2020	Period Ending Oct. 30, 2020	Period Ending Nov. 30, 2020
General	\$ 16,581.03	\$ 15,184.20	\$ 15,437.65	\$ 15,508.53
Debt	\$ -0-	\$ -0-	\$ -0-	\$ 3,500.00
Capital	\$ 4,783.10	\$ 10,761.85	\$ -0-	\$ -0-
<b>Total</b>	<b>\$ 21,364.13</b>	<b>\$ 25,946.05</b>	<b>\$ 15,437.65</b>	<b>\$ 19,008.53</b>

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

**Unaudited Financial Statements:** The Board reviewed the unaudited financial statements for the period ending October 31, 2020 and the statement of cash position, dated October 31, 2020.

Following review, upon motion duly made by Director Scharg, seconded by Director Watkins and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending October 31, 2020 and the statement of cash position, dated October 31, 2020.

**2020 Audit:** The Board reviewed the engagement letter from Simmons & Wheeler, P.C. to perform the 2020 Audit.

Following discussion, upon motion duly made by Director Scharg, seconded by Director Watkins and, upon vote, unanimously carried, the Board approved the engagement of Simmons & Wheeler, P.C. to perform the 2020 Audit, for an amount not to exceed \$4,200.

**2020 Budget Amendment:** The President opened the public hearing to consider the Resolution to Amend the 2020 Budget and discuss related issues.

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It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2020 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. There were no comments from the public in attendance and the public hearing was closed.

Following review and discussion, Director Watkins moved to adopt the Resolution to Amend the 2020 Budget, Director Scharg seconded the motion and, upon vote, unanimously carried, the Board adopted the Resolution to Amend the 2020 Budget. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

**Second Amendment to Operation Funding Agreement between the District and Sheridan Station Transit Village LLC:** The Board reviewed a Second Amendment to Operation Funding Agreement between the District and Sheridan Station Transit Village LLC.

Following review, upon motion duly made by Director Watkins, seconded by Director Scharg and, upon vote, unanimously carried, the Board approved the Second Amendment to Operation Funding Agreement between the District and Sheridan Station Transit Village LLC.

**2021 Budget Hearing:** The President opened the public hearing to consider the proposed 2021 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2021 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

Mr. Solin reviewed with the Board the estimated 2020 expenditures and the proposed 2021 expenditures.

Following discussion, the Board considered the adoption of Resolution No. 2020-12-03 to Adopt the 2020 Budget and Appropriate Sums of Money and Resolution No. 2020-12-04 to Set Mill Levies (for the General Fund at 22.154 mills and the Debt Service Fund at 44.532 mills, for a total of 66.686 mills). Upon motion duly made by Director Scharg, seconded by Director Elenowitz and, upon vote, unanimously carried, the Resolutions were adopted, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2020. Mr. Solin was authorized to transmit the Certification of Mill Levies to the Board of County

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Commissioners of Jefferson County, not later than December 15, 2020. Mr. Solin was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2021. Copies of the adopted Resolutions are attached to these Minutes and incorporated herein by this reference.

**DLG-70 Mill Levy Certification Form**: The Board considered authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

Following discussion, upon motion duly made by Director Scharg, seconded by Director Elenowitz and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

### **LEGAL MATTERS**

**Rules and Regulations, Policies and Procedures of the District**: The Board determined there were no outstanding issues to address at this time.

**December 1, 2020 Interest Payment**: Mr. Solin reported to the Board that the December 1, 2020 Interest Payment on the bonds required that a transfer be made from the Surplus Fund in the amount of \$23,792.48. It was noted that a subsequent event notice was posted on the Municipal Rulemaking Board ("MSRB") Electronic Municipal Market Access ("EMMA") system, as required.

### **CAPITAL PROJECT MATTERS**

There were no capital project matters to discuss at this time.

### **OTHER MATTERS**

**Proposals for General Counsel Services and Engagement for Service and Process for Transition of General Counsel**: Attorney Becher discussed with the Board proposals for general counsel services.

Following discussion, upon motion duly made by Director Elenowitz, seconded by Director Watkins and, upon vote, unanimously carried, the Board approved the proposal from Icenogle Seaver Pogue, P.C.

Board further discussed the process for transition from McGeady Becher, P.C. to Icenogle Seaver Pogue, P.C. and thanked Attorney Becher for her service to the District.

### **ADJOURNMENT**

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

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Respectfully submitted,

By   
Secretary for the Meeting