

## **RECORD OF PROCEEDINGS**

### **MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF**

#### **GVR METROPOLITAN DISTRICT**

Held: Wednesday, February 20, 2008 at 6:30 p.m., at the GVR Metropolitan District Office, 18650 East 45<sup>th</sup> Avenue, Denver, Colorado

Attendance A regular meeting of the Board of Directors of GVR Metropolitan District, Denver, Colorado, was called and held as shown above and in accordance with the applicable statutes of the State of Colorado with the following directors present and acting:

T.J. Stone, President  
Elana Perry, Vice President  
Marlene Martin, Secretary/Treasurer (excused for cause)  
Michael George (excused for cause)  
Joanne True

Also present were: Evan D. Ela, Collins Cockrel & Cole, a professional corporation; Micaela Duffy, Interim District Manager; Gary Haley, Website Committee; Les Alexander; Chuck Britton; Charles Spratt; Paul Gilberto; Jeff Benanna; Elaine Smith; Walt Cross; Mary Schumer; Earleen Brown; Anthony Noble; and John Smith.

1. Call to Order Chairman Stone called the meeting of the Board of Directors of the GVR Metropolitan District to order at 6:34 p.m.

2. Approve Agenda Chairman Stone suggested revising the agenda to add item 6.c (ii), New Field Trip Location for Spring Camp, and item 6.c (iii), Budget for Graffiti Committee. By consensus, the Board approved the agenda as revised.

3. Director Disclosures Chairman Stone stated the Board's preference to hire local residents for various positions or short-term contract positions with the District. He stated that the District had retained Ms. Heather Jenkins as an independent contractor to develop the database upon which the Architectural Review Committee will rely. Chairman Stone informed the Board that although he did not believe it to be a conflict of interest, he felt it important to disclose that Ms. Jenkins is the daughter of Dixie Witcher, former Board member and District Manager.

Director Perry disclosed that her father in-law may apply for the vacant District Manager position.

4. Interactive Website

As promised at the January meeting, Mr. Gary Haley and Chairman Stone presented an interactive website demonstration for the Board and the residents attending the meeting. Mr. Haley logged on to the website and displayed his computer screen on a large television screen that could be seen by all in the meeting. Together he and Chairman Stone stepped through the various links and pages available on the website and described the types of documents and other information currently available or that will become available in the future.

5. Comment Period

a. **Developer Representative(s)**

No representative of Oakwood Homes attended the meeting.

b. **Master Homeowners Association Representative**

Chairman Stone informed the Board and public that Rick Burman had resigned as the Manager for HOA functions. Mr. Burman had determined that he did not want to attend evening meetings as would be required of the Manager, and did not want to work overtime when necessary. He served in the position three weeks prior to resigning.

c. **Public Comment**

After review of the signup sheet for residents seeking to address the meeting, Chairman Stone invited each to speak in turn, as follows:

- Mr. Jeff Benanna, stated that he was a seven-year resident within GVR, and he enjoyed the neighborhood. He stated that recently, his home had been broken into twice, as had some of his neighbors' homes. He expressed the need to establish a Neighborhood Watch program, stating that he knew such programs were very effective in other parts of the country. There ensued a long discussion among the Board and members of the public about the benefits of a Neighborhood Watch program and the ways to organize the program. Several City and other organization contacts were identified and shared to facilitate establishment of the program.
- Ms. Elaine Smith asked questions of the Board concerning biographical sketches of the candidates for Board positions. Chairman Stone explained the formatting requirements of the HOA Newsletter for the biographies, and the February 29<sup>th</sup> deadline for publication in the April newsletter. Ms. Smith also inquired about whether ads would be allowed, and Chairman Stone responded that advertisements will be allowed as they have been in past elections. The advertising deadline would also be February 29<sup>th</sup>, and must be pre-paid in accordance with

published adverting rates.

6. Consent Agenda a. **Consent Agenda**

**Upon motion by Director Perry, seconded by Director True, the Board unanimously approved the consent agenda, including approval of the minutes for the January 16, 2008 regular Board meeting, and financials.**

b. **District Manager Report**

i. Field Trips for Summer Youth Camps – The Board reviewed the list of field trips suggested for the Summer Youth Camp program during 2008. **Upon motion by Director True, seconded by Director Perry, the Board unanimously approved the six trips recommended by the Recreation Manager.**

ii. Additional Field Trip for Spring Youth Camp – Ms. Duffy directed the Board’s attention on an additional trip scheduled for the Spring Youth Camp to the Celestial Seasonings factory in Boulder. **Upon motion by Director True, seconded by Director Perry, the Board approved adding this trip to the list of trips already approved for the Spring Youth Camp.**

iii. Budget for Graffiti Committee – Mr. Paul Gilberto addressed the Board concerning the costs associated with the continuing effort of his committee to remove graffiti immediately after it appears at all locations within the District. He stated that the City Parks and Recreation Department will no longer provide certain supplies as they did last year, which will increase District costs somewhat. He stated that during the warm season months, graffiti activity averages about a 100 incidents per month, with a total of 826 graffiti tags removed in 2007. The Board and the general public discussed the ongoing graffiti problem, the effectiveness of the District’s hotline, and ways to effectively combat the spread of graffiti. **Upon motion by Director Perry, seconded by Director True, the Board unanimously approved a budget of \$1,000 for the graffiti committee to buy supplies to continue its efforts to combat the spread of graffiti.**

