

MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
PARK MEADOWS METROPOLITAN DISTRICT  
HELD  
NOVEMBER 26, 2012

A regular meeting of the Board of Directors of the Park Meadows Metropolitan District was held on Monday, November 26, 2012 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  
Greg Kelly

Also in attendance were:

Bob Blodgett and Kristen Baumgartner; CliftonLarsonAllen LLP  
Tamara Seaver; Icenogle Seaver Pogue, P.C.  
Matt Bevill; The Brickman Group  
Jack Hidahl, Harold Anderson and Kim Monson; City of Lone Tree  
Fred Hammer; The Enclave HOA  
John Cotten; TST, Inc. of Denver  
John Mullins; Park Meadows BID

Call to Order

Director Herbolich called the meeting to order at 5:00 p.m. The absence of Director Van Ramshorst was noted and excused.

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 duly made by Director Herbolich, seconded by Director Pearson, and upon vote unanimously carried, the Board approved the agenda as submitted.

Public Comments

Mr. Hammer asked that the Board consider the turf reduction project on Heritage Hills Circle and Yosemite adjacent to The Enclave in 2013. They would like to reduce their water bills with this project. The Board noted that the initial project in 2013 at Cypress Greens is a pilot project. Other turf reduction projects will be considered in the future.

Mr. Hammer also asked the Board to consider allowing The Enclave to discontinue use of the ET controller for their turf watering. They want to save on their water bills and feel that the ET controller uses too much water. Mr. Bevill explained that the ET controller provides the appropriate amount of water for the weather conditions. Director Herbolich asked that Mr. Hammer address this issue in the spring of 2013 with the District.

CONSENT AGENDA

Upon a motion by Director Pearson, seconded by Director Kelly, and upon vote unanimously carried, the Board approved the Consent Agenda as follows:

- V. Review and Approve Minutes of the October 22, 2012 Regular Meeting
- VI. Review and Approve Engagement Letter from CliftonLarsonAllen LLP for 2013 Accounting Services
- VII. Review and Approve Engagement with Haynie & Company for 2012 Audit - \$3,900 (plus out of pocket expenses)
- VIII. Review and Approve Landscape Maintenance Agreement with The Brickman Group Ltd., LLC for 2013 Landscaping Services - \$216,636
- IX. Ratify Approval of Romanelli Work Order for Retaining Wall Painting on West Bound C470 Entrance Ramp - \$3,900
- X. Ratify Approval of Romanelli Work Order for Retaining Wall Painting Along Yosemite - \$13,510
- XI. Review and Approve 2013 Annual Administrative Resolution
- XII. Information Items
- XIII. Accept Denver Water Usage Report

DISCUSSION AGENDA

IX. Landscape Maintenance/Construction Items

A. Accept November Landscape Maintenance Report

Mr. Bevill reviewed the November Maintenance Report with the Board. After discussion, the Board accepted the report.

B. Work Orders

1. Winter Water Select Turf Areas - \$3,200

Mr. Bevill reported these turf areas are in need of additional water beyond what is in the present Brickman winter water budget due to the very dry conditions.

After discussion, upon a motion duly made by Director Herbolich, seconded by Director Thomas, and upon vote unanimously carried, the Board approved the work order for \$3,200.

2. Edger Repair and Replacement - \$4,500

Mr. Bevill reported that numerous edgers along the sidewalk within the District are broken or damaged. This will provide the necessary repairs.

The Board asked that Brickman's employees be careful mowing the turf as this may be causing some of the damage to the edgers.

After discussion, upon a motion duly made Director Herbolich, seconded by Director Pearson, and upon vote unanimously carried, the Board approved the work order for \$4,500.

C. Other.

Mr. Bevill reported the City of Lone Tree has informed him of aphid and mite infestation in pine trees over the last few days. He estimates a not to exceed amount of \$4,095 to spray the pine trees for the aphids. This will solve the problem. He stated the actual amount of work required may be only about half of this amount. He indicated the infestation is on Lincoln and Park Meadows Drive.

After discussion, upon a motion duly made by Director Herbolich, seconded by Director Pearson, and upon vote unanimously carried, the Board approved the work order for aphid and mite infestation in a not to exceed amount of \$4,095. The Board asked Mr. Bevill to provide the work order to Mr. Blodgett.

X. Construction Project Items

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

1. Under Construction

None.

2. Under Design

None.

