

# RECORD OF PROCEEDINGS

---

MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
DANCING WILLOWS METROPOLITAN DISTRICT  
HELD  
NOVEMBER 17, 2008

A regular meeting of the Board of Directors of the Dancing Willows Metropolitan District (referred to hereafter as "Board") was convened on Monday, the 17th day of November, 2008, at 3:00 P.M., at the Community Clubhouse, 11893 W. Long Circle, Littleton, Colorado. The meeting was open to the public.

## ATTENDANCE

### Directors In Attendance Were:

Charles "Regan" Hauptman, President  
Bobby Thomas  
Steven G. Knoll  
James D. "Don" Walker

Upon motion duly made by Director Regan Hauptman, seconded by Director Knoll and, upon vote, unanimously carried, the absence of Paul "Ron" Hauptman was excused.

### Also In Attendance Were:

Lisa A. Johnson and Don Yowell; Special District Management Services, Inc.

*Doug Edwards - Remington Homes*  
Residents of the District in attendance:

~~Douglas R. Edwards-9468 W. 58th Ave~~  
Les and Jean Bonde-12035 W. Ida Dr.  
Bill Anderson-11995 W. Ida Dr.  
Sue Cortese-5784 S. Union Way  
Guida Murphy-5794 S. Union Way  
Charles and Polly Miller-5775 S. Union Way

## DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State.

Ms. Johnson noted that a quorum was present and requested members of the Board to disclose any

## RECORD OF PROCEEDINGS

---

potential conflicts of interest with regard to 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 the statute. Ms. Johnson noted that all Directors' Disclosure Statements have been filed.

### ADMINISTRATIVE MATTERS

Agenda: Ms. Johnson distributed for the Board's review and approval a proposed Agenda for the District's regular meeting. Following discussion, upon motion duly made by Director Regan Hauptman, seconded by Director Knoll and, upon vote, unanimously carried, the Agenda was approved, as amended.

Minutes: The Board reviewed the minutes of the July 21, 2008 special meeting. Following discussion, upon motion duly made by Director Regan Hauptman, seconded by Director Knoll and, upon vote, unanimously carried, the Board approved the minutes of the July 21, 2008 special meeting.

2009 Meeting Dates: Ms. Johnson reviewed the business to be conducted in 2009 to meet the statutory compliance requirements.

Following discussion, the Board determined to meet on June 15, 2009 and November 16, 2009 at 3:00 p.m. at the regular meeting place.

### FINANCIAL MATTERS

Claims: The Board considered ratifying the approval of the payment of claims through the periods ending:

	Period Ending Aug 8, 2008	Period Ending Aug 20, 2008	Period Ending Sept 9, 2008	Period Ending Oct 13, 2008
General Fund	\$ 7,752.67	\$ 822.53	\$ 9,999.70	\$ 10,512.52
Debt Service Fund	91,900.00	-0-	-0-	-0-
Capital Projects Fund	-0-	-0-	-0-	4,653.69
<b>Total</b>	<b>\$ 99,652.67</b>	<b>\$ 822.53</b>	<b>\$ 9,999.70</b>	<b>\$ 15,166.21</b>

Following discussion, upon motion duly made by Director Knoll, seconded by Director Regan Hauptman and, upon vote, unanimously carried, the Board ratified approval of the payment of claims for the periods ending August 8, 2008, August 20, 2008, September 9, 2008 and October 13, 2008, subject to funding.

## RECORD OF PROCEEDINGS

---

The Board then considered approval of the payment of claims through the period ending November 17, 2008 totaling \$5,883.60 for general fund expenditures.

Following discussion, upon motion duly made by Director Regan Hauptman, seconded by Director Knoll and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending November 17, 2008, subject to funding.

Financial Statements: The Board reviewed the unaudited financial statements of the District setting forth the cash deposits, investments, budget analysis, and accounts payable vouchers for the period ending October 31, 2008.

Following review, upon motion duly made by Director Regan Hauptman, seconded by Director Walker and, upon vote, unanimously carried, the unaudited financial statements for the period ending October 31, 2008 were accepted, as presented.

