RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE LINCOLN CREEK METROPOLITAN DISTRICT

Held: Wednesday, January 3, 2024 at 5:30 p.m. via Zoom virtual meeting platform.

Attendance

A special meeting of the Board of Directors of the Lincoln Creek Metropolitan District was called and held as shown above in accordance with the statutes of the State of Colorado. The following Directors, having confirmed their continued qualification to serve on the Board, were in attendance:

John "Jack" Donovan, Co-President
Richard Brewer, Director
Ken Rastberger, Co-President
Grant Platt, Secretary/ Treasurer

Absent: None.

Also present were: Colin B. Mielke, Seter, Vander Wall & Mielke, P.C; Heather Star, MSI, LLC; Diane Wheeler, Simmons & Wheeler, P.C.; Wendy Weigler, WLPP; and various members of the public.

Declaration of Quorum

It was noted that a quorum of the Board was present and therefore the meeting of the Board of Directors of the Lincoln Creek Metropolitan District was called to order.

Disclosures

The Board had been previously advised that pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board reviewed the agenda for the meeting, following which each Board member confirmed the contents of any written disclosure previously made, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting. The Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

Approval of Minutes

The Board reviewed the minutes for the November 28, 2023 special meeting. After review and discussion, and upon motion made, seconded and unanimously carried, the Board approved

the minutes as presented.

Discussion regarding Delinquencies

Ms. Weigler introduced herself to the Board and discussed her role as the attorney responsible for collections related to delinquent accounts. The Board discussed the delinquent payments for 6898 Longpark Drive and the various processes for collecting delinquent fees. The Board, upon motion made, seconded and unanimously carried, voted to form an ad hoc committee consisting of Directors Donovan and Brewer to discuss collections options with Ms. Weigler and Mr. Mielke, and to bring a recommendation to the Board at a future meeting.

Consider Approval of Fee Increases

The Board discussed the need to increase the District's fees in order to balance the District's budget. Director Donovan noted that he believes fees will need to generate approximately $509,000, instead of the originally anticipated $475,000, to balance the budget, based on an analysis of expected expenses in 2024. The Board discussed the desire to reduce expenses and begin funding a reserve account for future repairs.

Mr. Mielke presented the District's current fee resolution to the Board, noting that it can be updated to incorporate any changes to the fees approved by the Board at the meeting. After review and discussion, and upon motion made, seconded and unanimously carried, the Board approved an approximate 15% increase in fees, and thereby increasing the fees that are currently set at $131/month to $150/month and increasing the fees that are currently set at $55/month to $63/month, with such increase to be effective January 2024. The Board requested Mr. Mielke update the fee resolution with the updated fees and to remove references to the supplemental declaration of covenants, which was previously confirmed to be invalid.

Financial Report

Ms. Wheeler presented the Board with financial statements through October and November 2023. After review and discussion, and upon motion made, seconded and unanimously carried, the Board accepted the financial reports as presented.

Public Hearing regarding Amended 2024 Budget

Ms. Wheeler presented the Board with a proposed amended 2024 budget and an accompanying budget resolution. The Board opened the public hearing on the 2024 budget.

Rick Ike asked the Board to monitor sprinkler repairs to make

sure the contractor is not charging the District for repairs of damage that the contractor has caused. The Board confirmed that is has been monitoring sprinkler repairs closely.

Teri Vogel asked if the Board had an option for a flat-rate snow removal contract. The Board confirmed that a flat-rate contract was an option, but the Board had chosen an hourly-rate option to avoid potential overcharges during a light snow year. The Board confirmed that sidewalk snow removal is triggered at two inches and roads are triggered at four inches.

Ms. Vogel asked if the bobcat snow removal truck that is parked in the community park's parking lot will be removed. The Board stated that it anticipates the truck will be removed by the end of January.

Christina Piazza stated her disappointment with the current snow removal services, stating that shoveling is not done thoroughly and the workers have been rude. Director Rastberger confirmed he will address those concerns with the contractor.