3. Under Study

a. County Line Road IGA with City of Centennial

Mr. Cotten reported the Lone Tree City Council has approved the IGA. It has been sent to the City of Centennial. They have not yet received Centennial's response.

b. County Line Road Transportation Study (Yosemite to Inverness Drive S.) – Douglas County

Mr. Cotten reported Mr. Griffith will send the RFP's out for this work by year end.

B. Yosemite Pedestrian Lights (west side from Lincoln to Maximus)

The Board discussed the possibility of extending the pedestrian light program past the fire station on the west side of Yosemite to the Conoco station. Mr. Cotten reported that the Conoco station has two private street lights at this point. He will discuss with them.

Upon a motion duly made by Director Pearson, seconded by Director Herbolich, and upon vote unanimously carried, the Board authorized Mr. Cotten to proceed with the installation of pedestrian lights on the west

side of Yosemite from Lincoln to Maximus, including the fire station property on the north west corner of Maximus and Yosemite. The Board also authorized a not to exceed amount of \$5,000 to place the pedestrian lights on the Conoco gas station property, if the gas station agrees to remove the private lights.

C. Consider Approval of Street Lights at Intersection of Ptarmigan and Timberline

Mr. Blodgett reported the three residents on La Quinta are opposed. No response has been received from the three residents adjacent to the intersection on Kemper. Directors Pearson and Kelly stated they were opposed to the intersection street lights. Director Thomas stated he is still supportive of the street lights as a safety improvement. Director Herbolich concurred.

The Board tabled action to the December Board meeting in the absence of Director Van Ramshorst.

D. Review Cost Estimate for Repairing Lights and Painting Letters at Lone Tree Monument Signs at Timberline and Highlands Ranch Border

Mr. Cotten reported TST staff are repairing the lights and painting the letters black. He estimated the cost to be no greater than \$1,000.

Upon a motion duly made by Director Thomas, seconded by Director Kelly, and upon vote unanimously carried, the Board approved a not to exceed amount of \$1,000 for light and letter repairs at the Lone Tree monument signs at Timberline and Highlands Ranch border with the City of Lone Tree.

E. Discuss Estimate for Painting Railings of Retaining Walls at C470/Yosemite - \$18,238

The Board stated that the railing painting should be completed along with the recently painted walls.

Upon a motion duly made by Director Herbolich, seconded by Director Pearson, and upon vote unanimously carried, the Board approved the estimate for painting the rails in the amount of \$18,238 with Romanelli. The Board asked that Mr. Cotten ensure this work includes the E470 entrance ramp as it was change ordered in on the painting contract.

F. Discuss Schedule for C470/Yosemite Interchange Landscaping Project

Mr. Cotten reported TST can proceed with this project immediately. However, it may be difficult to do much work over the holidays. TST will be hiring a landscape architect to design the C470/Yosemite interchange improvements. Mr. Cotten noted the improvements will be placed between the on and off ramp and the highway on the northwest and southwest corners. On the northeast and southeast corners, additional landscaping improvements will be made.

Mr. Cotten will be getting a permit from CDOT for the work. The license agreement will be placed in the name of the Park Meadows Metropolitan District since the District will be performing the future maintenance work.

Director Pearson asked about painting the abutments and the center structures underneath C470 as well. Mr. Cotten will obtain a cost estimate. Mr. Cotten will determine if CDOT will allow the painting to occur.

After discussion, the Board authorized Mr. Cotten to proceed on this project and provide the District options related to additional landscaping or painting of the bridge that could occur beyond the present \$70,000 cost estimate.

Mr. Cotten will endeavor to provide landscape architect proposals at the December Board meeting for approval.

G. Other

None.

XI. Financial Items

A. Review and Approve November 26, 2012 Cash Position Report

Ms. Baumgartner reviewed with the Board. Upon a motion duly made by Director Pearson, seconded by Director Herbolich, and upon vote unanimously carried, the Board approved the cash position report.

B. Approve October Claims Totaling \$140,839.32 and Approve Directors' Fees Totaling \$377.40

Mr. Blodgett reviewed the claims with the Board. Upon a motion duly made by Director Herbolich, seconded by Director Pearson, and upon vote unanimously carried, the Board approved the revised claims amounts.

C. Other

None.

XII. Manager's Items

A. Conduct Public Hearing to Consider Amending the 2012 Budget; Consider Adoption of the Resolution to Amend 2012 Budget

Ms. Baumgartner reported the 2012 budget does not need to be amended. The public hearing was not needed.