2008 Audit: The Board directed the District Manager to solicit proposals for preparation of the 2008 Audit.

2008 Budget Amendment Hearing: The President opened the public hearing to consider the Resolution to Amend the 2008 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2008 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 Regan Hauptman moved to adopt the Resolution to Amend 2008 Budget, Director Knoll seconded the motion and, upon vote, unanimously carried, the Board adopted the Resolution to Amend the 2008 Budget. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

## RECORD OF PROCEEDINGS

---

2009 Budget: Following discussion, upon motion duly made by Director Knoll, seconded by Director Regan Hauptman and, upon vote, unanimously carried, the Board ratified the appointment of the District Accountant to prepare the 2009 budget.

The President then opened the public hearing to consider the proposed 2009 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2009 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.

Ms. Johnson reviewed the estimated 2008 expenditures and the proposed 2009 expenditures.

Following discussion, the Board considered the adoption of the Resolutions to Adopt the 2009 Budget, Set Mill Levies, for the General Fund at 21.000 mills and the Debt Service Fund at 40.000 mills, for a total mill levy of 61.000 mills and Appropriate Sums of Money. Upon motion duly made by Director Regan Hauptman, seconded by Director Walker 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, 2008. Ms. Johnson was authorized to transmit the Certification of Mill Levy to the Board of County Commissioners of Jefferson County and the Division of Local Government, not later than December 15, 2008. Ms. Johnson was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2009. Copies of the adopted Resolutions are attached to these minutes and incorporated herein by this reference.

---

## RECORD OF PROCEEDINGS

---

### LEGAL MATTERS

Preliminary and final acceptance of public improvements: The Board will inspect the improvements and prepare a punchlist. Acceptance of the improvements will be considered after the punchlist items have been completed.

---

### DEVELOPER'S CONSTRUCTION REPORT

Project Construction Status: There was no report.

---

### OTHER MATTERS

Operation and Maintenance Monthly Report: Mr. Yowell reviewed the monthly report for the period from 9/9/2008 to 11/10/2008. A copy of the report is attached hereto and incorporated herein by this reference.

Service Agreement for landscape maintenance: Following discussion, upon motion duly made by Director Walker, seconded by Director Regan Hauptman and, upon vote, unanimously carried, the Board approved the Service Agreement for landscape maintenance with NuStyle Landscape for an amount not to exceed \$7,160.

Service Agreement for pool and spa maintenance: Following discussion, upon motion duly made by Director Knoll, seconded by Director Regan Hauptman and, upon vote, unanimously carried, the Board approved the Service Agreement with Apollo Aquatics, Inc. for pool and spa maintenance for an amount not to exceed \$4,890.

Service Agreement for snow removal: Following discussion, upon motion duly made by Director Regan Hauptman, seconded by Director Knoll and, upon vote, unanimously carried, the Board approved the Service Agreement for snow removal with Dave's Landscape and Construction, LLC.

---

### PUBLIC COMMENTS

Homeowner, Jean Bonde, requested that the Board consider allowing the homeowners' association to use the clubhouse once a month for events for all residents and for three homeowners' association meetings.

Following discussion, upon motion duly made by Director Knoll, seconded by Director Walker and, upon vote,

**RECORD OF PROCEEDINGS**

---

unanimously carried, the Board agreed to waive the \$100 fee for the monthly events, to be held on the 2<sup>nd</sup> Tuesday of each month and for three homeowners' association meetings each year.


Ms. Bonde will be the contact person for the events and the homeowners' association meetings.

ADJOURNMENT

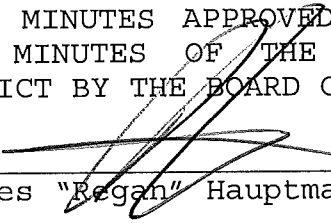
There being no further business to come before the Board at this time, upon motion duly made by Director Regan Hauptman, seconded by Director Knoll and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,


By


  
Secretary for the Meeting

THESE MINUTES APPROVED AS THE OFFICIAL NOVEMBER 17, 2008 MINUTES OF THE DANCING WILLOWS METROPOLITAN DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

  
Charles "Regan" Hauptman

Paul "Ron" Hauptman

  
Steven G. Knoll

  
Bobby Thomas

  
James D. "Don" Walker