

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
PARK MEADOWS METROPOLITAN DISTRICT
HELD
APRIL 25, 2011**

A regular meeting of the Board of Directors of the Park Meadows Metropolitan District was held on Monday, April 25, 2011 at 5:00 p.m., at the Lone Tree Civic Center, 8527 Lone Tree Parkway, Lone Tree, Colorado, 80124.

Attendance: In attendance were Directors:

John Herbolich
Mark Thomas
Roger Pearson
Dale Norblom

Also in attendance were:

Bob Blodgett; R.S. Wells LLC
Chuck Reid; R.S. Wells LLC
Kristin Baumgartner; Clifton Gunderson, L.L.P.
Matt Bevill; The Brickman Group
John Cotten; TST, Inc. of Denver
Susan Squyer; City of Lone Tree
Tamara Seaver; Icenogle Seaver Pogue, P.C.
Orin Turner; Ol' Stone Company
John Mullins; John M. Mullins & Associates, Inc.
John Hidahl; City of Lone Tree

Call to Order

Director Herbolich called the meeting to order at 5:00 p.m. The Board excused the absence of Director Kelly.

Declaration of
Quorum/Director
Qualifications/
Disclosure Matters

A quorum was declared present, all Directors are qualified, and there are no disclosure matters.

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Approval of Agenda

Upon a motion by Director Herbolich, seconded by Director Thomas, the Board approved the agenda as submitted.

Public Comments

None.

CONSENT AGENDA

Director Herbolich requested that the March 31, 2011 financial statements (VI. A) be removed from the consent agenda. The Board concurred. Upon a motion duly made by Director Herbolich, seconded by Director Thomas, and upon vote unanimously carried, the Board approved the consent agenda as follows.

- V. Review and Approve Minutes of the March 28, 2011 Regular Meeting
- VI. Financial Items
 - B. Approve April 15, 2011 Cash Position
 - C. Approve February Claims - check numbers 3066 through 3078, totaling \$80,640.28. (Check number 3067 was voided-not distributed)
 - D. Accept Joint Capital Projects Report and Amended 2011 Capital Budget
- VII. Landscape Maintenance/Construction Items
 - A. Ratify Replacement of Two Stolen Backflow Preventers-\$2,074 and \$1,161 - Brickman
- VIII. Manager Items
 - A. Informational

The Board asked that Mr. Blodgett notify the Lone Tree Police Department regarding the stolen backflow preventers. The Board also asked that Mr. Blodgett provide to the Lone Tree Police Department the Brickman contact information number for future reference when landscaping equipment or materials that are the property of the District are damaged.

DISCUSSION AGENDA

- IX. Construction Project Items
 - A. Lone Tree/PMMD Joint Cooperative Project Design and Construction Projects

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1. Under Construction

None

2. Under Design

a. Pedestrian Lights on the South Side of Lincoln
(Yosemite to Highlands Ranch Boundary)

Mr. Cotten reported the project is out for bid. The bids will be open May 3, 2011 and presented to the Lone Tree City Council for approval on May 17, 2011. Mr. Cotten recommended that the District Board authorize the City of Lone Tree to proceed with the bids as long as they are within budget. The Board concurred.

Upon a motion duly made by Director Herbolich, seconded by Director Thomas, and upon vote unanimously carried, the Board approved the City of Lone Tree moving forward with the bids for the pedestrian lights on the south side of Lincoln in an amount not to exceed \$365,000 that represents the 2011 budget amount for the District.

b. Parkway Drive Reconstruction

c. Discuss Parkway Drive Landscaped Medians

Mr. Cotten distributed copies of plans for landscaped medians within Parkway Drive between Acres Green and Bozarth Way. He reported the budget estimate is approximately \$144,000. Mr. Cotten reported that due to savings in construction costs, the City will pay \$500,000 for the Parkway Drive reconstruction if the District will pay for \$106,000 of the reconstruction, plus the landscaped medians for \$144,000 for a total amount of \$250,000 which is the District's budget amount for 2011. The total cost of the project is estimated at \$750,000.

