

# RECORD OF PROCEEDINGS

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## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

### OF THE PARK MEADOWS METROPOLITAN DISTRICT

Held: Monday, August 22, 2016 at 5:00 P.M. at the Lone Tree Civic Center, 8527 Lone Tree Parkway, Lone Tree, Colorado.

Attendance:

A regular meeting of the Board of Directors of the Park Meadows Metropolitan District was scheduled in compliance with the laws of the State of Colorado, with the following directors in attendance:

Greg Kelly  
Sharon Van Ramshorst  
Roger Pearson  
Steve Parry  
Tom Haning

Also present were:

Harold Anderson, resident; Martha Sippel and Roger Sippel, residents; Jack Swift, Heritage Enclave; Robin Price, The BrightView Group; John Cotten and Taylor Goertz, TTG Corp.; Wynne Shaw, Seth Hoffman, City of Lone Tree; Whitney Miller, Park Meadows BID; Bryan McFarland, Alberta Development Partners; David O'Leary, Spencer Fane LLP; Bob Blodgett, Kim Herman, and Patrick Shannon, CliftonLarsonAllen LLP; and Tamara Seaver, Icenogle Seaver Pogue, PC.

Call to Order/ Declaration of Quorum:

Director Kelly, noting the presence of a quorum, called to order the regular meeting of the Board of Directors of Park Meadows Metropolitan District at 5:00 P.M.

Directors Matters/Disclosure Matters:

None.

Public Comments:

None.

Approval of Agenda:

Director Pearson noted that the claims amount on the agenda under Financial Items should be revised. Mr. Blodgett agreed.

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After review and discussion, and upon motion of Director Pearson, which motion was seconded by Director Parry, the Board of Directors approved the agenda with the revised claims amount.

### Consent Agenda:

Director Pearson moved to approve the Consent Agenda, comprising of minutes of the July 25, 2016 regular meeting and the Denver Water Usage report. The motion was seconded by Director Parry, and approved unanimously by the Board of Directors.

### Landscape Maintenance/ Construction Items:

#### July Landscape Maintenance Report:

Ms. Price reviewed the report with the Board. Director Pearson asked if the District's insurance policy could possibly cover the leak repair costs in the Yosemite median north of C-470. Mr. Blodgett will review.

### Proposed Work Orders:

Ms. Price reviewed with the Board the proposed Work Orders for August comprising of: (1) Remove Dead Willows in Drainage on South Side of Lincoln for a total cost of \$1,150; (2) Replace two ET Water Controllers for a total cost of \$4,054; (3) Edger Repair on Lincoln and Remove and Replace Dead Shrubs for a total cost of \$1,855; (4) Removal of Sod on Lincoln North Side West of Rosemont for a total cost of \$3,996; and (5) Chuck E. Cheese Repairs for a total cost of \$3,785.

After discussion, upon motion by Director Van Ramshorst, and second by Pearson, the Board unanimously approved the removal of dead willows in drainage on south side of Lincoln for a total cost of \$1,150.

After discussion, upon motion by Director Van Ramshorst, and a second by Director Pearson, the Board unanimously approved the replacement of the two ET non-working water controllers for a total cost of \$4,054.

After discussion, upon motion by Director Van Ramshorst, and a second by Director Pearson, the Board unanimously approved the edge repair on Lincoln and removal and replacement of dead shrubs for a total cost of \$1,855.

The Board determined the removal of sod on Lincoln was not needed, as a result, this work order was not approved.

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After discussion, upon motion by Director Van Ramshorst, second by Director Pearson, the Board unanimously approved the repairs at Chuck E. Cheese adjacent to the Lone Tree Monument sign for a total cost of \$3,785.

Enclave Request for  
Ground Light Replacement  
\$4,161.43 (50% of total  
cost):

Mr. Swift presented his ground lighting proposal to the Board of Directors. Thereafter, Directors Van Ramshorst and Pearson expressed concern about the involving the District in paying for and maintaining ground lights for HOAs. It was noted that this has not previously been done for other HOA's. Several directors also expressed their concern with the lack of any proof that the District's contractors were in any way involved in the current status of the lights. Ms. Price agreed with the Board and noted that going forward BrightView will continue to make every effort to avoid the lights.

Following discussion, Director Kelly moved that the Board pay the sum of \$1,235.85 toward the costs of new lights, leaving the bulk of the cost to the HOA. The motion was seconded by Director Haning. The motion passed by a vote of 3 to 2, with Directors Pearson and Van Ramshorst voting against it.

Other:

None.

Construction Projects - Lone  
Tree/PMMD Joint  
Cooperative Projects:

Parkway Drive Landscaped Median Construction: Mr. Cotten reported these medians have been completed and a warranty walk is upcoming.

New Northbound Yosemite Right Turn Lane at Park Meadows Drive: Mr. Cotten reported this is currently under construction.

County Line Road Improvements Study: Director Kelly reported he did not receive an email update from Mr. Griffith this month. Mr. Cotten reported no change to the current schedule. Director Kelly noted that he did receive a copy of the URS final analysis report.

