

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

HELD AUGUST 22, 2023

The joint special meeting of the Boards of Directors of The Lakes Metropolitan District Nos. 1, 3-4 (referred to hereafter as “Boards”) were convened on Tuesday, August 22, 2023 at 11:00 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., Brian Bowers, White Bear Ankele Tanaka & Waldron, P.C.
 Eric Weaver and Katie Salazar, 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 Special 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 special meeting. Director Volling requested that two items be added/modified on the Agenda: 1) Ratification of Notice to Proceed for Brannan Sand and Gravel on Consent Agenda; 2) replace the 144th Pay App sent in meeting packet with Pay App 3 sent separately prior to the meeting.

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

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 July 18, 2023 Joint Regular Meeting
- b. Easement for Storm Drainage Facilities by and between Brighton Lakes LLC and The Lakes Metropolitan District No. 4 dated September 12, 2022 and recorded at Reception No. 2023000016148.
- c. Change Order No. 2, 3 from Three Sons Construction – 144th Avenue – Sanitary, Water, Storm and Concrete
- d. Change Order No. 10, 11 from Three Sons Construction – Farmlore North Filing 1
- e. Resolution Authorizing Reimbursement of Xcel Energy Relocation Fees in the amount of \$13,802.79 by District No. 4 to Farmlore, Ltd. subject to final legal review
- f. Notice to Proceed – Brannan Sand and Gravel

CONSTRUCTION MATTERS

144th Avenue and Chambers Trail Paving Public Improvement Pricing and Status: At the June 20, 2023 BOD meeting, it was determined that District No. 4 would provide monthly updates to District No. 3 at the monthly BOD meetings to satisfy the status report requirements in the Assignment of and Second Amendment to Capital Improvements Pledge Agreement dated November 9, 2022. The monthly update from District No. 4 was that United Power had mobilized on August 21, 2023 (approximately 30 days delayed). The water, sanitary sewer, and storm drainage lines are nearly complete. The water line will be connected after United Power removes an overhead power pole. The storm drainage will be complete after Xcel Energy lowers a gas line. The curb and gutter work will begin at the beginning of September.

Filing 1 infrastructure has curb and gutters complete and sidewalks at 65% complete. Brannan Sand and Gravel has mobilized and will begin preparations for paving. There continue to be some delays due to moisture from storms experienced throughout the summer.

DISTRICT MATTERS No items discussed.

LEGAL MATTERS

Acknowledgment of Homeowner Information for Farmlore North, Design Standards, Rules and Regulations, Construction Regulations (District Nos. 4, 5 and 6): The Board discussed the Homeowner Information for Farmlore North. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Homeowner Information for Farmlore North was acknowledged by the Board.

Acknowledgment of Builder Information for Farmlore North, Design Standards, Rules and Regulations, Construction Regulations (District Nos. 4, 5 and 6): The Board discussed the Builder Information for Farmlore North. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Builder Information for Farmlore North was acknowledged by the Board.

RECORD OF PROCEEDINGS

Master Declaration, Covenants, Conditions, and Restrictions for Farmlore:

The Board discussed the Master Declaration, Covenants, Conditions, and Restrictions for Farmlore. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Master Declaration, Covenants, Conditions, and Restrictions for Farmlore were approved.

Purchase and Maintenance of Mailboxes by District No. 4: The Board discussed the purchase and maintenance of mailboxes. An estimate from Page Specialty Company dated July 20, 2023 was considered. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Page Specialty Company estimate was approved.

Landscaping with Easement and Maintenance Obligations of Tree Lawn on Tract AA: The Board discussed the options of Tract AA maintenance of it being District maintained or homeowner maintained. The Board directed legal counsel to prepare an easement document to include homeowner maintenance obligations in a portion of Tract AA adjacent to Lots 1-9, Block 1, Filing No. 1.

Project Manual for Phase 1 Landscaping Projects: The Board discussed the Phase 1 Landscaping Project Manual. There were some changes to be made to the landscaping plan prior to putting the project to public bid. The public bid will likely take place at the middle to late September.

Discuss Notice to Residents Regarding Metropolitan District Homeowners' Rights Task Force: The Notice has been posted to the District website. No further action is required of the Board at this time.

Discuss Town Hall/Annual Meeting Scheduled for November 8, 2023 at 9:30am: The Boards discussed the Town Hall/Annual Meeting that is newly required of metro districts. The meeting agenda will be prepared by legal counsel.

FINANCIAL MATTERS

Pay Application No. 8 – District No. 4: The Board discussed the Pay Application No. 8 for construction at Farmlore North. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Pay Application No. 8 was approved.

Pay Application No. 3 – District No. 4: The Board discussed the Pay Application No. 3 for construction of 144th Improvements. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Pay Application No. 3 was approved.

Payables 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 \$6,486.49. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the invoices were approved.

Requisition No. 15 – District No. 4: The Requisition No. 15 was reviewed and discussed by the Board. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Requisition No. 15 was approved.

RECORD OF PROCEEDINGS

OTHER BUSINESS **Next Regular Meeting:** The next regular meeting is scheduled for September 19, 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 Velling
Secretary for Meeting