

**RECORD OF PROCEEDINGS
LINCOLN PARK METROPOLITAN DISTRICT
BOARD OF DIRECTORS MEETING
MINUTES**

Held: Tuesday, the 25th day of August 2020 at 5:30 p.m. virtually via Zoom Video Communications as posted and identified on the published meeting agenda.

Attendance: The Regular Meeting of the Board of Directors of Lincoln Park Metropolitan District, Parker, Colorado, was called and conducted virtually via Zoom Video Communications, in accordance with the applicable statutes of the State of Colorado with the following directors present and acting:

Jeni Reilly, Kevin Reilly, Holly Kamm, Alice Braun and Warren Robinson were in attendance. Also, present were Kim Seter with Seter & Vander Wall P.C.; Eric Weaver and Cheri Curtis with Marchetti & Weaver LLC; Eli Schlagel and Jaylene Jones with Front Range Recreation; Jeff Kyzer with Brightview Landscape Services; and Mark L. Eames, PCAM and Jessica Moser with PCMS. Members of the public in attendance were Roger Hollard and Slade Nelson

**Roll Call and
Call to Order:**

Director J. Reilly confirmed a quorum was present for the purpose of conducting business and the meeting was called to order. Director J. Reilly requested that Mr. Eames conduct the remainder of the meeting.

**Disclosure of
Potential Conflict
Interest:**

Mr. Eames noted that general disclosure statements have been filed as necessary on behalf of the members of the Board of Directors having conflicts of interest with the Office of the Colorado Secretary of State and with the Secretary of the District. Upon motion duly made, seconded and unanimously carried, the Board directed that said general disclosures be incorporated herein.

Public Forum:

There were not any public forum matters brought to the Board.

**Approval
of Agenda:**

Mr. Eames reviewed the Agenda with the Board. Following discussion, upon a motion duly made and seconded, the Board approved the Agenda as submitted.

Consent Agenda:

Mr. Eames reviewed the Agenda with the Board. Director K. Reilly had a comment/question on the proposed meeting minutes of July 28, 2020, as such the minutes were removed from the consent agenda.

Director Items:

**Approval of
Minutes:**

The Board reviewed the minutes for the special meeting of the Board held on July 28, 2020. Director K. Reilly felt that a portion of a sentence noted under Legal Reports was not accurate and requested that it be amended to read: "Lot 89 Lokal Homes Filing 22 amended site plan. Mr. Seter noted that Directors Braun and Robinson have reviewed for consideration of approval by the Board of Directors the proposed development agreement with Lokal". Upon a motion duly made, seconded and unanimously carried, the Board approved the minutes of July 28, 2020 as amended and authorized the Secretary to execute the minutes as constituting a true and correct record of the proceedings.

Accounting:

Mr. Weaver reviewed the payment of claims. After review/discussion on the payment of claims, motion was made, seconded and unanimously passed to authorize payment of all claims excluding the District Management claims for July through a portion of August as presented.

**Accounting
Continued:**

Mr. Weaver provided a review of the financial reports for the District as of July 31, 2020 and the current payment of claims as provided to the Board in their monthly informational meeting packet. After final review/discussion on the financial reports, motion was made, seconded and unanimously carried to approve the financial reports presented and file for audit as of July 31, 2020. Mr. Weaver reported on the First Bank account bank deposit error and that a notice of change in signers on the accounts has been sent to Director K. Reilly for approval by the bank.

Bill.com Account: As a follow up to discussion at the last meeting, Mr. Weaver noted that there would be a cost of \$15 per month, per user to add all Board of Director members to the Bill.com account. Upon review, a motion was made, seconded and unanimously carried to approve adding all Board members to the Bill.com account and anyone who is not a signer will just have “read only” access.

Legal Updates:

Mr. Seter, with Seter & Vander Wall, P.C. reviewed the status report provided to the Board dated August 18, 2020. Matters reviewed /discussed included:

