

**MINUTES OF A SPECIAL MEETING OF THE  
BOARD OF DIRECTORS OF  
DANCING WILLOWS METROPOLITAN DISTRICT  
HELD  
Tuesday, April 11, 2023**

A special meeting of the Board of Directors of the Dancing Willows Metropolitan District was held on Tuesday, April 11, 2023, at 6:30 PM via Zoom.

**ATTENDANCE**

The special meeting of the Board of Directors of the Dancing Willows Metropolitan District was called and held, as shown, in accordance with Colorado law. The following Directors were present:

In attendance were Directors:

Robert Faiks, President  
Douglas Cox, Vice President  
Susan Root, Treasurer/Assistant Secretary  
Patrick O'Keefe, Secretary  
Kirk Oglesby, Assistant Secretary

Other participants identified in attendance:

Lori Johnson  
Ron Petroff  
Susan Robitalle  
Linda Davis  
Kay Zueck  
Bob Philips  
Bob Carson  
Bill Anderson  
Jim McCall

**PUBLIC COMMENT:** Public comment was skipped as this was a single topic meeting and would be open for comment at the end.

**CALL TO ORDER  
DISCLOSURE OF  
CONFLICTS OF INTEREST**

The meeting was called to order by Director Faiks at 6:30 PM. There were no potential conflicts of interest that were disclosed.

**AGENDA APPROVAL**

The agenda was approved unanimously.

**DIRECTOR ITEM:**

Director Faiks opened the discussion with background of the dispute with Keesen regarding the charges for snow removal:

The contractor has billed this December 29, 2022, snow push as a time and material event for a snow fall over 12 inches in the amount of \$34,390. The snowfall was observed to be 11 inches. The District paid the contractor per contract for a snow fall up to 12 inches in the amount of \$13,015.20. The contractor believes they are due another \$21,374.80.

Director Faiks read a statement from Marcos Pacheco about his interactions with Keesen regarding the disputed bill. Comments were solicited from the Board members.

Director Root suggested that all future contracts specify where the snowfall measurement will be taken and who takes the measurement.

Director O'Keefe suggested that the manpower worksheets and invoices of the March, 2021 snowfall be compared to this billing. "it is just mindboggling to me to think that they had 41 guys for 10 hours shoveling the walks for a 12-inch storm."

The Board was asked if we had a face-to-face meeting whether it should be just the snow committee or the entire Board. Director Root suggested that it be the entire Board.

Director Oglesby had some comments. It was troublesome that Keesen made this an ultimatum. He would ask Keesen, why are we being billed to move the snow twice? Due to the inexperience of the people running the snowplows since Ricardo was not here. They placed snow in the parking spaces along Gould Loop instead of piling it to an end. They also blocked the emergency exit on Ida Drive that later needed to be moved and for which we were billed. If we do consider paying more of this bill, he would want that to be discussed.

Director O'Keefe noted that the entire job was substandard with the entrance on Bowles blocked by a large snow mound and deep ruts of snow on the road. Director Root said this was an "outlier" for their level of service.

Public comment was accepted. Bill Anderson and Linda Davis commented.

A decision was made that the entire Board would meet with representatives from Keesen. Director Faiks would coordinate through CRS.

ADJOURNMENT: Moved that the meeting be adjourned at 7:10 PM. Motion was seconded and carried unanimously.

Respectfully submitted,

  
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Secretary for the Meeting