

MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
PARK MEADOWS METROPOLITAN DISTRICT
HELD
MAY 21, 2012

A special meeting of the Board of Directors of the Park Meadows Metropolitan District was held on Monday, May 21, 2012 at 5:00 p.m., at the Lone Tree Golf Club, 9808 Sunningdale Boulevard, Lone Tree, Colorado 80124.

Attendance: **In attendance were Directors:**

John Herbolich
Mark Thomas
Roger Pearson
Greg Kelly
Dale Norblom
Sharon Van Ramshorst

Also in attendance were:

Bob Blodgett; CliftonLarsonAllen LLP
Kristen Baumgartner; CliftonLarsonAllen LLP
Christine Harwell; CliftonLarsonAllen LLP
Tamara Seaver; Icenogle Seaver Pogue, P.C.
Matt Bevill; The Brickman Group
Susan Squyer; City of Lone Tree
John Cotten; TST, Inc. of Denver
Fred Hammer; The Enclave
Glen Neidert; past Board President
Doug MacGregor; past Board President
Glenda Norblom; Director Norblom's spouse

Call to Order

Director Herbolich called the meeting to order at 5:00 p.m.

Declaration of
Quorum/Director
Qualifications/
Disclosure Matters

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

Approval of
Agenda

Upon a motion by Director Kelly seconded by Director Pearson the Board approved the agenda as submitted.

Public Comments

Mr. Hammer reported he was present to represent The Enclave. He asked about the status of the median repairs on the Yosemite median adjacent to The Enclave. Mr. Cotten will address this later in the meeting. He also noted no houses are presently for sale among the 120 homes in The Enclave.

Director Herbolich reported that he and Ms. Van Ramshorst had been sworn in by a notary at CLA's office on Friday to save the expense of a notary having to come to the Board meeting.

CONSENT AGENDA

Ms. Van Ramshorst asked that the Capital Projects Report (item VI.) Be removed from the Consent Agenda. The Board concurred

Upon a motion made by Director Pearson, seconded by Director Thomas, and upon vote unanimously carried, the Board approved the Consent Agenda with the exception of Item VI – Approve Capital Projects Report.

- V. Review and Approve Minutes of the April 11, 2012 Special Meeting minutes and the March 26, 2012 Regular Meeting minutes
- VI. Approve Capital Projects Report
- VII. Accept Denver Water Usage Report
- VIII. Information Items

DISCUSSION AGENDA – CURRENT BOARD

- IX. A. Approve 2011 Draft Audit

Director Pearson reported that he, Director Herbolich and Ms. Baumgartner met with the independent auditor. He reported the District does not own the pedestrian lights. These lights are owned and maintained by the City of Lone Tree. The District only owns the medians in Lincoln, Yosemite, Timberline, Park Meadows Drive, Lone

RECORD OF PROCEEDINGS

Tree Parkway and Parkway Drive. Douglas County owns the Quebec medians.

The Board noted they approved the audit at the April meeting subject to review by the audit committee. No additional action is required.

B. Review and Approve May 14, 2012 Cash Position Report

Ms. Baumgartner reviewed with the Board. Upon a motion duly made by Director Pearson, seconded by Director Kelly, and upon vote unanimously carried, the Board approved the Cash Position Report.

C. Approve April Claims Totaling \$149,199.51 and Approve Director's Fees Totaling \$566.10

Upon a motion duly made by Director Herbolich, seconded by Director Pearson, and upon vote unanimously carried, the Board approved the April claims and directors fees.

D. Accept May Landscape Maintenance Report

Mr. Bevill reviewed his report with the Board. He noted that Brickman is under budget for all the additional services in the 2012 budget. After discussion, the Board accepted the May Landscape Maintenance Report.

E. Approve Brickman Work Order for West Yosemite Bed Planting - \$2,737.00

Upon a motion duly made by Director Herbolich, seconded by Director Pearson, and upon vote unanimously carried, the Board approved the Brickman Work Order for West Yosemite Bed Planting in the amount of \$2,737.00

F. Approve Brickman Work Order for Spring Tree Replacement - \$6,248.00

Upon a motion duly made by Director Thomas, seconded by Director Kelly, and upon vote unanimously carried, the Board approved the Brickman Work Order for Spring Tree Replacement in the amount of \$6,248.00.

G. Approve Brickman Work Order for Sod Replacement at Carriage Club - \$1,881.40

Upon a motion duly made by Director Kelly, seconded by Director Herbolich, and upon vote unanimously carried, the Board approved the Brickman Work Order for Sod Replacement at Carriage Club in the amount \$2,881.40. Mr. Bevill noted there was additional sod replacement work of approximately \$1,000 that is required. This was the additional amount added to the Work Order.

