

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF

**ST. VRAIN LAKES METROPOLITAN DISTRICT NO. 1
ST. VRAIN LAKES METROPOLITAN DISTRICT NO. 3
ST. VRAIN LAKES METROPOLITAN DISTRICT NO. 4**

**HELD
April 11, 2023**

The Combined Regular Meeting of the Boards of Directors (collectively, “Boards”) of St. Vrain Lakes Metropolitan District No. 1, St. Vrain Lakes Metropolitan District No. 3, and St. Vrain Lakes Metropolitan District No. 4 (collectively, “Districts”) was held via videoconference on Tuesday, April 11, 2023 at 6:30 p.m. Notice of the Combined Meeting was duly posted.

ATTENDANCE

Directors in Attendance:

Chris Bremner, President
Lyndsey Paavilainen, Assistant Secretary
Brandon Curiel, Assistant Secretary

Directors Absent, but Excused:

Neil Simpson, Treasurer
Brad Wilkin, Assistant Secretary

Also in Attendance:

Eve Velasco, Esq.; White Bear Ankele Tanaka & Waldron, P.C.
Jason Woolard, Tiffany Skoglund, Kenny Parrish, Jordan Wood, Tracie Kaminski, Ronnie Kenfield, and Stanley Holder; Pinnacle Consulting Group, Inc.
Michelle Busse and Dallas Becker; District No. 2 Directors
Several Members of the Public.

CALL TO
ORDER

The Regular Combined Meeting of the St. Vrain Lakes Metropolitan District No. 1, St. Vrain Lakes Metropolitan District No. 3, and St. Vrain Lakes Metropolitan District No. 4 was called to order at 6:37 p.m. by Mr. Bremner, noting that a quorum was present with 3 out of 5 Directors. Each of the Directors confirmed their qualifications to serve on the Boards. Ms. Velasco also confirmed that prior to the meeting each of the Directors had been notified of the meeting.

CONFLICTS
OF INTEREST
DISCLOSURE

Ms. Velasco noted that, pursuant to Colorado law, certain disclosures by the Board Members might be required prior to taking official action at a meeting. Ms. Velasco reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts

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of interest were filed with the Secretary of State’s Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Ms. Velasco inquired into whether members of the Boards 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. Additionally, the Boards determined that the participation of the Directors present was necessary to obtain a quorum or otherwise enable the Board to act.

APPROVAL
OF AGENDA

The Boards considered the approval of the agenda. Following review and further discussion, upon motion duly made by Director Bremner, seconded by Director Curiel, and upon vote, unanimously carried, it was

RESOLVED to approve the agenda, as amended to remove the following item:

III. E. Delegation of Authority to Approve Public Improvement Construction Projects.

FURTHER RESOLVED to add the following item:

V. B. Consider Approval of Amended and Restated Fee Resolution.

APPROVAL OF
MINUTES

The Boards reviewed the minutes of the February 14, 2023 meeting of the Boards of Directors. Following review and discussion, upon motion duly made by Director Bremner, seconded by Director Paavilainen, and upon vote, unanimously carried, it was

RESOLVED to approve the minutes of the February 14, 2023 meeting of the Boards of Directors, as presented.

PUBLIC COMMENT

Prior to public comment, Director Bremner provided clarification on questions that were brought before the Board in the District No. 2 Board Meeting. Director Bremner noted Brookfield was aware of the comments made by Little Thompson Water District indicating the water levels of the lake being potentially low this season. Director Bremner noted that, as of April 11, 2012, the basin was at 109% of snow pack and believed the lake would be close to full, however, may not be at the water level it was last season. Director Bremner provided the Boards and members of the public background information on water rights and stated Brookfield would continue to seek information and clarification from Little Thompson Water District.

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Ms. Lee Johnson-Hesson requested permission to display the community yard sale sign near the Barefoot Lakes sign in addition to reimbursement from the Boards for the yard sale signs.

Mr. Bert Miller requested clarification that Little Thompson Water District controls the amount of water in the lakes, rather than the District's lake management contractor.

