

## RECORD OF PROCEEDINGS

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MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
CHAPEL HEIGHTS METROPOLITAN DISTRICT  
(THE "DISTRICT")  
HELD  
JUNE 5, 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, June 5, 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

Lee Eisenheim, President  
Patrick Jarrett, Treasurer  
Rich Vorwaller, Secretary  
James Byers, Assistant 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:** Director Eisenheim called the meeting to order at 10:04 a.m.

Following review, upon a motion duly made by Director Eisenheim, seconded by Director Vorwaller 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

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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 April 3, 2023 Regular Board Meeting:** Following review, upon a motion duly made by Director Jarrett, seconded by Director Byers and, upon vote, unanimously carried, the Board approved the April 3, 2023 regular Board meeting minutes, as presented.

**Results of May 2, 2023 Regular Director Election:** Attorney Dykstra reviewed the results of the May 2, 2023 regular Director election with the Board. He noted there is one vacancy on the Board.

**Filing of Oaths of Directors:** Attorney Dykstra confirmed the Directors' oaths of office were filed with the County and the Division of Local Government before the deadline.

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

President: Lee Eisenheim  
Treasurer: Patrick Jarrett  
Secretary: Rich Vorwaller  
Assistant Secretary: James Byers

It was noted that Director Jarrett will resign from the Board sometime in June, leaving two vacancies on the Board to be filled.

### FINANCIAL MATTERS

**Current Claims and Previous Claims:** Mr. Le Roux reviewed the current claims and previous claims with the Board. A question was asked regarding snow removal on a Brightview invoice. It was stated that a developer advance is arriving next week. Following review and discussion, upon a motion duly made by Director Eisenheim, seconded by Director Byers and, upon vote, unanimously carried, the Board approved the current claims and ratified approval of the previous claims.

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

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### LEGAL MATTERS

**Commercial Proposal and Sales Agreement with ADT Commercial:** Attorney Dykstra reviewed the Commercial Proposal and Sales Agreement with ADT Commercial with the Board. Following review, upon a motion duly made by Director Eisenheim, seconded by Director Byers and, upon vote, unanimously carried, the Board approved the Commercial Proposal and Sales Agreement with ADT Commercial, as presented.

**Construction/Work Authorization with All Phase Restoration:** Attorney Dykstra and Ms. Baptist reviewed the Construction/Work Authorization with All Phase Restoration. Following review, upon a motion duly made by Director Byers, seconded by Director Eisenheim and, upon vote, unanimously carried, the Board approved the Construction/Work Authorization with All Phase Restoration, as presented.

**Legislative Update:** Attorney Dykstra provided an update on recent legislation regarding special districts to the Board. No action was taken.

### MANAGER MATTERS

**Covenant Enforcement Update:** Mr. Heim provided a Covenant Enforcement update to the Board. Director Jarrett discussed the completion of Single Family Homes and active construction with the Board. No action was taken.

**Community Center Operations Update:** Ms. Baptist provided an update to the Board regarding Community Center operations. The Board recommended shifting the morning hours from 5:00 a.m. to 10:00 a.m. to 7:00 a.m. to noon. No action was taken.

### OTHER BUSINESS

Following review and discussion, upon a motion duly made by Director Byers, seconded by Director Eisenheim and, upon vote, unanimously carried, the Board authorized Director Byers to approve a proposal from All Phase Restoration for demolition and repairs.

### 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 Jarrett and, upon vote, unanimously carried, the Board adjourned the meeting at 10:34 a.m.

Respectfully submitted,

DocuSigned by:  
By Rich Vorwaller  
209E181AF4E24DA  
Secretary of the Board

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