

# RECORD OF PROCEEDINGS

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## MINUTES OF THE COORDINATED REGULAR MEETING OF

CONESTOGA METROPOLITAN DISTRICT NO. 1  
CONESTOGA METROPOLITAN DISTRICT NO. 2  
CONESTOGA METROPOLITAN DISTRICT NO. 3  
CONESTOGA METROPOLITAN DISTRICT NO. 4  
CONESTOGA METROPOLITAN DISTRICT NO. 5

HELD  
May 25, 2022

The Combined Regular Meeting of the Boards of Directors (collectively, “Boards”) of Conestoga Metropolitan District No. 1, Conestoga Metropolitan District No. 2, Conestoga Metropolitan District No. 3, Conestoga Metropolitan District No. 4, and Conestoga Metropolitan District No. 5 (collectively, “Districts”) was held via videoconference, at 3:30 p.m. on Wednesday, May 25, 2022. Notice of the combined meeting was duly posted.

### ATTENDANCE

#### Directors in Attendance:

Zachery C. Cesar (District Nos. 1-5)  
David Paton (District Nos. 1, 3, 4 & 5)  
Andrew Gerk (District Nos. 1-5)  
Jacquelyn Grossnickle (District No. 2)  
Adam Ferrell (District No. 2)

#### Directors Absent but Excused:

Ryan Barnes (District Nos. 1, 3, 4 & 5)  
Jamie E. Baessler (District Nos. 1-5)

#### Also in Attendance:

David O’Leary, Esq.; Spencer Fane, LLP  
Kammy Tinney, Brendan Campbell, Kirsten Starman, Sarah Bromley,  
Christy McCutchen, Kieyesia Conaway, Dillon Gamber and Andrew  
Kunkel; Pinnacle Consulting Group, Inc.  
Melissa Wheeler; Baessler Homes

### CALL TO ORDER

The meeting was called to order at 3:35 p.m. by Director Gerk, noting that a quorum was present. The Directors in attendance confirmed their qualifications to serve.

### COMBINED MEETING

The Districts are meeting in a combined Board meeting. Unless otherwise noted, the matters set forth below shall be deemed to be the actions of the Conestoga Metropolitan District No. 1, with concurrence by Conestoga Metropolitan District Nos. 2, 3, 4, and 5.

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CONFLICTS  
OF  
INTEREST  
DISCLOSURE

Mr. O’Leary discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Boards of Directors to the Secretary of State. The members of the Boards requested to disclose any potential conflicts of interest regarding any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. It was noted by Mr. O’Leary that disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors.

AGENDA

The Boards reviewed the agenda. Upon motion duly made by Director Cesar, seconded by Director Paton and, upon vote, unanimously carried, it was

**RESOLVED** to approve the agenda, as presented.

ELECTION  
OF OFFICERS

Mr. O’Leary indicated that the director elections were completed, and all oaths of office had been filed in accordance with statutory requirements. The Boards discussed the election of Officers for Conestoga Metropolitan District No. 2. Following review and discussion, and upon a motion duly made by Director Cesar, seconded by Director Paton and, upon vote, unanimously carried, it was

**RESOLVED** to elect Jacquelyn Grossnickle and Adam Ferrell to as assistant secretary for District No. 2.

MINUTES APPROVAL

The minutes of the December 29, 2021 Special meeting were presented and reviewed. Upon motion duly made by Director Paton, seconded by Director Cesar and, upon vote, unanimously carried, it was

**RESOLVED** to approve the December 29, 2021 Special meeting minutes, as presented.

SOCIAL  
MEDIA POLICY

Mr. O’Leary presented the Social Media Policy to the Boards and answered questions. After discussion on the matter, upon motion duly made by Director Paton, seconded by Director Cesar and, upon vote, unanimously carried, it was

**RESOLVED** to Table the Social Media Policy until the next Board of Directors meeting.

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## PUBLIC COMMENT

There we no comments made by members of the public.