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Upon a motion duly made by Director Thomas, seconded by Director Pearson, and upon vote unanimously carried, the Board approved the District's \$250,000 contribution toward the Parkway Drive reconstruction and construction of the landscaped medians and agreed to maintain the landscaped medians, with a further understanding that the City of Lone Tree will request the abutting property owners to maintain the newly landscaped ROW. If they will not, the District will reconsider maintenance of the ROW in the future.

Director Herbolich also asked that Mr. Cotten provide an estimate on the cost to add landscaped medians on Parkway Drive between Bozarth Way and Yosemite so that the entire street is consistently constructed with the landscaped median. This will be discussed at the May Board meeting.

3. Under Study

a. None

B. Other City of Lone Tree Projects

1. Park Meadows Center Drive Widening from 1 to 2 Lanes at Intersection with County Line Road

Mr. Cotten reported he has not yet met with CDOT. He will do so and obtain a determination as to whether this project may be approved for late 2011 or 2012 construction.

2. IKEA Centennial Impact Coordination Projects

Mr. Cotten reported that at the request of IKEA, the City of Centennial and Lone Tree are not working on any construction related projects in the vicinity of IKEA until 2012.

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X. Landscape Maintenance/Construction Items

A. Accept April Landscape Maintenance Report

Mr. Bevill reported to the Board. Director Herbolich asked that the City of Lone Tree include a letter or paragraph in Timberlines regarding the dry conditions and the need to water plant materials so that they do not die.

B. Park Meadows Drive Landscaped Median Weed Barrier Fabric

Not discussed.

C. Landscaped Renovations for COLT Signs at Timberline and Highlands Ranch Boundary \$8,753

Mr. Bevill reported this is in the 2011 budget. Mr. Cotten reported the City of Lone Tree approves of this construction. Upon a motion duly made by Director Herbolich, seconded by Director Norblom, and upon vote unanimously carried, the Board approved the agreement with Brickman for landscaped renovations for the COLT Signs at Timberline and Highlands Ranch boundary in the amount of \$8,753.

D. Landscaped Renovations for COLT Signs at Lone Tree Parkway and Lincoln - \$14,220

Mr. Bevill reported this item is also in the budget. Mr. Cotten reported the City of Lone Tree approves this renovation work. Upon a motion duly made by Director Herbolich, seconded by Director Norblom, and upon vote unanimously carried, the Board approved the landscaped renovations for COLT Signs at Lone Tree Parkway and Lincoln in the amount of \$14,220.

E. Replacement Trees - \$2,586

Mr. Bevill reported that this work order is for trees that have died. He also recommended that the Board remove and replace sod at various locations in an amount not to exceed \$6,000. Mr. Bevill also reported that three other pine trees are about to die and these can be replaced for a not to exceed \$3,000.

Upon a motion duly made by Director Pearson, seconded by Director Herbolich, and upon vote unanimously carried, the Board approved the replacement trees in the amount of \$2,586,

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and to remove and replace sod at various locations within the district for a not to exceed \$6,000, and replace three pine trees for a not to exceed \$3,000.

F. Lights for Lone Tree Entry Sign at Quebec and County Line

Mr. Cotten reported the neon lights behind the letters on the sign have not worked for some time. It doesn't appear to be cost effective to replace these lights. He recommended that the sign be front lit. Upon a motion duly made by Director Herbolich, seconded by Director Thomas, the Board approved a not to exceed \$1,000 to provide for front lighting of the Lone Tree entry sign at Quebec and County Line.

XI. Manager's Report

A. Proposed Median Rehabilitation 5 Year Plan

Mr. Reid reported this would be ready for the May Board meeting. Director Pearson asked that maps be provided to indicate clearly which medians have been repaired and which will be done in 2011 and future years.

B. Approve Pilot Project for Breeze and Mortar Repair to Yosemite Median With 'Ol Stone Company - \$4,900

Mr. Turner described the pilot project work to the Board. The pilot project median will be on Yosemite adjacent to The Enclave. Approximately 70 feet each of breeze and mortar repair will be done. It will be evaluated over the summer and Mr. Turner indicated results should be apparent by the fall of 2011.

Upon a motion duly made by Director Pearson, seconded by Director Herbolich, and upon vote unanimously carried, the Board approved the agreement with Ol' Stone Company for a pilot project for breeze and mortar repair to the Yosemite median in the amount of \$4,900.

