

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF

LEYDEN ROCK METROPOLITAN DISTRICT

Held: Tuesday, August 20th, 2024, at 6:00 P.M. via teleconference and at 17685 W. 83rd Dr., Arvada, CO

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 Ardit
Jen Langhals

Also present: Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Katie Call and Christine Ahern, AdvanceHOA, District Management; Angie Sherman, Keesen Landscape; Lindsay Smith, Winzenburg, Leff, Purvis & Payne, LLP; Katie Cooley, Ascent Land Development; 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 regarding 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.

Consider Election of Officers of The Board engaged in general discussion regarding the Election of Officers. Following discussion, upon a motion duly made and seconded, the Board elected Director Langhals as Assistant Secretary.

Public Comment Mr. Hill inquired about why the Board did not proceed with the installation of license plate readers at the community entrances. Director Vernon noted the Board deferred the decision due to unknown maintenance costs the Board is considering.

Ms. Jouflas inquired about the process for reviewing and maintaining the Amended and Restated Residential Improvement Guidelines and Site Restrictions. Mr. Vernon noted the Board would follow up with Ms. Jouflas.

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 July 16th, 2024 Special Meeting;
- Minutes from July 16th, 2024 Annual Meeting

Legal Matters

Discussion and Consider Approval of Updates to Section 3.38 Lights/Lighting Section in the Amended and Restated Residential Improvement Guidelines and Site Restrictions Ms. Smith engaged in discussion with the Board regarding the Amended and Restated Residential Improvement Guidelines and Site Restrictions. The Board provided Ms. Smith with direction regarding updates and changes.

Consider Adoption of Resolution Adopting a Digital Accessibility Policy and Designating a Compliance Officer Ms. Murphy presented the Resolution Adopting a Digital Accessibility Policy and Designating a Compliance Officer to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Discussion Regarding Proposed Location of Cell Phone Tower Ms. Murphy engaged in discussion with the Board regarding the proposed location of the cell phone tower. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the engagement of a surveyor to survey the area.

Other Legal Matters None.

Financial Matters

Consider Approval of Director Cunningham presented the Claims in the amount of
Payables/Financials \$23,643.83 to the Board. Following discussion, upon a motion duly
made and seconded the Board unanimously approved the claims.

Other Financial Matters None.

**Capital Projects
Discussion**

Discussion and Approval Ms. Cooley presented the proposal for Design and Development and
of Proposal for Design Construction with The Architerra Group to the Board. Following
Development and discussion, upon a motion duly made and seconded, the Board
Construction with The unanimously approved the proposal.
Architerra Group

Discussion and Approval Ms. Cooley presented the Preliminary Project Schedule to the Board.
of Preliminary Project Following discussion, upon a motion duly made and seconded, the
Schedule from The Board unanimously approved the schedule.
Architerra Group

Other Capital Project The Board engaged in discussion regarding the September 3rd
Matters Capital Projects Meeting. The Board determined to cancel the
meeting.

**District Management
Matters**

District Manager's Ms. Call presented the report to the Board.
Report

Discussion and Consider Ms. Call presented the Keesen Proposal for Snow Removal Services
Approval of 2024-2025 to the Board. Following discussion, upon a motion duly made and
Snow Removal Services seconded, the Board unanimously approved the proposal.
with Keesen Landscape

Discussion and Consider Ms. Call presented the proposal for Filing 3 Trail Restoration to the
Approval of Keesen Board. Following discussion, upon a motion duly made and
Landscape Proposal for seconded, the Board unanimously approved the proposal.
Filing 3 Trail Restoration

Discussion and Consider Ms. Call presented the proposal for Filing 5 Trail Storm Restoration to the
Board. Following discussion, upon a motion duly made and seconded, the

Approval of Keesen
Landscape Proposal for
Filing 5 Trail Storm
Restoration

Board unanimously approved the proposal.

Discussion and Consider
Approval of Various Bed
Cleanups and Plantings

Ms. Call engaged in discussion with the Board regarding the various bed cleanups and plantings to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved.

Discussion and Consider
Approval of Fall Flowers
for \$2,000

Ms. Call engaged in discussion with the Board regarding Fall Flowers in the amount of \$2,000. Following discussion, upon a motion duly made and seconded, the Board unanimously approved.

Discussion and Consider
Approval of Holiday
Lighting

Ms. Call presented the proposal for Holiday Lighting to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal.

Discussion and Consider
Approval of SDA
Conference Attendance

Ms. Call engaged in discussion with the Board regarding attendance at the SDA Conference. Following discussion, upon a motion duly made and seconded, the Board unanimously approved attendance.

Other Management
Matters

None.

Director's Matters

Discussion Regarding
Temporary Irrigation on
W. 84th Trail

The Board engaged in discussion with Ms. Sherman regarding temporary irrigation on W. 84th Trail. The Board requested a proposal from Keesen Landscape to be presented at the next meeting.

Director Cunningham noted he will not be in attendance for the September 17th meeting.

Director Vernon requested an update on new legislation affecting metropolitan districts. Ms. Murphy answered Director Vernon's inquiry.

Director Plummer inquired about the September 3rd meeting to discuss Jellyfish lighting.

Other Director's Matters

None.

Other Business

Executive Session - The Board intends to enter into executive session pursuant to § 24-6-402(4)(b), C.R.S., to conference with an attorney for the District for the purpose of receiving legal advice as it relates to the Independent Contractor Agreement with Loft & Blush Interiors, LLC.

Upon a motion duly made and seconded, followed by an affirmative vote of at least two-thirds of the quorum present, the Board entered into executive session at 8:40 p.m. for the purpose of receiving legal advice as it relates to the Independent Contractor Agreement with Loft & Blush Interiors, LLC 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.

Also 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 in regular session at 9:12 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 \(Sep 18, 2024 15:24 MDT\)](#)

Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 17th day of September, 2024.

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 special meeting of Leyden Rock Metropolitan District convened at 8:40 p.m. on Tuesday, August 20th, 2024 for the sole purpose of discussing the Independent Contractor Agreement with Loft & Blush Interiors, LLC 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.