Ms. Eva Poulson wanted information on xeriscaping and clarification on whether payment to the DRC would still be required for residents if they moved toward a xeriscape yard.

Mr. Grant Erwin inquired about the answers Brookfield is requesting from Little Thompson Water District regarding the water levels for this season. In addition, he requested updates on future water level issues and solutions being put in place to mitigate future water issues.

Mr. Matt Zaffree expressed concern about the concrete installation in Phase 4, noting it is uneven and could be a potential hazard. He requested the contractor re-lay the concrete up to standard.

DIRECTOR
COMMENTS

Director Curiel responded to Mr. Zaffree's concrete concern and advised an inspection would be completed on April 12, 2023, and issues noted for repair would be addressed.

Director Bremner responded to Mr. Erwin's questions about the future of the infrastructure and water levels of the lake. Director Bremner stated the infrastructure in place is successful and the conversation regarding long term prevention is happening.

Director Bremner advised Mr. Miller the Little Thompson Water District is the entity who manages the water level at the lake.

Director Bremner responded to Ms. Poulson's question regarding xeriscaping. It was stated there needs to be more discussion had on this topic but it would be encouraged.

Director Paavilainen responded to Ms. Lee Johnson-Hesson's yard sale reimbursement and sign placement request. Ms. Lee Johnson-Hesson was encouraged to adhere to the banner restrictions of the Town and ensure the placement of the sign would not disturb the Barefoot Lakes Sign or ground around it. Director Bremner responded to Ms. Lee about reimbursement of the signs for the community yard sale event. Following review and discussion, the reimbursement was approved, subject to the signs being owned by the District.

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DISTRICT NO. 2
REPORT

There was no District No. 2 Report brought before the Boards.

FINANCIAL
MATTERS

Ratification of Payment of Claims: Ms. Kaminski reviewed the claims for the period ending March 31, 2023 in the amount of \$756,107.49, and answered questions. Upon motion duly made by Director Bremner, seconded by Director Curiel, and upon vote, unanimously carried, it was

RESOLVED by the Board of District No. 1 to ratify the payment of claims for the period ending March 31, 2023, as presented.

2022 Audit Exemptions District Nos. 3 and 4: Ms. Kaminski reviewed with the Boards the 2022 Audit Exemptions for District Nos. 3 and 4 for ratification and answered questions. Upon motion duly made by Director Bremner, seconded by Director Paavilainen, and upon vote, unanimously carried, it was

RESOLVED to ratify the 2022 Audit Exemptions for District Nos. 3 and 4, as presented.

CAPITAL MATTERS

Capital Project Manager Update: Mr. Holder discussed the status of Capital Projects with the Boards and answered questions.

Funding and Reimbursement Agreement with Barefoot LLC: Ms. Velasco presented to the Board of District No. 1 the Funding and Reimbursement Agreement with Barefoot LLC for the 2023 Landscape Project Capital Costs and answered questions. Following discussion, upon motion duly made by Director Bremner, seconded by Director Curiel, and upon vote, unanimously carried, it was

RESOLVED by the Board of District No. 1 to approve the Funding and Reimbursement Agreement with Barefoot LLC for the 2023 Landscape Project Capital Costs.

Agreement with Barefoot LLC for Construction Management Services: Ms. Velasco presented to the Board of District No. 1 the Agreement with Barefoot LLC for Construction Management Services for the 2023 Landscape Project and answered questions. Following discussion, upon motion duly made by Director Bremner, seconded by Director Curiel, and upon vote, unanimously carried, it was

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RESOLVED by the Board of District No. 1 to approve the Agreement with Barefoot LLC for Construction Management Services for the 2023 Landscape Project subject to receiving Affidavit of Publication.

Agreement with Design Workshop for Project Engineer Services: Ms. Velasco presented to the Board of District No. 1 the Agreement with Design Workshop for Project Engineer Services for the 2023 Landscape Project and answered questions. Following review and discussion, upon motion duly made by Director Bremner, seconded by Director Paavilainen, and upon vote, unanimously carried, it was

RESOLVED by the Board of District No. 1 to approve the Agreement with Design Workshop for Project Engineer Services for the 2023 Landscape Project.

