

RECORD OF PROCEEDINGS

---

**MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
PARK MEADOWS METROPOLITAN DISTRICT  
HELD  
MAY 23, 2011**

A regular meeting of the Board of Directors of the Park Meadows Metropolitan District was held on Monday, May 23, 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  
Matt Bevill; The Brickman Group  
John Cotten; TST, Inc. of Denver  
Susan Squyer; City of Lone Tree  
Sharon Van Ramshorst; City of Lone Tree  
Tamara Seaver; Icenogle Seaver Pogue, P.C.  
Jack Hidahl; City of Lone Tree  
Fred Hammer; Resident of the Enclave HOA

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.

## RECORD OF PROCEEDINGS

---

### Approval of Agenda

Director Pearson asked that the discussion of the Ol' Stone pilot project work be added to the agenda. He also asked that the April claims be removed from the consent agenda.

Upon a motion by Director Herbolich, seconded by Director Norblom, the Board approved the agenda as modified.

### Public Comments

Mr. Hammer stated he is the Vice President of the Enclave HOA. There is a problem with turf and dead grass along the ROW adjacent to the Enclave. It is an eyesore. These are the south facing lawns. He is attending the meeting to ask how the District is addressing this problem? Director Herbolich indicated this would be discussed later in the meeting.

### CONSENT AGENDA

Upon a motion by Director Pearson, seconded by Director Thomas, and upon vote unanimously carried, the Board approved the Consent Agenda with the exception of Item VI B - April claims, as follows:

- V. Review and Approve Minutes of the April 25, 2011 Regular Meeting.
- VI. Financial Items
  - A. Approve May 20, 2011 Cash Position
  - B. Approve April Claims - check numbers 3084 through 3097, totaling \$47,921.18 (with exception of check # 3092 for \$5,126.11)
- VII. Landscape Maintenance Items
- VIII. Manager Items
  - A. Accept Joint Projects Report and 5 Year CIP
  - B. Denver Water Contract Service Area Map
  - C. Informational Items

Director Pearson asked for additional explanation of the April management services bill. Mr. Blodgett reported that the bill this month is slightly above budget due to work on the median rehabilitation project. Mr. Blodgett and Mr. Reid have asked TST to assume this responsibility in the future. TST has agreed to do so. Mr. Blodgett stated that the first four months of this year's management services bills are higher than budget due primarily to unanticipated

## RECORD OF PROCEEDINGS

---

work on the RFP's, hiring process and special meetings regarding new general counsel.

Director Pearson asked about the \$5,000 plus legal services bill for April. Ms. Seaver explained this bill appears to have been calculated incorrectly. She stated that it appears to be approximately \$2,700. She will review it and make corrections in their billing system before it is paid. Ms. Seaver recommended that the bill be delayed to the June meeting.

Upon a motion made by Director Pearson, seconded by Director Thomas, and upon vote unanimously carried, the Board approved the April claims dated May 20, 2011 represented by check numbers 3084 through 3097 with the exception of the legal services bill, check number 3092 in the amount of \$5,126.11.

Upon a motion made by Director Pearson, seconded by Director Thomas, and upon vote unanimously carried the Board approved the director's fees represented by check numbers 3079 to 3083 totaling \$471.75 with the exception of Director Kelly's fee of \$94.35, since he is absent.

### DISCUSSION AGENDA

#### IX. Landscape Maintenance/Construction Items

##### A. Accept May Landscape Maintenance Report

Mr. Bevill reviewed the May report with the Board.

He reported that the smart controllers are shared with the HOA's. The District has installed weather track controllers in the medians. He indicated the nearest weather stations are in Meridian and near Quebec and Dry Creek. The Board asked that he obtain a cost estimate for locating a weather station within the City of Lone Tree and the District so that more accurate usage of the controllers and the District's water use can be performed. Mr. Bevill will obtain this information for the June Board meeting.

##### B. Replacement of Dead Turf-28,655 Square Fee-Estimated \$50,000 to Replace with Sod-Discuss other Options

Mr. Bevill distributed a work order in the amount of \$21,400 to heavily aerate the dead turf areas, followed by fertilizer and seeding. He reported this solution should provide for blue grass within a month. He is recommending a mixture of approximately 90% Kentucky Blue Grass, 8% fescue and 2% rye. He reported

## RECORD OF PROCEEDINGS

---

that Brickman will spray the weeds and dandelions by the end of this week, aerate the week of June 10<sup>th</sup> and start seeding the first two weeks in June. It is hoped that the grass will be restored some time in July.

Upon a motion by Director Pearson, seconded by Director Thomas, and upon vote unanimously carried, the Board approved the work order with Brickman for aeration and seeding in the amount of \$21,400.

