

**MINUTES OF THE JOINT REGULAR MEETING OF
THE BOARD OF DIRECTORS OF
THE LAKES METROPOLITAN DISTRICT NOS. 1, 3-4**

HELD APRIL 18, 2023

The joint regular meeting of the Boards of Directors of The Lakes Metropolitan District Nos. 1, 3-4 (referred to hereafter as “Boards”) were convened on Tuesday, April 18, 2023 at 9:30 a.m., via teleconference. The meeting was open to the public.

ATTENDANCE

Directors in Attendance were:

Michael A. Richardson
Paula J. Lindamood
Erika L. Volling

Excused Absentees: Florine T. Richardson and Amy Richardson

Also in Attendance were:

William Ankele, Esq., and Heather Hartung, Esq., White Bear Ankele Tanaka & Waldron, P.C.
Eric Weaver and Susan Cary, Marchetti & Weaver, LLC
Matt Collitt, Groundworks Development, LLC

JOINT MEETING

The Boards of Directors of the Districts have determined to hold a joint meeting of the Districts and to prepare joint minutes of actions taken by the Boards in such meetings. Unless otherwise noted herein, all official action reflected in these minutes shall be deemed to be the action of all Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

CALL TO ORDER

Director Richardson noted that a quorum of the Boards were present and called the Joint Regular Meeting of the Boards of Directors to order. Director Richardson designated Director Volling as the chairperson of the meeting.

**DISCLOSURE OF
POTENTIAL
CONFLICTS OF
INTEREST &
ESTABLISH
QUORUM**

Director Volling noted that disclosures of potential conflict of interest statements for each of the Directors were filed with the Secretary of State by the District General Counsel, White Bear Ankele Tanaka & Waldron, P.C., seventy-two hours in advance of the meeting. Attorney Ankele requested that the Directors consider whether they had any additional conflicts of interest to disclose. Attorney Ankele noted for the record that there were no new disclosures made by the Directors present at the meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting and in accordance with the statutes. Additionally, the Boards determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Boards to act.

**ADMINISTRATIVE
MATTERS**

Agenda: Director Volling distributed for the Boards’ review and approval an Agenda for the Districts’ joint regular meeting.

Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Agenda was approved.

Public Comment: None.

RECORD OF PROCEEDINGS

Consent Agenda: The Boards discussed the Consent Agenda. Following review and discussion, upon a motion made, seconded and upon vote unanimously carried, the Boards approved, adopted, and ratified the Consent Agenda including the following items:

- a. Minutes from the March 21, 2023 Joint Regular Meeting
- b. First Amendment to Independent Contractor Agreement with Groundworks Development, LLC
- c. Notice regarding Capital Pledge Agreement
- d. Correction of Requisition No. 8 in the amount of \$2,225,777.05

CONSTRUCTION MATTERS

Bids for 144th Avenue and Offsite Chambers Trail Public Improvements: The Board discussed the bids received from the public bid request. It was determined that Three Sons Construction would be awarded the contract for Sanitary Sewer, Storm, Water, and Concrete at this time. Matt Collitt explained that bids received for paving, including the Chambers trail, are higher than other available contractors in the market. Matt Collitt will pursue competitive pricing from other paving contractors to be reviewed by the Board. Attorney Ankele pointed out that the pricing received from the bidders will stay open for 60 days.

Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Notice of Award and Notice to Proceed will be issued to Three Sons Construction for the sanitary sewer, storm, water, and concrete portions of the public improvements in the amount of \$2,514,772.

FINANCIAL MATTERS

Pay Application No. 4 – District No. 4: The Board discussed the Pay Application No. 4 for construction at Farmlore North. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Pay Application No. 4 was approved.

Payables/Financials of District No. 4: The monthly invoices for payment in addition to the Pay Application were for Atwell, Citywide Banks, Marchetti & Weaver, and White Bear Ankele Tanaka & Waldron. The Board discussed the invoices totaling \$6,771.71. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the invoices were approved.

Requisition No. 9: The Requisition No. 9 was reviewed and discussed by the Board. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Requisition No. 9 was approved.

OTHER BUSINESS

Implementation of Capital Pledge Agreement (District Nos. 3 and 4): The Boards discussed the implementation of the Capital Pledge Agreement between District No. 3 and District No. 4. Notice of Bidding was sent to District No. 3. Attorney Hartung will review the ongoing requirements of the Agreement. Ms. Volling will request an update of the estimated construction costs to prepare an updated allocation detail.

Next Regular Meeting: The next regular meeting is scheduled for May 16, 2023 at 9:30 a.m. via teleconference.

RECORD OF PROCEEDINGS

ADJOURNMENT

There being no further business to come before the Boards at this time, upon motion duly made, seconded and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: Erika Vollen
Secretary for Meeting