

MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF

LEYDEN ROCK METROPOLITAN DISTRICT

Held: Tuesday, February 21, 2023 at 6:00 P.M. via
Teleconference

Attendance

The regular meeting of the Board of Directors of the Leyden Rock Metropolitan District, was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve on the Board, were in attendance:

Brett Vernon
Scott Plummer
Jeff Cunningham
Christian Ardita
Tanis Batsel Stewart

Also present: Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Ben Smith, District Manager, Katie Call, CCMC; Alex Fink, CliftonLarsonAllen, LLP. District Accountant, 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 with regard to 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 presented.

Public Comment

Lynn Reed Rockwood inquired about the prairie dogs in the District. Ms. Rockwood understands prairie dogs are an important component to the open space ecosystem, but she would like to revisit the population issue. Director Vernon noted the Board will take the matter under advisement. Mr. Ardita requested clarification as to the issue. Ms. Rockwood noted she inquired about this issue last year and did not hear a response. Director Vernon requested this issue be added to the next meeting agenda.

Consent Agenda

Following a summary by Ms. Murphy, the items on the consent agenda were ratified, approved or accepted in one motion duly made and seconded and unanimously carried:

- Minutes from January 17, 2023 Regular Meeting;
- Minutes from February 7 2023 Special Meeting.;
- Contract with Partners in CPR for CPR Class;
- Contract with Jane Yamuda for Caricature Art;
- Requisition No. 4 Related to the District’s General Obligation (Limited Tax Convertible to Unlimited Tax) Refunding and Improvement Bonds, Series 2021; and
- Contract with Divine Reconnections LLC for Sound Bath Class.

Financial Matters

Consider Approval of Payables/Financials

Mr. Fink presented the Financial Statements dated December 31, 2022, Schedule of Cash Position updated as of February 13, 2023 and the Claims in the amount of \$175,808.73. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Financial Statements, Schedule of Cash Position, and Claims subject to reclassification in the Special Revenue Fund.

Other Financial Matters

Mr. Fink noted he has received Requisition No. 5. The Board deferred action on Requisition No. 5 for the March 21, 2023 meeting.

District Management Matters

District Manager Report

Mr. Smith presented the Manager Report to the Board.

Consider Approval of

Ms. Call presented the Contract with Healthy Hub Vending to the

Contract with Healthy Board. Following discussion, upon a motion duly made and
Hub Vending seconded, the Board unanimously approved the contract.

Discuss the Type of The Board discussed the alcohol types that may be served at the
Alcohol to be Serviced at Derby Party. Mr. Smith noted that the District currently serves beer
the Derby Party and wine for District events, but the lifestyle coordinator would like
the District to serve hard liquor at the Derby Party. Mr. Smith noted
that if the District determined to serve hard liquor at this party, a
third-party vendor must provide those services. Directors Vernon,
Cunningham, Batsel-Stewart, and Ardita are in support. Following
discussion, upon a motion duly made and seconded, the Board
unanimously approved the addition of hard liquor through a third-
party vendor for the Derby Party.

Discuss Paint Palette The Board discussed the paint palette updates. Director Vernon
Updates noted the documents in the meeting packet may not match the
decision from the last meeting. Director Vernon noted that he
believes the final decision was residents could not go outside the
palette. No action was taken.

Discuss Potential Change The Board discussed the potential change to clubhouse rental hours.
to Clubhouse Rental Mr. Smith recommended all rentals end at 11:00 p.m. for cleaning
Hours and lockup by midnight. Ms. Call noted an ideal time would be
10:00 p.m. Director Cunningham inquired about existing clubhouse
rental contracts to midnight that could be grandfathered in.
Following discussion, upon a motion duly made and seconded, the
Board unanimously approved the Clubhouse rental hours to 10:00
p.m. on weeknights and 11:00 p.m. on weekends.

