

## RECORD OF PROCEEDINGS

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MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
CHAPARRAL POINTE METROPOLITAN DISTRICT  
(THE "DISTRICT")  
HELD  
JUNE 9, 2021

A special meeting of the Board of Directors of the Chaparral Pointe Metropolitan District (referred to hereafter as the "**Board**") was convened on Wednesday, June 9, 2021, at 9:00 a.m. Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board meeting was held via Microsoft Teams. The management team was present at 111 S. Tejon Street, Suite 705, Colorado Springs, Colorado 80903. The meeting was open to the public.

### ATTENDANCE

#### Directors In Attendance Were:

Mike Fenton, President  
Sarah Darneal, Secretary  
Jeff Mattson, Treasurer  
Cynthia Myers, Assistant Secretary  
Brian Mulqueen, Assistant Secretary

#### Also, In Attendance Were:

Elisabeth A. Cortese, Esq.; McGeady Becher P.C.  
Josh Miller, Carrie Bartow, Krista Baptist; CliftonLarsonAllen LLP  
Sam Hartman, Sheila Mares; D.A. Davidson & Co.  
Tiffany Leichman; Sherman & Howard L.L.C.

### ADMINISTRATIVE MATTERS

**Call to Order:** Director Fenton called the meeting to order at 9:04 a.m.

**Declaration of Quorum/Disclosure Items:** The Board noted a quorum was present and discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty 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. No additional disclosures were made. Attorney Cortese noted that disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors.

**Agenda:** Following review, upon a motion duly made by Director Fenton, seconded by Director Mattson and, upon vote, unanimously carried, the Board approved the agenda as presented.

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**Meeting Location and Posting of Notice:** The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. Following discussion, and upon motion duly made by Director Fenton, seconded by Director Mattson and, upon vote, unanimously carried, the Board determined that due to concerns regarding the spread of COVID-19 and the benefit to the control of the spread of the virus by limiting in-person contact, this meeting was conducted via Microsoft Teams and encouraged public participation via Microsoft Teams. Ms. Bartow and Ms. Baptist attended the meeting at the physical location noted above. The Board noted that notice of this meeting and Microsoft Teams meeting information was duly posted and the Board had not received any objections to the format of the meeting or any requests that the meeting be changed by taxpaying electors within the District's boundaries.

**Public Comment:** None.

**Minutes from the December 8, 2020 Special Board Meeting:** Following review, upon a motion duly made by Director Fenton, seconded by Director Darneal and, upon vote, unanimously carried, the Board approved the December 8, 2020 special meeting minutes.

### FINANCIAL MATTERS

**Unaudited Financial Statements and Cash Position Report Dated April 30, 2021:** Ms. Bartow reviewed the unaudited financial statements and cash position report with the Board. Following discussion, upon a motion duly made by Director Fenton, seconded by Director Darneal and, upon vote, unanimously carried, the Board accepted the unaudited financial statements and cash position report dated April 30, 2021.

**Payment of Claims:** Ms. Bartow reviewed the previous and current claims with the Board. Following discussion, upon a motion duly made by Director Fenton, seconded by Director Darneal and, upon vote, unanimously carried, the Board ratified payment of previous claims and approved the payment of the current claims in the amount of \$47,606.33.

**2020 Audit Exemption Application:** Following discussion, upon a motion duly made by Director Fenton, seconded by Director Darneal and, upon vote, unanimously carried, the Board ratified the 2020 Audit Exemption Application.

**Rescind Resolution No. 2018-12-12 Regarding the Imposition of District Fees:** Following discussion, upon a motion duly made by Director Fenton, seconded by Director Darneal and, upon vote, unanimously carried, the Board rescinded the Adoption of Resolution No. 2018-12-12 Regarding the Imposition of District Fees.

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**Resolution No. 2020-12-02 Regarding the Imposition of District Fees:** Following discussion, upon a motion duly made by Director Fenton, seconded by Director Darneal and, upon vote, unanimously carried, the Board ratified the adoption of Resolution No. 2020-12-02 Regarding the Imposition of District Fees imposing a fee of \$99 per month per Residential Unit.

**Public Hearing to Consider Amending 2021 Budget:** Director Fenton opened the public hearing to consider amending the 2021 Budget.

It was noted that notice stating that the Board would consider amending the 2021 Budget and the date, time and place of the public hearing was published pursuant to statute. No written objections were received prior to the public hearing.

No public comments were received, and the public hearing was closed.