- C. Work Authorization for Removal/Replace and Additional Perennials Throughout the Medians of Lone Tree Parkway - \$6,448

Upon a motion by Director Thomas, seconded by Director Norblom, and upon vote unanimously carried, the Board approved the work order in the amount of \$6,448. Mr. Bevill reported this work should be done during the week of June 20<sup>th</sup>.

- D. Work Authorization for Adding 12 Spreading Junipers to First Median on Lone Tree Parkway, North of Lincoln Avenue-\$506

The Board asked that another plant material be used instead of Junipers. Mr. Bevill reported that this actually would be an approximate 10% reduction in cost.

Upon a motion by Director Thomas, seconded by Director Pearson, and upon vote unanimously carried, the Board approved the addition of plant material to the first median on Lone Tree Parkway, north of Lincoln Avenue in the amount of \$450, such plant material being other than Juniper.

- E. Smart Controllers' Annual Subscription Costs

Mr. Bevill recommended that Brickman be allowed to pay the subscription costs on behalf of the HOA's and submit this to the District for reimbursement. Mr. Blodgett reported the smart controller cost sharing agreements with the HOA's provide that the District pay for the annual subscription cost in perpetuity.

The Board concurred with Brickman paying the subscription costs and being reimbursed by the District at a future date.

## RECORD OF PROCEEDINGS

---

### F. Other

Director Herbolich recommended that a letter be sent from the District to the HOA board members providing a report on the aeration project to replace the dead turf, the Brickman report regarding treating mites in turf, and the Brickman report regarding treating infestation of insects in trees.

The Board concurred. Brickman has already submitted the mite and tree infestation reports. Mr. Bevill will submit a brief report on the schedule for the aeration of the dead turf. Once received, Mr. Blodgett will prepare a new letter for Director Herbolich's signature to the HOA board members to be delivered by letter and email.

### X. Construction Project Items

#### A. Lone Tree/PMMD Joint Cooperative Projects

##### 1. Under Construction

Mr. Cotten reported that the pedestrian lights on the south side of Lincoln (Yosemite to Highlands Ranch boundary) should be moved to this category. Work will begin in late June. WL Contractors was the one and only bidder. Their cost was competitive. It was within the budget of PMMD, so the Lone Tree City Council has awarded the contract.

##### 2. Under Design

###### a. Parkway Drive Reconstruction and Landscaped Medians

Mr. Cotten reported he would send to the Board the street design and landscaped median design in the near future. He is going to meet with the automobile dealers in May or June.

##### 3. Under Study

###### a. None

## RECORD OF PROCEEDINGS

---

### 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 preliminary design plans prepared for Director Kelly and the Board's review. He does not believe that CDOT will approve the additional northbound lane due to issues with southbound I-25 and the interchange. The Board asked Mr. Cotten to contact Director Kelly to schedule a meeting to review this information. Mr. Cotten indicated that Director Kelly can attend the meeting with CDOT to discuss this issue if desired.

2. Potential Sidewalk on the South Side of Lincoln from Ptarmigan to Highlands Ranch Border

Mr. Cotten distributed a picture of this area to the Board. He discussed the issues to be addressed in constructing a potential sidewalk. The principal concerns the City has are the drainage from yards and sump pumps that flow to this sidewalk. The sidewalk also is on a north facing street behind a fence so it does not receive any sunlight in the winter. Snow removal and maintenance will be a regular issue. Finally, the area of turf between the fence and the curb and gutter is very narrow. It would barely meet standards for a sidewalk and the necessary signs that would go along this part of the ROW.

Councilmember Van Ramshorst also expressed concern that should the District construct this sidewalk, that the District should consider a sidewalk along the entire south side of Timberline from Lone Tree Parkway to Highlands Ranch. She also expressed concern that it does not benefit the District or Lone Tree residents. It would primarily benefit Highland Ranch residents. She recommended that the school and crossing guards continue to work with the students to emphasize the need to walk on the sidewalk on the north side of the street and cross at the designated intersections.

Director Thomas indicated that he is on the Eagle Ridge School Parent Board and parents have brought this

## RECORD OF PROCEEDINGS

---

concern to his attention. He agreed to discuss it with the District and the City.

After discussion, the Board tabled any action on this potential future sidewalk.

### C. Five year Median Rehabilitation Plan RFP

Mr. Reid reported the City of Lone Tree will take the lead on the specifications and scope of this work in the future. Director Pearson asked that a map be prepared which clearly indicates what work has been done to date and what the proposed work will be for 2011.

Mr. Reid reported that Mr. Turner is doing his test section soon on Yosemite near the Enclave.

