

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

**HELD SEPTEMBER 19, 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, September 19, 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
- Amy Richardson

Excused Absentee: Florine T. Richardson

Also in Attendance were:

- William Ankele, Esq., Heather Hartung, Esq., and Andie Eckstrum, 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 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 noted that an updated meeting packet had been sent prior to the meeting.

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

Public Comment: None.

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**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 August 22, 2023 Joint Special Meeting
- b. Independent Contractor Agreement with Page Specialty Company for Purchase and Maintenance of Mailboxes (District No. 4)
- c. Independent Contractor Agreement with CTL Thompson, Inc. (Soil Engineering Services 144<sup>th</sup> Avenue, District No. 4)
- d. Change Order No. 12 from Three Sons Construction – Farmlore North Filing 1 (District No. 4)

### CONSTRUCTION MATTERS

**144<sup>th</sup> 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 Xcel Energy is scheduled to begin the gas line lowering on Monday, September 25, 2023. After the gas line is lowered, the remaining storm drain connection can be made. United Power continues work along 144<sup>th</sup> in order to remove the overhead power lines. The water line will be connected after United Power removes an overhead power pole. The curb work will begin at the beginning of October.

Filing 1 infrastructure has curb, gutters, and sidewalks complete. Brannan Sand and Gravel has begun paving. The site is requiring additional work to dry the road base due to heavy precipitation. This continues to cause some delays.

### DISTRICT MATTERS

No items discussed.

### LEGAL MATTERS

**Collection and Covenant Enforcement Resolution:** The Board discussed the Collection and Covenant Enforcement Resolution for Farmlore North. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Collection and Covenant Enforcement Resolution for Farmlore North was adopted by the Board subject to final legal review.

**Operations Fee Resolution:** The Board discussed the Operations Fee Resolution for Farmlore North. The fee will begin when the homes are sold to homeowners. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Operations Fee Resolution for Farmlore North was adopted by the Board subject to final legal review.

**Capital Fee Resolution:** The Board discussed the Capital Fee Resolution for Farmlore North. The fee will be collected at each initial lot closing to be used for capital improvements. Eric Weaver asked to receive an estimation of when the fees would be received for budgeting purposes. Director Volling noted the request and will follow-up. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Capital Fee Resolution for Farmlore North was adopted by the Board subject to final legal review.

**Temporary Construction Easements with Taylor Morrison and KB Homes:** The Board discussed the Temporary Construction Easements for Farmlore North. It was discussed that the easement serves as a template for whichever builders

## RECORD OF PROCEEDINGS

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purchase the respective alley areas. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Temporary Construction Easements with Taylor Morrison and KB Homes (or whomever the appropriate builder purchaser is) for Farmlore North was approved by the Board subject to final legal review.

**Easement and Maintenance Agreement for Tract AA:** The Board discussed the Easement and Maintenance Agreement for a portion of Tract AA in Farmlore North. The area will be installed by Taylor Morrison and maintained by homeowners directly adjacent to the Tract. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Easement and Maintenance Agreement for Tract AA in Farmlore North was adopted by the Board subject to final legal review.

**Notice to Purchasers/Notice of Inclusion:** The Board discussed the Notice to Purchasers/Notice of Inclusion for Farmlore North. This is a notice required to be recorded by the IGA with the City of Brighton. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Notice to Purchasers/Notice of Inclusion for Farmlore North was adopted by the Board subject to final legal review.

### FINANCIAL MATTERS

**Pay Application No. 9 – District No. 4:** The Board discussed the Pay Application No. 9 for construction at Farmlore North. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Pay Application No. 9 was approved.

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

**Payables of District No. 4:** The monthly invoices for payment in addition to the Pay Application were for Atwell and White Bear Ankele Tanaka & Waldron. The Board discussed the invoices totaling \$2,688.18. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the invoices were approved.

**Requisition No. 16 – District No. 4:** The Requisition No. 16 was reviewed and discussed by the Board. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Requisition No. 16 was approved.

### OTHER BUSINESS

**Next Regular Meeting:** The next regular meeting is scheduled for October 17, 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 Valling  
Secretary for Meeting