7. Director Items

Director True stated her desire to read a statement that she had prepared concerning her opinions about comments made at public meetings of a contentious and slanderous nature. Ms. True read her statement, which expressed her disappointment at the level of personal attack, slander and seeming vendetta motivation in many of the comments and accusations made. Ms. Mary Schumer, stated that she believed that many of the comments made were not slanderous, but merely questions about District

functions. Ms. True replied that accusations of wrongdoing, misuse of funds and unethical acts related to past Board decisions went beyond mere questions and became slanderous, particularly because Ms. True stated that she had not done anything illegal or unethical in her tenure on the Board.

8. Legal Report

a. **General Steel**

Mr. Ela reported that the contract with the firm of Nathan, Bremer, Dumm and Byers had been revised and approved by his office and would be submitted to the District for final signature in the coming days.

b. **Video Surveillance System**

Mr. Ela informed the Board that he had been asked to comment on a recent invoice received from HSM Services seeking payment for continuing the maintenance agreement during 2008. Mr. Ela recommended that the invoice not be paid until the warranty matters being addressed by HSM had been satisfactorily completed. He also suggested that the amount requested by HSM might be better spent on a new company that is able to fix the problems. The Board discussed their ongoing dissatisfaction with the service provided by HSM, and Chairman Stone suggested that the lack of performance by HSM under its maintenance agreement be referred to Nathan, Bremer, Dumm & Myers for an appropriate letter informing HSM of the Board's belief that HSM has failed to perform.

c. **IGA with DPS**

Mr. Ela explained that he has requested a combined site plan of the Community Center site and Marrama Elementary School be prepared by EIDOS Architects for use by DPS and the District in identifying the drive lanes and joint facilities that will be constructed. The Board discussed the need for a gate between the two properties, stating its belief that a gate was not necessary. Mr. Ela said he would convey the Board's feelings on the gate to DPS when he returns the draft IGA with his comments to DPS.

d. **Oakwood Homes**

Mr. Ela reported that the representatives of Oakwood are continuing their investigation into proof of payments that they believe were made by Oakwood to the District in past years, so that the settlement agreement can be finalized. He stated that his firm had completed its review of the draft settlement agreement, and it would be returned to Oakwood counsel with comments in the coming weeks. Mr. Ela

stated that it is still the District's desire to finalize the settlement agreement in March if possible.

e. **Change In Board Membership**

Mr. Ela reported that the District Court had granted the District's request to expand its Board from five to seven positions. He concluded that the District's Election Resolution can stand as approved at the January meeting, because it anticipates an election of four Board positions each four-year terms.

9. Discussion Items a. **Website Project**

A demonstration of the websites was given at the beginning of the meeting.

b. **Community Center Project**

Director True provided to Mary Schumer a business plan, which had been developed for the District's Community Center at the time that the District believed that it would construct a Community Center at the Tower Commons location, per her request. Director True and former director Gilberto explained to Ms. Schumer that the plan had been put together by a former Recreation Manager of the District and contained the various assumptions and expectations of revenue and use of a Community Center. Director True and Chairman Stone informed the public that a similar plan would be available for the new community center once the floor plans had been finalized.

Director True then explained that weekly meetings have resulted in a revised site plan for the District's Community Center and a reorientation of the building on the site. She stated that the committee is very pleased with some of the improvements and enhancements proposed by EIDOS Architects. The committee hopes to submit the new site plan to the City of Denver for initial site plan review by mid-March. She also stated that the site plan, floor plans and other documents will be posted on the website when finalized by the committee.

Comments were made by the audience concerning the fence around the yard of the house currently existing on the District's Community Center property. It was stated that the fence needs repair and is unsightly. After discussion the Board determined that the fence will be torn down in conjunction with the contractor's determination of the timeline for the new construction. Director True stated that the District will hold a salvage sale for all the salvageable materials

within the house. It was suggested by the audience that some of the materials in the house be donated to Habitat for Humanity.

c. **Maintenance Building Project**

No update.

d. **Recruitment Process for District Manager Position**

Chairman Stone informed all in attendance that the period for submitting applications for the District Manager position would close on February 22, 2008. He stated that Mr. Tom Dority, consultant to the District, will be evaluating the applicants and preparing a pool of well qualified candidates for the Board to consider for interviews.

10. Executive Session      No executive session was held.
11. Other Matters      There were no other matters discussed.
12. Adjournment      **Upon motion duly made and seconded the meeting was adjourned at 7:50 p.m.**

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the District on the 20th day of February, 2008.

Respectfully submitted,

/s/ Marlene A. Martin

Marlene A. Martin, Secretary