

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF
DIRECTORS OF

LEYDEN ROCK METROPOLITAN DISTRICT

Held: Monday, November 20, 2023, at 6:00 P.M. via
teleconference

Attendance

The special 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: Erin K. Stutz, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Katie Call, AdvanceHOA, District Management; Alex Fink, CliftonLarsonAllen, LLP, District Accountant; Katie Cooley, Ascent Land Development, LLC; 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. Stutz advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Stutz 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. Stutz 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 amended.

Public Comment None.

Capital Projects
Discussion

Other Capital Projects Director Plummer presented a proposal from Coloco, Inc. to design and install two-dimensional metal ore cart monuments with lighting and landscaping in the amount of \$218,000. Director Vernon noted an issue with the design, but he suggested using Architerra for design matters. Director Batsel-Stewart noted an issue with the design. Director Cunningham would prefer to review the proposal more in depth. Director Ardita suggested asking Coloco to change the design.

Ms. Cooley noted her frustration with the process as the Board made a decision to use Architerra for this project. Director Batsel-Stewart agreed. Director Plummer and Director Ardita noted they reached out to Coloco as alternative due to lack of communication with Architerra and Coloco could complete the work quickly. Ms. Cooley noted that Architerra is on track as of the last meeting. Director Cunningham noted that working with Architerra and Ms. Cooley on the trails project has been positive. No action was taken on the proposal.

Director Plummer inquired about holiday lighting. Ms. Call confirms this project is underway.

Consent Agenda

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

- Minutes from October 17, 2023 Regular Meeting;
- Minutes from November 7, 2023 Special Meeting;
- Minutes from November 7, 2023 Town Hall Meeting;
- Independent Contractor Agreement with Rhonda Batchelor/Rad Booth Co, LLC for Photo Booth on April 13, 2023;
- Independent Contractor Agreement with Worldwide Hot Dogs LLC d/b/a Biker Jim's Gourmet Dogs for Catering Services;
- Independent Contractor Agreement with Bedrock for Removal of Pool Shades;
- Independent Contractor Agreement with Rhonda Batchelor/Rad Booth Co, LLC for Photo Booth; and
- Facilities Agreement with Jeffco Public Schools.

Financial Matters

Consider Approval of Payables/Financials

Mr. Fink presented financial statements from September 30, 2023 and claims in the amount of \$160,284.71. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the financial statements and claims.

Public Hearing on 2023 Budget Amendment and Consider Approval of Resolution Amending the 2023 Budget (if necessary)

Mr. Fink noted a 2023 budget amendment was not necessary.

Public Hearing on 2024 Budget and Consider Approval of Resolution Amending the 2024 Budget

The public hearing on the proposed 2024 Budget was opened. Ms. Stutz noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Mr. Fink reviewed the 2024 Budget Resolution with the Board. Ms. Call reviewed 2024 special revenue fund projects. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2024 Budget, appropriating funds therefor and certifying mills as shown in the 2024 Budget, subject to updating special revenue fund, adjusting the mills to target \$200,000 in the general fund, adjusting directors' compensation, and receipt of final assessed valuation and final review by legal counsel.

Discuss Investment Direction

Mr. Fink presented to the Board. The Board previously entrusted Goldman Sachs to invest any surplus. Director Cunningham noted the investment portfolio is a conservative investment and is comfortable leaving as is. Mr. Fink will request trustee investment options. No action taken.

Other Financial Matters

Director Plummer noted insurance premiums are increasing. Mr. Fink noted the 2024 insurance increase will be approximately 14%.

District Management Matters

District Report

Manager's

Ms. Call presented the Manager's Report to the Board. Ms. Call provided an update on the following projects:

- Winter Rock is in process;

- Pool Shades have been taken down;
- Network update is complete;
- 2024 calendar of events is in process;
- Surveillance system install and AV upgrade are in process;
- Preservation Tree Care project has begun;
- Retaining wall is pending project schedule dates;
- The landscaping maps are in process;
- Pool & Clubhouse Use Policy Update is in process with General Counsel; and
- Clubhouse cabinet installation and clubhouse refresh are in process.