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## FINANCIAL ITEMS

Payment of Claims: Mr. Campbell reviewed with the Boards the payment of claims for the period February 16, 2022 through May 17, 2022 in the amount of \$63,834.70. Following review and discussion, upon motion duly made by Director Gerk, seconded by Director Paton and, upon vote, unanimously carried, it was

**RESOLVED** to ratify the Payment of Claims for period ending May 17, 2022 in the amount of \$63,834.70, as presented.

Financial Statements: Mr. Campbell reviewed with the Boards the unaudited Financial Statements for the period ending March 31, 2022 and answered questions.

Amended District Fee Resolution: Mr. Campbell presented the Amended District Fee Resolution and answered questions for any updates and clarifications that were recommended. Following review and discussion, upon motion duly made by Director Gerk, seconded by Director Paton and, upon vote, unanimously carried, it was

**RESOLVED** to approve the Amended District Fee Resolution with the updates discussed.

2021 Audit Exemptions for District Nos. 3-5: Mr. Campbell reviewed with the Boards the Applications for Exemption from Audit for District Nos. 3-5 and answered questions. Following review and discussion, upon motion duly made by Director Gerk, seconded by Director Paton and, upon vote, it was

**RESOLVED** to ratify the 2021 Applications for Exemption from Audit for District Nos. 3-5.

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## 2021 AMENDED BUDGET HEARING

Amended 2021 Budget: Upon motion duly made by Director Gerk, seconded by Director Paton and unanimously carried, the Boards opened the 2021 Amended Budget Hearing to the public. Mr. Kunkel reported that notice of the hearing had been published on May 15, 2022 in accordance with state budget law. There being no public input, upon motion duly made by Director Gerk, seconded by Director Paton and, upon vote, unanimously carried, the public portion of the budget hearing was closed. Mr. Campbell reviewed the proposed amended budget and answered questions. The amended budget by fund is as follows:

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District No. 1

Original Adopted Capital Projects Fund: \$6,352,100

Amended Capital Projects Fund: \$11,528,510

District No. 2

Original Adopted Debt Service Fund: \$1,359,238

Amended Debt Service Fund: \$10,211,768

After further review and discussion, upon motion duly made by Director Gerk, seconded by Director Paton and, upon vote, unanimously carried, it was

**RESOLVED** to approve the Resolution to Amend the 2021 Budget and appropriate budgeted funds and authorized the District Accountants to file the necessary updates with the required state agencies.

LEGAL MATTERS

Resolution Regarding Updated District Fine and Enforcement Policy: Mr. O’Leary presented the Resolution regarding the updated District Fine and Enforcement Policy and answered questions. Following review and discussion, upon motion duly made by Director Paton, seconded by Director Gerk and, upon vote, it was

**RESOLVED** to approve the Resolution Regarding District Fine and Enforcement Policy.

MANAGEMENT

AND

OPERATIONS MATTERS

District Management Report: Mr. Kunkel and Mr. Gamber presented the Management Report and site observations, implementation of the landscape plan to the Boards and answered questions.

Ratification of Contract Modifications: Mr. Gamber presented to the Boards the Contract Modifications Report. Following review and discussion, upon motion duly made by Director Paton, seconded by Director Cesar and, upon vote, unanimously carried, it was

**RESOLVED** ratify the Contract Modifications report, as presented.

DIRECTOR’S ITEMS

There were no Director’s Items presented to the Boards.

DEVELOPER UPDATES

Mr Gerk reported that the Pawnee Rd traffic signal is scheduled to be

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completed in July.

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OTHER ITEMS

There were no other items brought before the Boards for consideration.

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ADJOURNMENT

There being no further business to come before the Boards, upon motion duly made by Director Paton, seconded by Director Cesar and, upon vote, unanimously carried, the meeting was adjourned at 5:03 p.m.

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Respectfully submitted,



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Kieyesia Conaway

Recording Secretary for the Meeting