

MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF

LEYDEN ROCK METROPOLITAN DISTRICT

Held: Tuesday, October 18, 2022 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 *\*joined meeting where indicated*  
Tanis Batsel-Stewart

Also present: Megan J. Murphy, Esq. and Erin K. Stutz, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Ben Smith, District Manager and Jeremy McClain, CCMC; and Alex Fink, District Accountant, CliftonLarsonAllen, LLP.

**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 as presented. Following discussion,

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

### **Public Comment**

Ms. Kostner noted that she had sent emails to the Board requesting the Board amend the Community Guidelines to include an appeal process under Rule 106. Director Vernon stated that the Board is consulting with legal counsel.

Mr. Nix inquired about street lights which are not working on Leyden Rock Drive and 82<sup>nd</sup> and South of Yule. Mr. Smith stated that the City of Arvada (the "City") and Xcel Energy are working on repairs.

### **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 September 20, 2022 Special Meeting;
- Minutes from October 6, 2022 Special Meeting;
- Contract with Equalized Productions for Octoberfest Live Music Performance;
- Contract with Brad Wood d/b/a The Laughing Photo Booth for Octoberfest Photo Booth;
- Rescinding Approval of Contract with Master Events & Gaming LLC d/b/a Casino Party USA for October 8, 2022; and
- Content Release with Best Version Media.

### **Director Matters**

None.

Consider Approval of Tree Planting Location to be the lot between W. 85<sup>th</sup> Bluff and W. 84<sup>th</sup> Place

Director Batsel-Stewart noted that she met with the Landscaping Committee members and Ms. Cooley regarding the installation of new trees in the community. The Board took no action.

Discuss adding a Handicap Parking Space and a Curb Cut near the Southern Entrance to the Pool

Director Plummer requested the Board consider adding a handicap parking space and curb cut to the south entrance to the Pool. Following discussion the Board directed Mr. Smith to discuss options with the City.

### **Financial Matters**

Consider Approval of Schedule of Cash Position

Mr. Fink presented the Schedule of Cash Position updated as of October 11, 2022. Following discussion, upon a motion duly

made and seconded, the Board unanimously approved the Schedule of Cash Position.

Consider Acceptance/Ratification of Claims Mr. Fink presented the Claims to the Board in the amount of \$45,091.74. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Claims.

**District Management Matters**

\*Director Ardita joined the meeting

District Manager Report Mr. Smith presented the Report to the Board.

Consider Approval of 2023 Community Sponsorship Program Mr. Smith presented the Community Sponsorship Program to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the program.

Consider Approval of Holiday Lighting Proposal from Mile High Lights Mr. Smith presented the Holiday Lighting Proposal to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal.

Consider Approval of New Wayfinding Signs Deferred.

*Capital Projects Discussion*  
Approval of Not to Exceed Amount of Pool Furniture The Board engaged in discussion regarding the purchase of pool furniture for the 2023 season. The Board took no action.

Other Management Matters None.

**Legal Matters**

Discussion Regarding Independent Contractor Agreement with Equalized Productions Ms. Murphy presented the Independent Contractor Agreement with Equalized Productions to the Board noting that Equalized Production and their legal counsel sent proposed changes to the contract after it was approved by the Board. Following discussion, upon a motion duly made and seconded, the Board approved and authorized legal counsel and Director Vernon to negotiate the contract with Equalized Productions.

Other Legal Matters None.

**Other Business**

Paint Color Schemes                      Director Plummer requests a process for paint schemes to be added to the approved paint schemes before Spring 2023. Mr. Smith will work on this.

Reports from Ascent Land              The Board engaged in discussion regarding updates and reports from Ascent Land Development. The Board took no action.

Next Meeting                                      November 15<sup>th</sup> 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*  
Scott J plummer (Nov 19, 2022 22:32 MST)

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Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 15<sup>th</sup> day of November, 2022.