B. Conduct Public Hearing to Consider Adoption of 2013 Budget, Appropriate Expenditures and Certify Mill Levies, Consider Adoption of Resolution to Adopt 2013 Budget, Appropriate Expenditures and Certify Mill Levies

Upon a motion duly made by Director Herbolich, the public hearing opened at 6:13 p.m. to consider adopting the 2013 proposed budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to the public hearing.

No public comments were received. Upon a motion duly made by Director Herbolich, the public hearing was closed at 6:14 p.m.

Ms. Baumgartner summarized the 2013 budget for the Board.

Ms. Seaver reported that the District can not decrease the mill levy in one year and increase it in another year without another election of the District voters.

After discussion, upon a motion duly made by Director Kelly, seconded by Director Pearson, and upon vote unanimously carried, the Board approved the resolution adopting the 2013 budget appropriating expenditures, certifying a mill levy of 6.387 mills to Douglas County,

subject to receipt of the final assessed value by the Douglas County Assessor on December 10, 2012.

C. Referrals

None.

D. Upcoming Statutory Compliance Items

1. Transparency Notice
2. Map Filing
3. IGA Letter
4. Contact Letter

Mr. Blodgett indicated these will be addressed for the District by his office.

E. Discuss Property Insurance Options

Mr. Blodgett reviewed the information from the SDA Property and Liability Pool. Mr. Carlson, T. Charles Wilson broker for the District, recommends a \$500 deductible in the general liability policy to save several hundred dollars per year in premiums. The Board concurred.

Upon a motion duly made by Director Herbolich, seconded by Director Pearson, and upon vote unanimously carried, the Board authorized a \$500 deductible on the District's general liability policy. The \$500 deductible on the property insurance policy will remain the same.

F. 2013 Meeting Locations

Mr. Blodgett reported that the May, November and December Board meetings cannot be held at the Civic Center due to already scheduled activities. Mr. Blodgett will review other options in 2013 as we get closer to those meeting dates.

XVIII. Attorney's Report

A Review and Discuss Policy Regarding Use of E-Mail Correspondence Among Directors

Ms. Seaver reviewed the existing District e-mail policy with the Board. She stated it is a sound policy and is still workable and does not need to be amended. After discussion, the Board confirmed the current policy and the intent to avoid "reply to all" when Mr. Blodgett sends e-mails to



all of the directors, so as to avoid an electronic meeting of the Board potentially occurring.

- B. Review and Discuss Previous TABOR Elections Regarding Future Mill Levies

Previously discussed during the 2013 budget approval.

- C. Other

Ms. Seaver reported she will have her 2013 legal services engagement letter prepared for the January Board meeting.

XIX. Director's Items

- A. Discuss 2013 Board of Director Goals

The Board reviewed the 2012 goals and made several changes. Mr. Blodgett will revise and present at the December Board meeting for approval.

- B. Confirm 2013 Regular Meeting Schedule – Presently the Fourth Monday of Each Month at 5:00 p.m. at the Lone Tree Civic Center with the Exception of May (will be on May 20<sup>th</sup>) and December (will be on December 16<sup>th</sup>)

The Board approved the 2013 regular meeting schedule with a note of the changes in May, November and December to different locations.

- C. Confirm a Quorum for the December 17, 2012 Special Meeting at 5:00 p.m. at the Lone Tree Civic Center, 8527 Lone Tree Parkway, Lone Tree, Colorado

The Board decided to meet from 5:00 p.m. to 5:30 p.m. on December 17, 2012 to pay bills and receive project updates from Mr. Cotten.

- D. Other

The Board reported that the November 10<sup>th</sup> dinner with the Lone Tree Chamber of Commerce was a fine event. Director Kelly noted that the attendance seemed low. Director Thomas reported that the Chamber is attempting to have larger businesses become active members to support the small businesses that are members presently.

RECORD OF PROCEEDINGS

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Director Thomas reported that Wednesday, December 5<sup>th</sup> is the Lone Tree Chamber of Commerce After Hour's Event sponsored by First Commercial Bank. After discussion, the Board decided not to be a co-sponsor of that event at this time.

XX. Other Items

None.

XXI. Adjournment

Upon a motion duly made by Director Herbolich, seconded by Director Thomas, and upon vote unanimously carried, the Board adjourned the meeting at 7:00 p.m.

Respectfully submitted,

  
Secretary for the Meeting

Next Scheduled Meeting: The Next Meeting is a Special Meeting scheduled for December 17, 2012 at 5:00 p.m. at the Lone Tree Civic Center, 8527 Lone Tree Parkway, Lone Tree.