Ms. Bartow reviewed the 2021 Budget Amendment with the Board. The 2021 Budget Amendment would include amending the Debt Service Fund from \$24 to \$2,745 and adding a Capital Project Fund of \$1,350,000. Following discussion, upon a motion duly made by Director Fenton, seconded by Director Darneal and, upon vote, unanimously carried, the Board approved the budget amendment and adopted Resolution 2021-06-01 Amending the 2021 Budget.

### LEGAL MATTERS

**First Amendment to Resolution No. 2018-12-10 Regarding Colorado Open Records Act Requests:** Following discussion, upon a motion duly made by Director Fenton, seconded by Director Darneal and, upon vote, unanimously carried, the Board adopted the First Amendment to Resolution No. 2018-12-10 Regarding Colorado Open Records Act Requests.

**First Amendment to Facilities Acquisition Agreement by and between Chaparral Pointe Metropolitan District and Century Land Holdings, LLC:** Following discussion, upon a motion duly made by Director Fenton, seconded by Director Darneal and, upon vote, unanimously carried, the Board approved the First Amendment to the Facilities Acquisition Agreement by and between the District and Century Land Holdings, LLC, subject to revisions as discussed.

**Landscape Tracts:** This item was deferred. No action was taken.

**Assignment and Assumption of Cost-Sharing and Maintenance Agreement by and between Century Land Holdings, LLC and the District:** Following discussion, upon a motion duly made by Director Fenton, seconded by Director Darneal and, upon vote, unanimously carried, the Board approved the Assignment and Assumption of the Cost-Sharing and Maintenance Agreement by and between Century Land Holdings, LLC and the District, subject to final review by Legal Counsel.

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**Resolution Authorizing the Issuance of the Chaparral Pointe Metropolitan District's General Obligation Limited Tax Cash Flow Bonds, Series 2021A(3) in the aggregate principal amount of \$1,400,000, (the "Bonds"):**

Attorney Leichman reviewed the resolution with the Board. Following discussion, upon a motion duly made by Director Fenton, seconded by Director Darneal and, upon vote, unanimously carried, the Board adopted the Resolution Authorizing the Issuance of the Chaparral Pointe Metropolitan District's General Obligation Limited Tax Cash Flow Bonds, Series 2021A(3) in the aggregate principal amount of \$1,400,000, (the "Bonds") for the purpose of paying or reimbursing the costs of public improvements for the District. The Resolution authorized the execution and delivery of and performance by the District thereunder of a certain indenture of trust, a bond purchase agreement, and any such other documents, certificates, and instruments as may be necessary or required to issue the Bonds.

**Cost Verification Report prepared by M & S Civil Consultants, Inc.:** This item was deferred. No action was taken.

**Reimbursement to Century at Land Holdings, LLC:** This item was deferred. No action was taken.

**Requisition of Funds from the Project Fund of the Bonds:** This item was deferred. No action was taken.

**MANAGER  
MATTERS**

**Other:** None.

**COVENANT  
ENFORCEMENT  
MATTERS**

**Resolution No. 2021-06-02 Acknowledging and Adopting the Recorded Covenants and Restrictions of The Vistas at Chaparral:** Following discussion, upon a motion duly made by Director Fenton, seconded by Director Darneal and, upon vote, unanimously carried, the Board adopted the Resolution No. 2021-06-02 Acknowledging and Adopting the Recorded Covenants and Restrictions of The Vistas at Chaparral.

**Resolution No. 2021-06-03 Adopting the Policies and Procedures Governing the Enforcement of the Recorded Covenants and Restrictions of The Vistas at Chaparral:** Following discussion, upon a motion duly made by Director Fenton, seconded by Director Darneal and, upon vote, unanimously carried, the Board adopted the Resolution No. 2021-06-03 Adopting the Policies and Procedures Governing the Enforcement of the Recorded Covenants and Restrictions of The Vistas at Chaparral.

**Resolution No. 2021-06-04 Adopting The Vistas at Chaparral Homeowner**

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**Design Guidelines:** Following discussion, upon a motion duly made by Director Fenton, seconded by Director Darneal and, upon vote, unanimously carried, the Board adopted the Resolution No. 2021-06-04 Adopting The Vistas at Chaparral Homeowner Design Guidelines.

**OTHER BUSINESS**

**Other:** None.

**CONTINUANCE**

Following discussion, upon a motion duly made by Director Myers, seconded by Director Fenton and, upon vote, unanimously carried, the meeting was continued to June 23, 2021 at 1:15 p.m. via Microsoft Teams.

Respectfully submitted,

DocuSigned by:  
*Sarah Darneal*  
By \_\_\_\_\_  
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Secretary for the Meeting