Discuss and Consider Deferred.
Approval of Proposal for
Clubhouse Staining

Discuss and Consider Deferred.
Approval of Proposal for
Pool Plaster

Other Management None.
Matters

Director's Matters

Clubhouse Rentals Director Plummer inquired about the rental review process for
events with alcohol where security services are being provided as
required by the Policy. The Board engaged in discussion with Mr.

Smith and Ms. Call regarding the same. No action was taken.

Paint Palettes Director Plummer was approached by Behr paints, who offered to establish palettes and provide discounts to residents.

Swimming Lessons Director Ardita requested CCMC to continue to search for swim lesson vendors.

Keesen Snow Removal on Roads Director Cunningham inquired about resident concerns regarding Keesen's snow removal on the District's roads. Mr. Smith noted the answered the resident's questions regarding this matter.

Other Director's Matters None.

Capital Projects Discussion

Discuss and Consider Approval for the Addition of Flowerpots at the Pool Director Batsel-Stewart noted the Landscape Committee is working on this matter.

Discuss and Consider Approval of Electrician for Capital Improvement Projects Deferred.

Discuss Proposals from The Architerra Group regarding Monument Signs The Board reviewed the proposals from The Architerra Group regarding the Monument signs and requested that Mr. Smith work with The Architerra Group on design modifications. No action taken.

Legal Matters

Discussion and Consider Approval of Independent Contractor Agreement with Neighborly Fence Staining, LLC for Fence Staining Ms. Murphy presented the Independent Contractor Agreement with Neighborly Fence Staining, LLC for Fence Staining to the Board with the modifications requested by the contractor. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agreement with the modifications incorporated.

Other Legal Matters None.

Executive Session Upon Director Plummer's motion, Director Batsel Stewart's second,

and upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 8:22 p.m. for the purpose of receiving legal advice as it relates to Seventh Amendment to Independent Contractor Agreement with Capital Consultants Management Corporation and pursuant to § 24-6-402(4)(e), C.R.S., for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, instructing negotiators related to Seventh Amendment to Independent Contractor Agreement with Capital Consultants Management Corporation pursuant to section 24-6-402(4)(b), C.R.S.

Pursuant to section 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 legal counsel to the District, constitutes privileged attorney-client communication pursuant to section 24-6-402(4)(b), C.R.S.

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

The Board reconvened regular session at 8:33 p.m.

The Board authorized legal counsel to negotiate 2022 year-end bonuses for CCMC's staff engaged with the District.

Executive Session

Upon Director Vernon's motion, Director Ardita's second, followed by an affirmative vote of at least two-thirds of the quorum present, the Board entered into executive session at 8:35 p.m. for the purpose of receiving legal advice as it relates to Leyden Rock Agreement regarding the Jefferson Parkway and pursuant to § 24-6-402(4)(e), C.R.S., for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, instructing negotiators related to Leyden Rock Agreement regarding the Jefferson Parkway pursuant to section 24-6-402(4)(b), C.R.S.

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

The Board reconvened regular session at 8:43 p.m.

Other Business

Next Capital Projects meeting March 7th at 6:00 p.m.
Next Board Meeting March 21st at 6:00 p.m.

Adjournment

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

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

Scott J Plummer

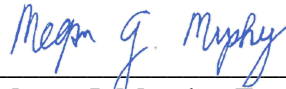
Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 21st day of March, 2023.

Attorney Statement:

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 at the regular meeting of Leyden Rock Metropolitan District convened at 8:22 p.m. on February 21, 2023 for the sole purpose of discussing receiving legal advice as it relates to Seventh Amendment to Independent Contractor Agreement with Capital Consultants Management Corporation and pursuant to § 24-6-402(4)(e), C.R.S., for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, instructing negotiators related to Seventh Amendment to Independent Contractor Agreement with Capital Consultants Management Corporation as authorized by Section 24-6-402(4)(b), C.R.S. 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.

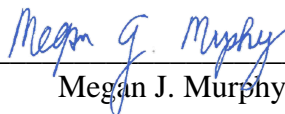


Megan J. Murphy, Esq.

Attorney Statement:

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REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

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Megan J. Murphy, Esq.