Lincoln Avenue Pedestrian Bridge: Mr. Cotten reported that he had no update from the July meeting as the City is still waiting on IRS approval in conjunction with property acquisition. Assuming approval in the near term, the

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contractor is scheduled to begin work on the south side abutment.

2016-2021 CIP:

Mr. Blodgett reported he has not made any revisions to the CIP since the July meeting. The requested funds by the City of Lone Tree for Park Meadows Drive improvements west of Yosemite associated with The Yard project are not yet included.

Other:

None.

Financial Items:

August 19, 2016 Cash  
Position Report:

Mr. Blodgett reviewed with the Board. Following discussion, and upon motion by Director Kelly, and second by Director Pearson the Board accepted the August 19, 2016 Cash Position Report as presented.

July Claims:

Mr. Blodgett reported the revised total is \$50,370.77 for claims, plus \$461.75 for directors' fees for a total of \$50,832.52. Director Kelly moved to approve the revised claims as presented. Director Pearson seconded the motion which was approved unanimously by the Board.

Other:

None.

Manager's Items:

Overlap Consent for The  
Yard at Lone Tree  
Metropolitan District:

Mr. O'Leary and Mr. McFarland requested the District consider approving the overlap consent request of The Yard Metropolitan District during the Board meeting. Mr. O'Leary expressed that approval of the service plan would not create any detriment to the District and that there is no intent to request additional services from the Park Meadows Metropolitan District.

Mr. Cotten stated the City and Park Meadows Metropolitan District will separately agree upon the funding for the approximately \$543,000 of required off-site improvements in Park Meadows Drive west of Yosemite

Mr. O'Leary stated the Service Plan is slated for approval by the City of Lone Tree on September 6, 2016, prior to approval by the City, Park Meadows Metropolitan District overlap consent is needed. Ms. Seaver stated the Board could conditionally approve the overlap of The Yard Metropolitan District subject to the addition of service plan

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language protecting the interests of Park Meadows Metropolitan District and ensuring overlap consent does not lead to any additional financial burden for The Yard development's public improvements. Director Van Ramshorst expressed concern about approving the overlap consent since the revised Service Plan and exhibits were only received by the Board this afternoon.

After additional discussion Director Parry moved that the Board approved the overlap consent for The Yard Metropolitan District conditioned upon the negotiation of service plan language protective of the Districts interests and delegate authority to the District's attorney and manager to negotiate the service plan language with the developer. The motion was seconded by Director Kelly and passed 4 to 1, with Director Van Ramshorst voting against the approval given the lack of time to review the materials.

Website Update: No report.

Referrals: None.

SDA Annual Conference September 21-23: SDA Annual Conference September 21 – 23, Keystone – Mr. Blodgett reported Directors Van Ramshorst, Kelly and Parry are attending the Annual Conference.

Ms. Seaver reported that due to increasingly conservative Independent Ethics Commission Rulings over the last few years, the District's consultants will not be able to host a dinner for the Board members attending the conference without causing the Board members to violate the statutory Standards of Conduct which apply to all special district board members. Icenogle Seaver Pogue will be hosting a reception for the Board and other District clients during the conference which does comply with the Standards of Conduct.

Other: None.

Attorney Items:

2016 Legislative Update: Ms. Seaver reviewed with the Board. The Board accepted the report.

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### Director's Items:

Resignation of Roger Pearson: Upon a motion by Director Parry, seconded by Director Kelly, the Board accepted the resignation of Director Pearson.

Director Kelly read a resolution in honor of Director Pearson's service on the Board and presented it to him. Mr. Blodgett indicated another recognition item from the Board will be provided at a later date.

Upon motion made by Director Kelly, second by Director Van Ramshorst, the Board approved the Resolution Honoring Director Person's Service from 1998 to 2002 and 2010 to 2016.

Mr. Pearson thanked the Board and audience for the opportunity to serve the District and the City.

### Board Vacancy:

Ms. Sippel discussed her background and experience and expressed her desire to serve on the District Board.

Mr. Anderson described his background and experience and expressed his desire to serve on the District Board.

Upon motion made by Director Kelly, second by Director Van Ramshorst, the Board approved the appointment of Martha Sippel to the Board by unanimous vote. The Board thanked Mr. Anderson for his past service on the City Council and his representation at District Board meetings on behalf of the City Council for the past four years. They stated it was a very difficult decision with two very qualified candidates.

Director Kelly administered the Oath of Office to Ms. Sippel. She took her seat on the Board.

### Election of Officers:

Upon motion by Director Haning, second by Director Kelly, the Board elected Director Parry as Treasurer.

Upon motion made by Director Kelly, second by Director Van Ramshorst, the Board elected Director Sippel as Assistant Secretary/Assistant Treasurer.

### Other Items:

None.

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Adjournment:

There being no further business to come before the Board, upon motion made by Director Parry, second by Director Kelly, the meeting was adjourned at 6:45 P.M.

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Secretary

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Secretary