Consider Approval of Partnership with Loft & Blush, Regarding Clubhouse Refresh
 Ms. Call presented a proposal to the Board for interior design and furniture update. Ms. Horan of Loft & Blush discussed her proposal with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal in the amount of \$1,500 for the initial phase.

Ms. Call will update Director Vernon and Director Ardita with proposals as they become available.

Consider Approval of Patio Homes HOA Reimbursement Request
 Ms. Call presented the proposal to the Board. The Board determined not to reimburse the HOA for services.

Other Management Matters
 Director Ardita noted the community trash cans are full. Ms. Call will work with the vendor.

2024 Contracts
 Ms. Stutz presented the following agreements to the Board. Following discussion, upon a motion duly made and seconded, the Board approved the following agreements:

- Consider Approval of Independent Contractor Agreement with Allied Waste Transportation, Inc. d/b/a Republic Services of Denver for Solid Waste Services
- Consider Approval of Independent Contractor Agreement with Ascent Land Development LLC for Project Management Services
- Consider Approval of Independent Contractor Agreement with Cintas Fire Protection for Fire Inspection Services
- Consider Approval of Independent Contractor Agreement with CTL Thompson, Inc. for Annual Seep and Sediment Sampling
- Consider Approval of Independent Contractor Agreement with Done and Dusted, LLC for Clubhouse Cleaning

Services

- f. Consider Approval of Independent Contractor Agreement with Keesen Landscape Management, Inc. for 2024 Landscape Maintenance Services
- g. Consider Approval of Independent Contractor Agreement with Lee Design Group, LLC for Design Review Services
- h. Consider Approval of Independent Contractor Agreement with Long Corporation d/b/a Poop 911 for Pet Waste Station Services
- i. Consider Approval of Independent Contractor Agreement with Mile High Pools LLC for Pool Gate Monitor
- j. Consider Approval of Independent Contractor Agreement with Peak One Pool & Spa, LLC for Pool Maintenance
- k. Consider Approval of Contract with Timberline Mechanical Systems, LLC for HVAC System Maintenance
- l. Consider Approval of Independent Contractor Agreement with Weed Wranglers, Inc. for Noxious Weed and Pest Control Services

Director’s Matters

Other Director’s Matters Director Vernon noted T-Mobile has inquired about a potential cell tower.

Legal Matters

Consider Adoption of 2024 Annual Administrative Resolution Ms. Stutz presented the 2024 annual administrative resolution to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution, subject to amendment to allow for board member compensation.

Approval of Renewal of Property and Liability Schedule and Limits, Workers Compensation Coverage, and SDA Membership for 2024 Ms. Stutz presented the property and liability schedule and limits, workers compensation coverage, and SDA membership to the Board. Ms. Call noted she is working with the insurance company on the property values. Ms. Call will ensure the assessed valuation is updated. Director Vernon noted the deductible is low. Ms. Call will research an increase in deductible for a decrease in premium. Following discussion, upon a motion duly made and seconded, the Board unanimously approved to bind coverage and SDA membership for 2024.

Discuss District Website Compliance and WCAG Ms. Stutz presented to the Board.

2.1 AA Requirements for ADA Compliance

Discussion Regarding Architectural Review Committee Tribunal Ms. Stutz noted the current two-person Architectural Review Committee Tribunal may encounter deadlock decisions and suggested the Board discuss the review process. The Board engaged in discussion regarding appeals of the Tribunal to the Board or including a third Tribunal member from the community. The Board determined to bring this matter to covenant enforcement counsel and requested covenant enforcement counsel attend or provide a memorandum for the next meeting.

Other Legal Matters None.

Other Business

Committee Member Discussion The Board engaged in discussion regarding committees and rotating board members. No action taken.

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

Scott J Plummer (Dec 20, 2023 19:07 MST)

Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 19th day of December 2023.