

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

HELD July 24, 2024

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 Wednesday, July 24, 2024 at 10:30 a.m., via teleconference. The meeting was open to the public.

ATTENDANCE

Directors in Attendance were:

Michael Richardson
Paula 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 Kristina Hull, 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 Volling noted that a quorum of the Boards were present and called the Joint Special Meeting of the Boards of Directors to order. Director M. 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 one item, Ratification of Construction Contract with Gator Enterprises be added to the Consent Agenda. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the modified Agenda was 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

RECORD OF PROCEEDINGS

the following items:

- a. Minutes from the June 18, 2024 Joint Regular Meeting
- b. Construction Contract with Hall Contracting LLC d/b/a Hall Landscape Contractors
- c. Construction Contract with Gator Enterprises

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:

144th – Chambers Trail:

- Construction work is complete on 144th.
- Chambers Trail – the required handrail has been installed.
- A walk-through inspection has been completed and corresponding punchlist is being completed.

Filing 1 – Phase 1: Filing 1/Phase 1 remains substantially complete. Work completed and/or still in process includes:

- The fence is being installed and stained prior to the landscaping installation.
- Landscaping is scheduled to begin at the beginning of August.

DISTRICT MATTERS None

LEGAL MATTERS

Discussion regarding Website Accessibility and Document Remediation: Attorney Hartung indicated that the website accessibility and remediation continues as required and ongoing work is contracted with Heatherly Creative.

Discussion regarding the Status of Inclusion (District No. 1): Attorney Hartung indicated that the Inclusion Order was received from the Court and has been filed with Adams County and the Division of Local Governments.

Discussion regarding Obtaining Proposals for Special Counsel to Handle Collection and Covenant Enforcement Matters: Director Volling is working with the management company, Advance HOA, to secure bids for legal counsel representation for collection and covenant enforcement matters.

Approval of Independent Contractor Agreement with RECONN Utility Services for 144th and Sable Blvd Construction (District No. 4): The Independent Contractor Agreement with RECONN Utility Service for subsurface utility plan at 144th and Sable was discussed by the Board. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Independent Contractor Agreement with RECONN Utility Service was approved.

FINANCIAL MATTERS

Pay Application No. 19– District No. 4: The Board discussed the Pay Application No. 19 for construction at Farmlore North. Following discussion,

RECORD OF PROCEEDINGS

upon motion duly made, seconded and, upon vote unanimously carried, the Pay Application No. 19 was approved.

Pay Application No. 14 – District No. 4: The Board discussed the Pay Application No. 14 for construction of 144th Improvements. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Pay Application No. 14 was approved.

Payables of District No. 4: The monthly invoices for payment in addition to the Pay Application were for Atwell, Marchetti and Weaver, and White Bear Ankele Tanaka and Waldron. The Board discussed the invoices totaling \$6,357.28. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the invoices were approved.

Requisition No. 27 – District No. 4: The Requisition No. 27 was reviewed and discussed by the Board. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Requisition No. 27 was approved.

Financial Report: Eric Weaver included a Financial Report through June 30, 2024 in the packet for the Board's information.

2023 Audit (District No. 1) Extension of Time to File Audit: Director Volling said that an Extension of Time to File Audit request was filed and approved by the Office of the State Auditor. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Extension of Time to File Audit was ratified.

2023 Audit (District No. 4): Kristina Hull confirmed that the 2023 Audit for District No. 4 was filed with the Office of the State Auditor.

OTHER BUSINESS

Next Meeting: The next regular meeting is scheduled on August 20, 2024 at 8:30 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 Volling
Secretary for Meeting