Public Landscaping Project (Filing 4.1): Mr. Holder presented the Bid Analysis Memorandum for the Public Landscaping Project in Filing 4.1 and answered questions.

Construction Contract for Public Landscaping Project: Mr. Holder presented to the Boards the Rocky Mountain Custom Landscapes contract and answered questions. Following review and discussion, upon motion duly made by Director Bremner, seconded by Director Paavilainen, and upon vote, unanimously carried, it was

RESOLVED by the Board of District No. 1 to award the Construction Contract to Rocky Mountain Custom Landscapes for the 2023 Landscape Project subject to negotiation of final conditions and quantities.

MANAGEMENT AND
OPERATIONAL
MATTERS

District Management Report: Ms. Skoglund reviewed the District Management Report and answered questions.

YMCA Report: Ms. Skoglund provided the Boards with the YMCA Update and answered questions.

Operations and Maintenance Report: Mr. Kenfield reviewed the Operations and Maintenance Report with the Board and answered questions.

Contract Modifications Report: Mr. Woolard reviewed the Boards Contract Modification Report. Following review and discussion, upon a motion duly made by Director Bremner, seconded by Director Curiel, and upon vote, unanimously carried, it was

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RESOLVED to approve the Contract Modification Report as presented.

LEGAL MATTERS

Update on May 2023 Election: Ms. Velasco provided an update on the May 2023 Election with the Boards and answered questions.

Amended and Restated Fee Resolution: Ms. Velasco presented to the Board of District No. 1 the Amended and Restated Fee Resolution and answered questions. Following review and discussion, upon a motion duly made by Director Bremner, seconded by Director Paavilainen, and upon vote, unanimously carried, it was

RESOLVED by the Board of District No. 1 to approve the Amended and Restated Fee Resolution, as presented.

Design Review Consultant Services: Ms. Velasco presented to the Board of District No. 1 the Agreement with Godden Sudik for Design Review Consultant Services and answered questions. Following review and discussion, upon a motion duly made by Director Paavilainen, seconded by Director Bremner, and upon vote, unanimously carried, it was

RESOLVED by the Board of District No. 1 to approve the Agreement with Godden Sudik for Design Review Consultant Services, as presented.

Colorado Vista Landscape Design for Design Review Consultant Services: Ms. Velasco presented to the Board of District No. 1 the Agreement with Colorado Vista Landscape Design for Design Review Consultant Services and answered questions. Following review and discussion, upon a motion duly made by Director Bremner, seconded by Director Paavilainen, and upon vote, unanimously carried, it was

RESOLVED by the Board of District No. 1 to approve the Agreement with Colorado Vista Landscape Design for Design Review Consultant Services.

Informational Documents: Ms. Velasco presented to the Boards the following informational attachments: Primer for Policymakers, About Metro Districts, and Living in a Metro District. Following review and discussion, Director Bremner recommended uploading “About Metro Districts” and “Living in a Metro District” on the Districts’ website.

Resolution Adopting Amended Fee Schedules for Recreation Amenities: Ms. Velasco presented the Amended Fee Schedules for Recreation Amenities to the

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Board of District No. 1 and answered questions. Following review and discussion, upon a motion duly made by Director Bremner, seconded by Director Paavilainen, and upon vote, unanimously carried, it was

RESOLVED by the Board of District No. 1 to approve the Amended Fee Schedules for Recreation Amenities subject to changing the cost of the annual pass for an adult from \$785 to \$800.

ADJOURNMENT

There being no further business to come before the Boards, upon motion duly made by Director Bremner, seconded by Director Paavilainen, and upon unanimous vote, the meeting was adjourned at 7:46 p.m.

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

Respectfully submitted,

DocuSigned by:
Jordan Wood

Jordan Wood, Recording Secretary for the Meeting