- H. Ratify Approval of TM Landscaping Enterprises, Inc.'s Funding for the Parkway Drive Landscaped Median Project – NTE \$187,536.58

Mr. Cotten reported there will be a one year warranty on the trees and shrubs in this median. There will be some sod added to the north ROW if an agreement is reached with the car dealerships to provide water for the sod. The south side will be seeded and remain native grass with no irrigation. The City will maintain the south side of Parkway Drive. Mr. Bevill reported he had recommended swamp oaks rather than red oaks. Mr. Cotten will get a copy of the final plans to Mr. Bevill to confirm the final design plans were modified based on Brickman's recommendations.

Upon a motion duly made by Director Herbolich, seconded by Thomas, and upon vote unanimously carried, the Board ratified the approval of funding for the TM Landscaping Enterprises Inc.'s contract for the Parkway Drive median project in the amount of \$187,536.58.

- I. Aphid/Mite Spray and Deep Root Fertilization of Trees

Mr. Bevill will proceed with the work.

- J. Other

Director Herbolich reported that some cobblestone has been torn up along the sidewalk on the curve on Lone Tree Parkway west of Yosemite near the fountain. He believes it is snow plow damage. Mr. Cotten will review.

- X. Board Member Election Results and Reception

- A. Approve Resolution Honoring Dale Norblom, Board Member 2004 – 2012

Director Herbolich read the resolution honoring Director Norblom's service from 2004 to 2012 to the Board and audience. The Board unanimously approved this resolution.

B. Administer Oath of Office – By President John Herbolich

Previously accomplished.

C. Election of Officers

Upon a motion duly made by Director Thomas, seconded by Director Pearson, and upon vote unanimously carried, the Board approved Director Herbolich as President.

Upon a motion duly made by Director Herbolich, seconded by Director Thomas, and upon vote unanimously carried, the Board approved Director Thomas as Vice President.

Upon a motion duly made by Director Kelly, seconded by Director Herbolich, and upon vote unanimously carried, the Board approved Director Pearson as Treasurer.

Upon a motion duly made by Director Kelly, seconded by Director Herbolich, and upon vote unanimously carried, the Board approved Director Kelly as Secretary.

Upon a motion duly made by Director Herbolich, seconded by Director Thomas, and upon vote unanimously carried, the Board approved Director Van Ramshorst as the Assistant Secretary/Treasurer.

D. Reception for Dale Norblom

The Board took a break for a reception to honor Dale Norblom. Former Presidents MacGregor and Niedert were present to offer their congratulations and appreciation for his service during the past eight years. Dale's wife, Glenda, joined the Board for a reception with the audience, Board and consultants.

DISCUSSION AGENDA – NEW BOARD

XI. Landscape Maintenance/Construction Items – Matt Bevill

A. Southeast Corner of Quebec and County Line – Turf Replacement

Director Thomas asked who provides irrigation for this turf? Mr. Bevill indicated Chuck E Cheese does so; however, it is maintained by Brickman for the District. He noted that Q3 is doing repairs for Xcel's contractor Sturgeon.

The turf has been torn up. Xcel's contractor is required to replace it. The City will ensure that this occurs prior to their leaving the site.

B. Work Orders

1. Lone Tree Parkway Median Renovation (Sweetwater to Yosemite) - \$43,000

Mr. Bevill reported this actually consists of two medians that will be renovated. He estimated the hardscape cost to be done by the City of Lone Tree at another \$30,000. The total cost is approximately \$75,000. The Board asked that this item be placed in the 2013 budget and reviewed in the fall with the Board.

XII. Construction Project Items

A. Lone Tree/PMMD Joint Cooperative Projects – John Cotten

1. Under Construction

- a. Parkway Drive – (Acres Green to Bozarth Way)

Mr. Cotten reported this project is completed.

- b. Parkway Drive Landscaped Medians (Acres Green to Bozarth Way)

This project will begin in the near future. Completion date is estimated at July 15, 2012.

- c. Timberline Medians Hardscape

Mr. Cotten reported this work would be contracted soon. The Board authorized Brickman to do supplemental watering for Timberline trees and shrubs while the irrigation system is turned off for the hardscape construction.

2. Under Design

- a. None.

3. Under Study

- a. 1601 Application Projects (Park Meadows Center Drive and County Line Road) Status of IGA with City of Centennial

Mr. Cotten reported that the City of Lone Tree and City of Centennial have reached an agreement on paying for overlay projects along County Line Road in the future. He believes this is the last impediment to having the IGA approved.

- b. Other

None.

- B. COLT Residential Street Lighting and Safety Study – Status

Mr. Cotten reported this study has not yet been presented to the City Council.

- C. C470/Yosemite Multi Modal Overpass – Status of CDOT Grant Application

Director Kelly reported that he and Mr. Griffith met with the TMA of SPIMD recently. The TMA is recommending \$167,000 (the same contribution as Douglas County) to SPIMD for the future bridge contribution. This would bring the total contributions to \$734,000 (\$567,000 previously committed plus \$167,000 from SPIMD). Director Kelly reported he will work with Mr. Cotten to better identify benefits for pedestrians from the overpass bridge and other design options.

Director Herbolich reported that Mr. Lorenz responded on behalf of SSPRD indicating the SSPRD would not contribute funds at this time but would monitor the project based on any future City of Lone Tree financial contributions.