### D. Other

Mr. Cotten reported that Gordon Sign Company is reviewing the issue related to turning the lights on the Chuck E. Cheese sign at the southeast corner of Quebec and County Line Road. This should be resolved soon.

Director Herbolich asked about the status of the Lone Tree Parkway median west of Yosemite. Mr. Cotten reported that a quote was obtained from Ol' Stone for \$14,000 to replace the broken flagstone. Terra Care proposed \$10,000. Under both scenarios, the cobblestone remains.

The Board asked what the cost would be to remove the cobblestone and do the median in flagstone since it is an entrance to the library, Cook Creek Park and the Civic Center?

Mr. Cotten will obtain quotes on rebuilding this median with flagstone for review at the June Board meeting.

## XI. Manager's Report

### A. June 3, 2011 SDA Workshop

Mr. Blodgett reported that Directors Thomas and Herbolich are attending the morning workshop. Director Kelly is attending the golf in the afternoon. Mr. Blodgett is attending both the workshop and the golf tournament.

## RECORD OF PROCEEDINGS

---

B. Other

None

C. Confirm Capital Project Bid and Award Process with the City of Lone Tree

Mr. Blodgett reported that the present process is that Lone Tree will provide the District information on bidders and bid amounts for approval as soon as it is within the District's budget. The Lone Tree City Council then approves the contract and the City administers the construction for the District. The District pays the contractor directly.

Any change orders to any contracts are first brought to the Board for approval prior to action by the City of Lone Tree. Mr. Cotten reported the only exception is a change order that is required in order to keep the project moving and is in between Board meetings. In this event, he will contact Mr. Blodgett so that he can inform the Board when this occurs.

D. May 25<sup>th</sup> Quarterly Joint Project Coordination Meeting with the City of Lone Tree

After discussion, the Board decided to cancel this meeting. The City of Lone Tree concurred.

XII. Financial Items

A. 2010 Audit Review Process

Mr. Blodgett reviewed the letters from the auditor, Haynie & Company, regarding the 2010 audit review process. The Board concurred with these letters and the current process.

XIII Attorney's Report

A. Ratify Agreement with Park Meadows BID for Landscape Maintenance of Public Right of Way Adjacent to the Mall

Ms. Seaver reported to the Board regarding slight modifications to the payment provisions of the agreement requested by the BID following the Board's approval and thereafter reviewed the revisions with the Board. After discussion, upon a motion by



## RECORD OF PROCEEDINGS

---

Director Herbolich, seconded by Director Pearson, and upon vote unanimously carried, the Board ratified its prior approval of the agreement with Park Meadows BID for landscape maintenance of the public ROW adjacent to the mall in 2011.

### B. Review “Short Form” Contractor Agreement

Ms. Seaver reviewed the short form contract agreement with the Board. She indicated it generally should be used for projects under \$10,000. After discussion, upon a motion by Director Herbolich, seconded by Director Thomas, and upon vote unanimously carried, the Board approved the short form contractor agreement and authorized its use immediately with the Ol’ Stone Company for the pilot project.

## XIV. Director’s Items

### A. 2011 SDA Award Nominations

Mr. Herbolich reported he would like to see the District apply for the collaboration award again in 2011. The same information can be used from 2010 in addition to the controller cost sharing program with the City and the HOA’s. This would be added to the nomination form.

The Board asked that support letters from Mayor Gunning, former Mayor O’Boyle and Commissioner Hilbert be once again obtained. Mr. Blodgett will contact the SDA to ensure that they allow the District to resubmit the same nomination again this year as was submitted in 2010.

The Board asked that someone prepare charts in relation to the water savings experienced by the HOA’s for inclusion with the nomination. Mr. Reid will review.

Director Herbolich asked the Board to provide feedback to Mr. Reid on his write up related to the controller program by Thursday, May 26<sup>th</sup>.

## XV. Other Items

The Board discussed a “team building” social get together with the City of Lone Tree City Council and Ms. Kelly, manager of the Park Meadows Mall. After discussion, the Board agreed to meet following the June 27<sup>th</sup> board meeting to celebrate the District’s and City’s accomplishments

RECORD OF PROCEEDINGS

---

during the year at approximately 6:30 p.m. at the Brewery Bar II. Mr. Blodgett will ask his office to contact the restaurant to reserve a table.

XVI.

Adjournment

Upon motion by Director Herbolich, seconded by Director Pearson, having no further business to discuss, the meeting was adjourned at 7:10 p.m.

Respectfully submitted,

  
\_\_\_\_\_

Secretary for the Meeting

Next Scheduled Meeting: The Next Regular Meeting is scheduled for June 27, 2011 at 5:00 p.m. at the Lone Tree Civic Center, Meeting Room A, 8527 Lone Tree Parkway, Lone Tree, Colorado.