

MINUTES OF THE SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF

LEYDEN ROCK METROPOLITAN DISTRICT

Held: Wednesday, June 22, 2022 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
Christian Ardita
Tanis Batsel Stewart
Scott Plummer
Jeff Cunningham

Also present: Megan J. Murphy, Esq., and Erin K. Stutz, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Ben Smith, District Manager and Katie Call, Operations Coordinator, and Christine Ahern, Lifestyle Coordinator, CCMC; and Alex Fink, CliftonLarsonAllen, LLP, District Accountant

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. The Board determined that the participation of the members present was necessary to obtain a quorum or to

otherwise enable the Board to act.

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.

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 May 31, 2022 Special Meeting
- 2021 Annual Report
- Contract with Peak One Pool & Spa for Pool Heater
- Contract with Peak One pool & Spa for Pool Filter
- Work Order #84736 for Demonstration Garden with Keesen Landscape
- Work Order #84423 for Clubhouse Enhancements with Keesen Landscape
- Contract with Polynesian Party Planners Inc. for Movie Night

Public Comment

Mr. Hill noted that house fires often occur due to a fence catching fire and spreading. He inquired about metal fences and if this is something the Board has investigated. Director Cunningham noted the Board has not looked into metal fences. Director Ardita noted that additional space can be created behind fences that would decrease the chance of the fence igniting. Director Stewart noted that the fence around each individual property is the responsibility of the homeowner and the District responsibility is to the open space. Director Vernon noted most District fences are range fences that are made up of much less wood, which decreases the chance of fire spreading. Director Vernon noted this is not a project the Board is ready to move forward with at this time.

Ms. Johnson noted that her house backs up to the District's property. She inquired about the mowing. Mr. Smith stated that regular mowing is part of the contract.

Committee Reports

Landscape Committee Report

Director Stewart presented the Report to the Board. The demonstration garden has been completed. The Board thanks all volunteers for their help with the demonstration garden.

Director Matters None.

Financial Matters

Consider Approval of Schedule of Cash Position Mr. Fink presented the Schedule of Cash Position dated March 31, 2022 and updated as of June, 2022. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Schedule of Cash Position.

Claims Mr. Fink presented the Claims to the Board in the amount of \$83,814.96. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Claims.

Consider Adoption of 2021 Audit Mr. Fink presented the 2021 Audit to the Board. Director Vernon noted that the funds are invested in CSAFE due to the low expenses. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the audit subject to review by legal counsel, the auditor, Director Vernon, and Director Cunningham.

Establishment of Capital Reserve Fund Director Vernon noted that he would prefer a separate fund for Capital Reserve. Deferred to next meeting.

Consider Approval of Master Service Agreement with CliftonLarsonAllen, LLP Mr. Fink presented the Master Service Agreement to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Agreement.

District Management Matters

District Manager Report Mr. Smith presented the Report to the Board. Mr. Smith noted that the pool heater and the pool filter have been replaced. Director Plummer requested that if more pool improvements are needed in the future that the District bid out the work. Director Vernon agreed, noting that there was no time to bid out pool heater and the pool filter replacement.

The Board engaged in discussion regarding dead tree replacement. Deferred to August meeting.

Consider Adoption of Amended and Restated Residential Improvement Guidelines and Site Restrictions Mr. Smith presented the Amended and Restated Residential Improvement Guidelines and Site Restrictions regarding exterior paint to the Board. Mr. Smith noted that if the light reflectance value (“LRV”) was to be changed from 10-70, about 15% of the existing color palettes would be removed. The Board engaged in discussion regarding the color palettes. Director Plummer would not like to force homeowners to paint their house a certain color. Director Vernon contemplates removing palettes with LRV outside of 10-70 just for the body; accent colors can be outside the LRV. Director Cunningham would like to stay within the palettes. Directors Stewart, Plummer, and Ardita would consider going outside of the palettes. Deferred to next meeting.

Consider Approval of Rental Agreement for Leyden Rock Block Kit Ms. Ahern presented the Rental Agreement for Leyden Rock Block Kit to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Agreement as amended to reflect refundable deposits for residents at a rate of \$150 and non-residents at a rate of \$500, deposits are to be refunded within 48 hours of the event.

Discussion Regarding Capital Projects A community meeting will be held on June 25th and a survey will be released to the community on that day.

Mr. Smith presented Irrigation Controller Proposal. The proposal refers to upgrading the existing irrigation system to a smart irrigation system to reduce water usage. This project was publicly bid in the Denver Daily Journal on June 22, 2022. Following discussion, upon a motion duly made and seconded the Board unanimously approved the proposal subject to final review by Director Vernon.

Mr. Smith engaged in discussion with the Board regarding Splash Pads in the baby pool. Mr. Smith will work on proposals.

Discussion Regarding License Agreement with City of Arvada Ms. Murphy engaged in discussion with the Board regarding the License Agreement with City of Arvada. The City is willing to work with the District once the landscaping plans are finalized by the Board.

Discussion Regarding Updated Boundary Maps Ms. Call engaged in discussion with the Board regarding Updated Boundary Maps. She noted that she is working on updated

landscape and snow removal maps and will send to an engineer for finalization.

Other Management Matters Ms. Call noted that she has discovered a contractor to provide handyman services to the District. Ms. Ahern inquired about proposals for community members. Mr. Smith noted handyman services would be handled at time and material rate for the rest of this year.

Legal Matters

Consider Approval of Gate Maintenance and Indemnity Agreement Ms. Murphy presented the Gate Maintenance and Indemnity Agreement to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Agreement.

Consider Approval of Independent Contractor Agreement with The Helping Hand Ms. Murphy presented the Independent Contractor Agreement with The Helping Hand to the Board with an effective date of January 1, 2022. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Agreement.

Consider Approval of License Agreement with Allied Waste for Fence Installation Ms. Murphy presented the License Agreement with Allied Waste to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Agreement.

Other Legal Matters None.

Public Comment Ms. Johnson notes the Clubhouse Rental Agreement's insurance coverage and security requirements for those who wish to reserve the Clubhouse is cost prohibitive. Director Vernon stated this protects the asset of the community to require security and insurance. Ms. Johnson stated that the amount for this seems excessive.

Other Business None.

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 19th day of July, 2022.