- D. 2012 Tuck Point Repair Recommendations and Priorities – Status

Mr. Cotten reported TST would have recommendations on this project at the June Board meeting. He reported his inspector does not like the polymer sand used in RidgeGate with the flagstone. They are leaning towards recommending mortar since it would last approximately 5 years. Breeze requires maintenance each year.

- E. Discuss Paint Color for the Retaining Wall Facades (Yosemite at Park Meadows Center Drive)

Mr. Cotten reported a paint color would be brought to the June Board Meeting. Mr. Cotten reported that railings were currently not included in the price. These would be added to the work to be accomplished.

F. Yosemite Median Nose Repairs Adjacent to The Enclave

Mr. Cotten reported there is ground water in the median which needs to be piped to the side of the street so that the nose can be repaired. He will instruct his staff to make the project a priority.

G. Park Meadows Drive Median Landscape Replacement -- Trees and Shrubs

Mr. Bevill reported he reviewed the Park Meadows Drive median from Yosemite to Acres Green and there are numerous trees and shrubs that need to be replaced. Mr. Cotten reported these are out of warranty. Mr. Bevill will bring a recommended list of replacement trees and shrubs that should thrive in this median location to the June Board meeting.

Director Thomas recommended that an acceptable plant pallet for the District's medians be approved and utilized in the future so that this amount of dead materials does not occur again.

H. Other

Mr. Cotten reported the City and other entities are working with CDOT to seek funding to widen I-25 from County Line to Lincoln from three lanes in each direction to four lanes in each direction. The estimated cost is \$32,000,000. He is hopeful that Douglas County, Lone Tree and SPIMD can collectively contribute \$4,000,000. TMA is also looking at a contribution. It is hoped this project can be approved in the near future.

XIII. Financial Items

Ms. Van Ramshorst reported she had questions on the Five Year CIP. She asked about the \$150,000 for the future Park Meadows Center Drive/Yosemite retaining wall facades. The Board reported this can now be removed from the list. Mr. Blodgett will revise the report prior to the June Board Meeting.

XIV. Managers Items

A. Referrals

Mr. Blodgett reported none of the referrals from Douglas County affect the District.

B. Property Insurance Coverage

Director Herbolich had requested a summary of the property insurance coverage. The median flagstone and vaults are covered as well as the controllers. Trees are not covered in the District's policy.

C. Other

None.

XV. Attorney's Report

Ms. Seaver summarized the recent bill approved by the legislature regarding a district, city or county's ability to waive 100% of business personal property taxes through rebate. The statute previously allowed up to 50% rebate. 100% rebate is now available for a new businesses or expanded businesses

Mr. Blodgett reported Commissioner Jill Repella recently held a Town Hall Meeting with various cities and districts to discuss the economic development potential of this bill. The Board took no action.

XVI. Director's Items

A. Discuss Payment Policy for Social Events

The Board discussed a possible policy related to participation in social events, such as golf tournaments, Chamber of Commerce events, holiday dinners and other luncheons/dinners with Lone Tree, Douglas County and other entities. Director Kelly noted that each situation is different. He recommended that Board members present their request to the Board for a recommendation and justification as to why the District should pay for social event participation in the future. The Board concurred.

B. Discuss SDA Workshops

1. June 8 – Denver

Mr. Blodgett will register Director Van Ramshorst. Other Board members may attend if desired.

2. June 29th – Hyland Hills

It was noted that the morning workshop is for Districts with full time employees. It does not affect the District. The District also would not participate in the golf tournament in the afternoon.

C. May 17th Lone Tree State of the City Luncheon – Results

The Board noted that the District was mentioned several times by Mayor Gunning as an important partner with the City in improving its quality of life and services for residents and visitors.

D. May 18th SEBP Annual Luncheon – Results

The Board noted this was a very successful event with Governor Hickenlooper and Jim Clifton, CEO of the Gallup Polling Organization.

E. Other

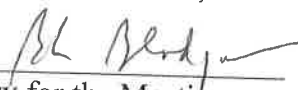
Director Pearson noted that there is no water on the landscaping at the vacant Treo building. Mr. Cotten reported that the sprinkler had been vandalized apparently by someone seeking the copper to resell.

The Board discussed a dinner after the June 25th meeting with the City of Lone Tree, City Council and consultants at John Holly's restaurant. Director Herbolich noted past events have been held at the Brewery Bar III which was less expensive. Mr. Blodgett will provide information to the Board on the cost for each of the venues for review prior to the June 25th meeting.

XV. Adjournment

Upon motion by Director Herbolich, seconded by Director Pearson, and upon vote unanimously carried, having no further business to discuss, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,


Secretary for the Meeting

Next Scheduled Meeting: The Next Meeting is a Regular Meeting scheduled for June 25, 2012 at 5:00 p.m. at the Lone Tree Civic Center, 8527 Lone Tree Parkway, Lone Tree, Colorado.