

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

LEYDEN ROCK METROPOLITAN DISTRICT

Held: Tuesday, June 4, 2024 at 6:00 p.m., via teleconference.

**Attendance**

The special meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve, were in attendance:

Brett Vernon  
Scott J. Plummer  
Jeff Cunningham  
Christian Ardita

Also present: Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron; Katie Call and Christine Ahern, AdvanceHOA, District Management; and members of the public.

**Call to Order**

It was noted that a quorum of the Board was present, and the meeting was called to order.

**Conflict of Interest Disclosures**

Ms. Murphy advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Murphy reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Ms. Murphy noted that a quorum was present and inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest regarding any matters scheduled for discussion at the meeting. No additional disclosures were noted.

**Agenda**

The Board reviewed the agenda. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda as amended.

**Public Comment**

Mr. Daggmill voiced support for the new cell phone tower to provide service to the area.

Mr. Hill acknowledged the resignation of Director Batsel-Stewart and requested to nominate Mr. Justin Brown to the Board.

**District Management Matters** None.

**Director’s Matters** None.

Consider Approval of Ground Lease with Crown Castle Towers for a Cellular Tower  
Director Vernon outlined the proposed terms for a ground lease for a cell phone tower with Crown Castle Towers which were:

- 24-Month option for \$6,000
- 12-month option extension for \$3,000 (only if necessary)
- Five-year initial lease with seven five-year renewals for a total of forty years
- \$1,500 a month in rent with a 3% annual escalation

Following discussion, upon a motion duly made and seconded, the Board unanimously authorized the ground lease to be finalized.

Discussion Regarding Resignation of Director Batsel-Stewart and Appointment of Director  
The Board engaged in discussion regarding the resignation of Director Batsel-Stewart. The Board will solicit resumes from the community by June 7<sup>th</sup> and responses will be due by June 21<sup>st</sup>. The Board will appoint a qualified candidate at the July 16<sup>th</sup> Board Meeting.

Other Director’s Matters  
The Board engaged in discussion regarding the July 2<sup>nd</sup> Capital Projects Meeting. After discussion, the Board decided to cancel the meeting.

Director Ardita inquired about the tree service clean up project. Ms. Call noted a proposal for restoration was received and will be discussed at the next board meeting. Director Ardita inquired as to if Keesen Landscape has started to move behind fence lines. Ms. Call noted this has not been started.

Director Vernon received an update from Ms. Cooley and noted a pre-application meeting with the City of Arvada on June 11<sup>th</sup>. Communication Construction Engineering will begin electrical work on the fences.

**Other Business**

Executive Session

Upon motion of Director Vernon, seconded by Director Arditia, and upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 6:50 P.M. for the purpose of receiving legal advice pursuant to §24-6-402(4)(b), C.R.S. as it relates to vandalism at the Leyden Rock Clubhouse.

Pursuant to § 24-6-402(2)(d.5)(II)(B), C.R.S., no record will be kept of the portion of this executive session that, in the opinion of the District’s/Districts’ attorney, constitutes privileged attorney-client communication pursuant to § 24-6-402(4)(b), C.R.S.

Also pursuant to § 24-6-402(4), C.R.S., the Board did not adopt any proposed policy, position, resolution, rule, regulation or take formal action during execution session.

The Boards reconvened in regular session at 7:12 P.M.

Discussion Regarding Vandalism in the Pool Area

Director Vernon engaged in discussion with the Board regarding vandalism in the pool area. Ms. Ahern noted she received comments from residents regarding an after-hours pool party.

Adjourn

There being no further business to come before the Boards, and following discussion and upon motion duly made, seconded and unanimously carried, the Boards determined to adjourn the meeting.

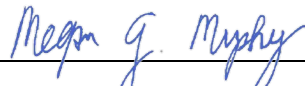
The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Scott J. Plummer  
Scott J. Plummer (Jul 9, 2024 16:05 MDT)  
Secretary for the Meeting

The foregoing minutes were approved on the 18<sup>th</sup> day of June, 2024.

**ATTORNEY STATEMENT**  
**REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION**

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing Leyden Rock Metropolitan District, I attended the executive session meeting Leyden Rock Metropolitan District convened at 6:50 p.m. on June 4<sup>th</sup>, 2024 for the sole purpose of discussing the purpose of receiving legal advice pursuant to §24-6-402(4)(b), C.R.S. as it relates to vandalism at the Leyden Rock Clubhouse. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(b), C.R.S. or Section 24-6-402(2)(d.5)(II)(B), C.R.S.

  
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Megan J. Murphy, Esq.