

## RECORD OF PROCEEDINGS

---

MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
CHAPEL HEIGHTS METROPOLITAN DISTRICT  
(THE "DISTRICT")  
HELD  
OCTOBER 2, 2023

A regular meeting of the Board of Directors of the Chapel Heights Metropolitan District (referred to hereafter as the "Board") was convened on Monday, October 2, 2023, at 10:00 a.m. This District Board meeting was held via Microsoft Teams. The meeting was open to the public.

### ATTENDANCE

#### Directors In Attendance Were

James Byers, President  
Rich Vorwaller, Secretary

#### Also, In Attendance Were

Russell W. Dykstra, Esq.; Spencer Fane, LLP  
Krista Baptist, Korben Heim and Seef Le Roux; CliftonLarsonAllen, LLP  
("CLA")

### ADMINISTRATIVE MATTERS

**Call to Order and Agenda:** Upon a motion duly made by Director Byers, seconded by Director Vorwaller and, upon vote, unanimously carried, the Board called the meeting to order at 10:02 a.m.

Following review, upon a motion duly made by Director Vorwaller, seconded by Director Byers and, upon vote, unanimously carried, the Board approved the agenda, as presented.

**Disclosure of Potential Conflicts of Interest:** The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any 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 statute. It was noted by Attorney Dykstra that disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors, and no additional conflicts were disclosed at the meeting.

**Quorum, Location of Meeting and Meeting Notices:** A quorum was confirmed. This meeting was conducted via Microsoft Teams and public participation is encouraged via Microsoft Teams. The Board further noted that notice providing the time, date and video link information was duly posted and

## RECORD OF PROCEEDINGS

---

that no objections nor any requests that the means of hosting the meeting be changed, were received by taxpaying electors within the District's boundaries.

**Public Comment:** None.

**Minutes from the June 5, 2023 Regular Board Meeting:** Following review, upon a motion duly made by Director Byers, seconded by Director Vorwaller and, upon vote, unanimously carried, the Board approved the June 5, 2023 regular Board meeting minutes, as presented.

**Resignations of Director Patrick Jarrett as of June 5, 2023 and Director Lee Eisenheim:** The Board acknowledged the resignations of Directors Jarrett and Eisenheim.

**Appointment of Mick Schuhmacher to the Board. Oath of Office:** Following discussion, upon a motion duly made by Director Byers, seconded by Director Vorwaller and, upon vote, unanimously carried, the Board appointed Mick Schuhmacher to the Board and administered the Oath of Office.

**Appointment of Officers:** Following discussion, upon motion duly made by Director Vorwaller, seconded by Director Byers and, upon vote, unanimously carried, the following slate of officers were appointed:

President: James Byers  
Treasurer: Mick Schuhmacher  
Secretary: Rich Vorwaller

### FINANCIAL MATTERS

**Current Claims and Previous Claims:** Mr. Le Roux reviewed the current claims and previous claims with the Board. Following review and discussion, upon a motion duly made by Director Byers, seconded by Director Vorwaller and, upon vote, unanimously carried, the Board approved the current claims and ratified approval of the previous claims.

**August 31, 2023 Unaudited Financial Statements:** Mr. Le Roux reviewed the August 31, 2023 Unaudited Financial Statements with the Board. Following review, upon a motion duly made by Director Byers, seconded by Director Vorwaller and, upon vote, unanimously carried, the Board accepted the August 31, 2023 Unaudited Financial Statements, as presented.

**Signatories on District Bank Account:** Mr. Le Roux reviewed the need to update signatories on the District bank account. The Board determined to remove previous Board members and add Director Schuhmacher.

### LEGAL MATTERS

None.

## RECORD OF PROCEEDINGS

---

### MANAGER MATTERS

**Covenant Enforcement Update:** Ms. Baptist provided a Covenant Enforcement update to the Board. The Board discussed a leashed animal violation and vehicle enforcement. No action was taken.

**Community Center Operations Update:** Mr. Heim provided an update to the Board regarding Community Center operations. No action was taken.

**Community Center Facility Rental Agreement:** Ms. Baptist reviewed the agreement with the Board. The Board discuss operations and maintenance and directed CLA to obtain information regarding the cost of the YMCA staffing events. The Board tabled this matter.

**Consultant Agreement with All Phase Restoration, Inc. for Chapel Heights Community Centre Restoration Project in the amount of \$23,767.62:** Ms. Baptist reviewed the agreement with the Board. Following discussion, upon a motion duly made by Director Byers, seconded by Director Vorwaller and, upon vote, unanimously carried, the Board approved the Consultant Agreement with All Phase Restoration, Inc. for Chapel Heights Community Centre Restoration Project in the amount of \$23,767.62.

### OTHER BUSINESS

**Quorum for Budget Hearing on November 6, 2023 at 10:00 a.m. and Scheduling Annual Meeting Before or After Meeting:** Attorney Dykstra reviewed the annual meeting requirements and recommended the Board hold an annual meeting directly before the budget hearing. Discussion ensued regarding the turnover of the community from developer to homeowners. Attorney Dykstra discussed elections and community engagement.

The Board determined to hold the annual meeting on November 6, 2023 at 10:00 a.m. and the budget hearing meeting immediately following at 10:15 a.m.

### ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director Byers, seconded by Director Vorwaller and, upon vote, unanimously carried, the Board adjourned the meeting at 10:52 a.m.

Respectfully submitted,

DocuSigned by:  
By Rich Vorwaller  
409E181AF4E24DA  
Secretary of the Board