

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

**HELD MAY 16, 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, May 16, 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:

Heather Hartung, Esq., White Bear Ankele Tanaka & Waldron, P.C.  
 Eric Weaver and Susan Cary, Marchetti & Weaver, 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 Hartung requested that the Directors consider whether they had any additional conflicts of interest to disclose. Attorney Hartung 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. Director Volling requested that a Discussion regarding District No. 1 Revenue Received be added to the Financial portion of the Agenda.

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

Election of Officers: The Boards elected the following Officers:

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President: Michael Richardson  
Secretary/Treasurer: Erika Volling  
Asst. Secretary: Paula Lindamood  
Asst. Secretary: Florine Richardson  
Asst. Secretary: Amy Richardson

Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Officer appointments were approved.

**Public Comment:** None.

**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 April 18, 2023 Joint Regular Meeting
- b. Ratification of Notice to Proceed, Notice of Award and Agreement Between Owner and Contractor for Construction Contract (144<sup>th</sup> Avenue – Sanitary, Water, Storm and Concrete)

## CONSTRUCTION MATTERS

**Ranger Engineering Independent Contractor Agreement – District No. 4:**

The Board discussed the Ranger Engineering Report and Independent Contractor Agreement regarding certification of costs relating to grading work in District No. 4. The estimated cost of the Agreement was between \$3,500-\$5,000.

Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Independent Contractor Agreement with Ranger Engineering was approved.

**Capital Pledge Agreement (144<sup>th</sup>)–Allocation of Costs Between District 3 and District 4 and Notice Provisions Regarding 144<sup>th</sup> Project:** A discussion was held by the Boards. Director Volling reported that updated budget numbers for the completion of the north half of 144<sup>th</sup> had been requested. When those numbers are received, an estimate of the allocation can be made.

**144<sup>th</sup> Avenue and Chambers Trail Paving Public Improvement Pricing and Status:** Director Volling reported that Matt Collitt is continuing to pursue competitive pricing from multiple paving contractors to be reviewed by the Board at a later date.

## FINANCIAL MATTERS

**Pay Application No. 5 – District No. 4:** The Board discussed the Pay Application No. 5 for construction at Farmlore North. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Pay Application No. 5 was approved.

**Payables/Financials of District No. 4:** The monthly invoices for payment in addition to the Pay Application were for Atwell, Marchetti & Weaver, and White Bear Ankele Tanaka & Waldron. The Board discussed the invoices totaling \$10,721.43. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the invoices were approved. A discussion was held and it was determined that financials of District No. 4 would be presented to the Board

## RECORD OF PROCEEDINGS

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quarterly in the future.

**Requisition No. 10 – District No. 4:** The Requisition No. 10 was reviewed and discussed by the Board. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Requisition No. 10 was approved.

**Approval of Cost Certification No. 1 – District No. 4:** The Board discussed the Ranger Engineering report regarding certification of costs relating to grading work in District No. 4. It was determined that Marchetti and Weaver needed to also review the cost certification.

Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Cost Certification No. 1 for District No. 4 was approved subject to final review and sign-off from Marchetti and Weaver. The Board also approved a corresponding requisition in the final amount of the cost certification after Marchetti and Weaver's sign-off.

**District No. 1 Revenue Received:** Director Volling reported that District No. 1 had received revenues in the amount of \$3,280,534.62 in the May distributions. A discussion was held regarding opening a ColoTrust account for District No. 1 where the funds would be invested until used per the budget. Eric Weaver discussed the ColoTrust fund options and details and recommended that District No. 1 open a Plus account.

Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Board authorized the opening and investment in a ColoTrust Plus account with the President being the primary signatory on the account.

### OTHER BUSINESS

**2023 Legislative Memorandum:** The White Bear Ankele Tanaka & Waldron 2023 Legislative Memorandum was distributed with the Board packets.

Regarding SB32-303 requires a voter-approved revenue change. Due to the timing of the election, Eric Weaver indicated that Marchetti and Weaver will likely be preparing multiple budget scenarios for Districts in the fall.

**Next Regular Meeting:** The next regular meeting is scheduled for June 20, 2023 at 9:30 a.m. via teleconference.

### 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 Volleig  
Secretary for Meeting