

MINUTES OF THE SPECIAL MEETING OF THE  
BOARD OF DIRECTORS OF

LEYDEN ROCK METROPOLITAN DISTRICT

Held: Tuesday, May 31, 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

Director Cunningham was absent. All absences are deemed excused unless otherwise noted in these minutes.

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

**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 16, 2022 Special Meeting;
- Minutes from May 18, 2022 Special Meeting; and
- Contract with Neslen Enterprises LLC d/b/a Funflicks of Colorado.

**Public Comment**

Mr. Hill noted stated that the July 4<sup>th</sup> holiday is approaching and other residents should be courteous in regards to fire danger. Director Vernon asked Mr. Smith to remind the community that fireworks are illegal and include information regarding fire danger.

Ms. Rockwood asked the Board about the prairie dog policy. She noted the prairie dogs are healthy for the ecosystem in regards to soil and other species in the community.

Mr. Hunter noted that the following fence repairs are needed in the community:

16459 W. 86<sup>th</sup> Place Unit A: A section of the fence has been repaired after being blown down but needs to be stained to match.

16649 W. 86<sup>th</sup> Place Unit B: Two separate sections of fence were blown down and repaired. A gate was to be installed but has not been.

16489 W. 86<sup>th</sup> Place Unit A: Three fence slats are loose and have not been repaired.

Mr. Smith noted that 16459 W. 86<sup>th</sup> Place Unit A and 16649 W. 86<sup>th</sup> Place Unit B are on the list for fence repair and staining.

## **Committee Reports**

Landscape Committee Report

Director Stewart presented the Report to the Board. The Committee met with Keesen Landscape regarding the demonstration garden. After more discussion they have decided to move forward locking spigot and hand water for the first year.

## **Director Matters**

Discussion Regarding Lap Swim at 8 p.m. until 9 p.m.

Director Vernon presented the Board with the idea to allow lap swim from 8 p.m. to 9 p.m. Sunday through Wednesday. Following discussion, upon a motion duly made and seconded, the Board unanimously approved to allow lap swim during this time and directed legal counsel to amend the Pool and Clubhouse Use Policy to reflect the change.

Discussion Regarding Pool Monitor

Director Vernon would prefer the pool to be open earlier without an attendant. No action taken.

Discussion Regarding Capital Projects

Ms. Dominguez presented an update to the Board regarding Capital Projects. The City of Arvada (the “City”) is going to require the District to work with City staff and the community to make improvements to City property.

Director Vernon noted the City expressed concerns in regards to the incline North of Westridge Park as it is on the same hill that had landslide issues in previous years.

Ms. Dominguez noted that the first community outreach event would be utilized to generate ideas in regards to the parks. There will be a second outreach event after The Architerra Group, Inc. (“Architerra”) designs the plans based on information gathered at the first outreach event. The final outreach event would be a plan that is presented to the community.

Ms. Dominguez will begin planning the first event with an online survey posted at the Clubhouse and the Hogback Herald. The survey will be sent to Ms. Murphy subject to final approval by Director Vernon and Director Stewart.

Culbera Entrance

Director Vernon noted that the asphalt in this area is in bad shape. Mr. Smith will look further into the matter.

## **Financial Matters**

- Consider Approval of Schedule of Cash Position Mr. Fink presented the Schedule of Cash Position dated March 21, 2022 and updated as of May, 2022. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Schedule of Cash Position.
- Discuss Capital Requisition Process The Board engaged in discussion regarding the form of requisition and the approval process. Director Vernon noted he is willing to review and approve requisitions to be ratified at the next Board meeting.
- Discuss and Approval Implementation of Bill.com for Accounts Payable Processing The Board engaged in discussion with Mr. Fink regarding the implementation of Bill.com. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the use of Bill.com for Accounts Payable Processing and designated Director Vernon and Director Cunningham as the reviewers and approvers.

## **District Management Matters**

- District Manager Report Mr. Smith presented the Report to the Board. The Board engaged in discussion regarding closing the pool during inclement weather. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the District Manager to close the pool at his discretion due to inclement weather.
- Consider Approval of Contract with Peak One Pool & Spa for Installation of Raypak Heater Ms. Murphy presented a contract with Peak One Pool and & Spa for the installation of a Raypak Heater to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the contract.
- Consider Approval of Resolution Amending the Residential Improvement Guidelines and Site Restrictions Mr. Smith presented the Resolution Amending the Residential Improvement Guidelines and Site Restrictions regarding exterior paint to the Board. Following discussion the Board requested the following changes by made: an architectural review request (“ARR”) form is required to be submitted for all exterior paint applications including the same paint color, the approved color schemes are to be kept, if a color outside of the scheme is selected it must be painted on a garage door as an example to review, and CCMC will research the acceptable range of light reflectance value (“LRV”) for colors outside the scheme and recommend colors within the schemes that are outside of that LRV range be

removed from the approve schemes.

Consider Approval of Ms. Murphy presented the Second Amended and Restated  
Second Amended and Resolution Establishing Architectural Review Committee to the  
Restated Resolution Board. Following discussion, upon a motion duly made and  
Establishing Architectural seconded, the Board unanimously approved the Resolution  
Review Committee subject to final legal review.

Discussion Regarding Ms. Murphy reviewed the existing License Agreement with the  
License Agreement with City of Arvada and noted the District has reached out to the City  
City of Arvada to see what approval if required by the City to make  
modifications to the monument signs. No action taken.

Other Management Matters None.

### **Legal Matters**

Ratification of Special Ms. Murphy presented the Special Warranty Deed Conveying  
Warranty Deed Conveying Tract V, Block 2, Filing No. 1 to the Board. Following  
Tract V, Block 2, Filing No. 1 discussion, upon a motion duly made and seconded the Board  
unanimously ratified the Deed and accepted Tract V, Block 2,  
Filing No. 1 for ownership by the District.

Consider Approval of Ms. Murphy presented the License Agreement with Allied Waste  
License Agreement with to the Board noting changes from the previous version which was  
Allied Waste for Fence approved on March 29, 2022. Following discussion, upon a  
Installation motion duly made and seconded, the Board unanimously  
approved the License Agreement.

Consider Approval of Pool Ms. Murphy presented the Pool and Clubhouse Use Policy to the  
and Clubhouse Use Policy Board. The Board engaged in discussion regarding allowing  
reduced Clubhouse Rental Rates for residents. Following  
discussion, upon a motion duly made and seconded, the Board  
unanimously approved modifying the rental rates in the Pool and  
Clubhouse Use Policy to clarify that both residents and non-  
residents will pay \$150 for the first three hours, not \$150 per  
hour.

**Other Legal Matters** None.

**Public Comment**

Ms. Johnson noted her dissatisfaction with paying property taxes and a fee to reserve the Clubhouse when the pool can only be used for 12 weeks of the year.

Ms. Hoy stated that she has lived across from Lookout Park since 2014 and it has significantly deteriorated in that time and the City is not taking care of the park. Director Plummer noted that the City would like to maintain the care of the park but they simply do not have the resources. Director Vernon noted that he has contacted the City about these issues.

**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*  
Scott J Plummer (Jun 23, 2022 15:05 MDT)

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Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 22<sup>nd</sup> day of June, 2022.