- Lot 90/Tract A Easement and Developer Entitlements update was provided by Mr. Seter.
- Lot 89 Lokal Homes Filing 22 amended site plan. Mr. Seter noted for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators regarding (1) Lot 89 and 90, Stonegate Filing No. 22, 6th Amendment development agreements and public improvement dedications, the Board would be discussing such with Counsel under Executive Session.
- Richmond American Lot 22 Landscape Agreement and Filing 22 Sound Wall. Mr. Seter noted that that the Board had assigned himself and Mark Eames to finalize negotiations with Richmond Homes on the easements for the sound wall. Mr. Eames updated the Board on his comments regarding the previous site inspection and requested clarification/direction from the Board on his concern related to the prairie dogs that are burrowing into the native areas on the north side of the sound wall fence and Richmond’s request that the District take over the electrical costs for the right-of way street lights. The Board unanimously agreed that besides the maintenance items noted on Mr. Eames inspection report, that Richmond Homes will need to take the appropriate measures so that there are no prairie dogs on the open space tracts prior the District accepting the tracts and that the District will not accept responsibility for the right-of-way street lighting power costs.
- District Management Agreement. No update from the previous meeting.
- Tennis Court Resolution: Mr. Seter reported that with the Board desiring to place a combination lock on the tennis courts, he had placed a proposed Tennis Court Resolution in the Board information packet for their consideration. Mr. Eames discussed the concept of having the Board develop an access of use for all District amenities policy that could also be of benefit for consideration. After review, the Board asked Mr. Eames to commence work on a general access of use policy, that would be provided, upon approval by the Board, to Mr. Seter for review/comment.

**Communications
and Branding**

Update:

Directory Reilly provided an update on the communications and rebranding for the District to the Stonegate North Villages Metropolitan District. It was noted that everything is on track for the Labor Day event on Sunday September 6, 2020 from 6:00 to 8:00 p.m. with the Flick & Float event to follow at 8:00 p.m.

Pool Update:

Eli Schlager and Jaylene Jones with Front Range Recreation updated the Board on the overall pool operations since the June 1st opening. Additional notes/comments from the report included; the pool will be open an additional 2 weekends per the current contract; it was agreed to look at a more efficient system for next season to verify LPMD; Mr. Schlager and Mr. Eames will meet for review of proposed 2021 budget expenses; Director J. Reilly wants to consider a “swim at your own risk” for back to school hours with no lifeguard, just a pool check-in monitor for next season: Director K. Reilly asked if the District and as applicable local residents are able to provide a “thank you gift” to employees. Mrs. Jones stated that both could by sending the gifts directly to the employee. Upon review a motion was made, seconded and unanimously passed to approve moving forward in purchasing “thank you gift” for the employees that would be based upon cumulative hours worked this season at a cost not to exceed \$3,000.

Landscape Update:

Jeff Kyzer provided the Board with an update on the status of the overall landscape maintenance site report, as presented in the Board's monthly information packet. Mr. Kyzer noted that he and Mr. Eames have worked out an arrangement for the distribution of the additional shredded tree mulch, with the majority of the costs being utilized from the \$ 5,000.00 enhancement credit from the Brightview contract. Mr. Eames also noted that he is working on a plant revegetation plan that will be provided to Brightview to provide a proposal to the Board. The Market Green park will be reviewed separately based upon the number of trees that needed to be removed and the concern on how to properly re-establish that parks lost plant material. Mr. Kyzer noted that the repair of the flower pot at the Market Green brick wall monument will be completed this week.

District Management:

Mr. Eames reported that his office has contacted the Stonegate Village Metropolitan District and have the agreed upon having the tennis court code placed on the next water bill going out and coordinate the change of the locks thereafter accordingly. Mr. Eames went on to note that management has received and provided to the Board the initial proposals from three fencing contractors regarding the perimeter and rail fencing that is owned and/or maintained by the District for short/long term maintenance and replacement and will be utilized for 2021 budgeting purposes.

Executive Session:

Upon motion was made seconded and unanimously passed to go into Executive session pursuant to Sections 24-6-402(4)(b) and 24-6-402(4)(e), C.R.S. for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators regarding Lot 89 and 90, Stonegate Filing No. 22, 6th Amendment development agreements and public improvement dedications.

Upon a motion duly made, seconded and upon a vote, unanimously carried, the Board came out of Executive Session.

Public members Roger Hollard and Slade Nelson re-joined the meeting. Mr. Seter noted that the Board agreed to move forward in discussing the Development Agreement with the current owner of the property, Stratus Companies.

Adjournment:

There being no further business to come before the Board at this time, the meeting was adjourned. The Board noted that the next scheduled meeting was set for September 22, 2020 at 5:30 p.m., with official notice to be posted on the District website.

The foregoing constitutes a true and correct copy of the minutes of the above referenced meeting and was approved by the Board of Directors of the Lincoln Park Metropolitan District.



Secretary for the District