Mr. Turner also reported that the new Park Meadows Drive medians are cracked in places. Mr. Cotten will review.

XII Financial Items

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A. Draft 2010 Audit

Ms. Baumgartner reviewed the audit with the Board. Upon a motion duly made by Director Pearson, seconded by Director Norblom, and upon vote unanimously carried, the Board approved the 2010 audit and authorized Clifton Gunderson to file the audit with the State subject to an unqualified opinion from the auditor.

B. CD Maturation

Ms. Baumgartner reviewed the schedule of quotes from various banks for investments of the CD's. After discussion, the Board determined that it is more cost effective to leave the CD at ColoTrust after maturity due to the very low interest rates earned from any of the banks.

C. March 31, 2011 Financial Statements

Ms. Baumgartner reviewed with the Board. After discussion, upon a motion duly made by Director Thomas, seconded by Director Pearson, and upon vote unanimously carried, the Board approved the March 31, 2011 financial statements.

XIII Attorney's Report

A. Landscape Maintenance Service Contract with the Park Meadows BID for Mall ROW - \$14,158

Ms. Seaver reviewed the IGA with the Board. Mr. Mullins indicated that the BID approved the agreement at their meeting last week. The IGA provides that the BID will perform the necessary landscape maintenance work within the street ROW adjacent to the Mall property for the same amount as in the original Brickman contract with the District of \$14,158.

Upon a motion duly made by Director Pearson, seconded by Director Thomas, and upon vote unanimously carried, the Board approved the landscape maintenance service agreement IGA with Park Meadows BID for the Mall ROW in the amount of \$14,158.

B. Amendment to the 2011 Brickman Landscape Maintenance Service Agreement - \$205,209 (Reduction from \$212,520)

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Mr. Bevill reported this agreement adds the Sunningdale ROW and the Park Meadows Drive median to their contract and eliminates the mall ROW work.

Upon a motion duly made by Director Thomas, seconded by Director Herbolich, and unanimously carried, the Board approved a reduction in the 2011 Brickman landscape maintenance contract from \$212,520 to \$205,209.

C. House Bill 11-1124 Re: Disclosure of HOA Board Membership

Ms. Seaver reported this Bill is effective April 13th. She indicated it requires a member of an HOA board to disclose on their special district self nomination form if they are a member of an HOA board.

Mr. Blodgett and Ms. Seaver recommended the Board disclose any membership on an HOA board even though it is not formally required within this new bill. Director Thomas reported he is President of the Taos HOA board. This will be submitted in his disclosure in the future.

D. Short Form Agreements

Ms. Seaver recommended the Board approve a short form contract agreement for projects such as the Ol' Stone Company median repair agreement approved earlier this evening. The Board concurred. Ms. Seaver will send the agreement to Mr. Turner to complete. A short form contract can be used for miscellaneous work orders and contracts approved for other than the Brickman Group in the future.

XIV. Director's Items

A. Quorum for May 23, 2011 Board Meeting

The Board noted Director Kelly will also be absent from this Board meeting

B. May 18, 2011 "The State of the City of Lone Tree" Luncheon

Directors Herbolich, Pearson and Thomas will attend along with Mr. Blodgett.

C. May 20, 2011 SEBP Luncheon

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Directors Herbolich and Thomas will attend along with Mr. Blodgett.

D. Other

Director Thomas noted that the listing of Board of Director members in his notebook indicates he came onto the Board in 2009. He actually was appointed in 2008. Mr. Blodgett will correct.

Director Herbolich also asked that the information related to his tenure on the Board be reviewed to ensure it is accurate. Mr. Blodgett will do so.

XV. Other Items

None.

XVI. Adjournment

Upon motion by Director Herbolich, seconded by Director Pearson, having no further business to discuss, the meeting was adjourned at 7:30 p.m.

Respectfully submitted,


Secretary for the Meeting

Next Scheduled Meeting: The Next Regular Meeting is scheduled for May 23, 2011 at 5:00 p.m. at the Lone Tree Civic Center, Meeting Room A, 8527 Lone Tree Parkway, Lone Tree, Colorado.