Corey Schmidt asked how residents should pay the increased fees for January if they have already paid their January fees, and asked whether there will be late payment fees applied for insufficient January payments. The Board discussed the issue, and upon motion made, seconded and unanimously carried, the Board waived any late fees for January 2024 and determined that residents can make payment in February for both February's fees and any difference between January's original fees and new fees.

The Board discussed additional questions regarding a reduction in management fees in the 2024 budget and the District's mill levy.

There being no further comments from members of the public, the public hearing was closed. The Board, after review and discussion, and upon motion made by Director Platt, seconded by Director Brewer and unanimously carried, adopted the amended 2024 budget and budget resolution with the changes discussed, appropriated the budgeted funds, and confirmed the certified mill levies.

Director Matters – Appointment of Director to Vacancy	The Board discussed the vacancy on the Board and the letter of interest submitted by Rodger Glick to fill the vacancy. Mr. Glick addressed the Board and discussed his desire to join the Board. Upon motion made, seconded and unanimously carried, the Board appointed Mr. Glick to the Board.
Manager Report	Ms. Star presented the Board with her manager's report, noting that the only action item for the meeting is approval of a new contract with Waste Management for trash services. The Board noted a reduction in the cost for trash service. Upon motion made, seconded and unanimously carried, the Board approved the new Waste Management contract, subject to legal counsel review and revision.
Legal Matters	The Board discussed the EV charging station contract, with Director Brewer noting that he is abstaining from discussion and vote on the matter because he is an employee of CORE Electric. The Board noted that CORE Electric is completing construction work to make the community parks' parking lot ADA compliant. CORE Electric is in the process of drafting a lease for the EV charging stations and will provide the proposed lease to the District's legal counsel for review. Mr. Mielke presented a services agreement to the Board to cover CORE Electric's construction activities for the parking lot ADA compliance work. Upon motion made, seconded and unanimously carried (with Director Brewer abstaining), the Board approved the services agreement with CORE Electric.
Other Business	Director Donovan informed the Board of a road closure on Pine Way, which may cause increased traffic congestion in the community. The Douglas County Sheriff's Office has been contacted to assist with traffic during school times.
Public Comment	The Board opened the meeting for public comment. Pam Boscoe asked if anyone is maintaining the community bulletin board and the little library. The Board noted that it is unaware of any community members maintaining those facilities. Jenn Schmidt stated that she has keys for the

community bulletin board and will give them to Heather Star at MSI so the District can maintain the bulletin board.

Rick Ike stated that whoever landscaped Creektop did a great job. The Board noted that Cardel completed that landscaping. Mr. Ike further noted that roads around the community need repairs, and it was noted that Center Park Loop is a county-maintained road. Mr. Ike asked whether a traffic light could be installed at the entrance to the community, and Director Rastberger noted that the County has been monitoring traffic levels.

Pam Boscoe asked who is responsible for maintenance of Tract H. Mr. Mielke stated that Parker Core Knowledge (PCK) owns Tract H, so PCK would be responsible for maintenance. Ms. Vogel noted her concern that if the District doesn't maintain that area, it will fall into disrepair.

Director Donovan asked for an update on the repair to lamp post #7. Ms. Star is awaiting a quote from Otto Enterprises to complete the repair.

Pam Boscoe asked for an update on the playground maintenance activities. Ms. Star confirmed it passed inspection last year. Director Rastberger confirmed he is working to repair the tire swing, and Ms. Vogel stated she can provide a contact to complete the repair.

Executive Session

At approximately 8:45 p.m., it was moved that pursuant to section 24-6-402(4)(b) C.R.S. and upon an affirmative vote of at least two-thirds of the board members present for the motion, the Board enter into executive session for the purpose of receiving legal advice regarding Douglas County District Court Case No. 2022CV30644 between the District and WilliamMrk Homes, LLC. Upon second and unanimous vote, the Board passed the motion to enter into executive session for the above-stated purpose.

The Board reconvened from executive session at approximately 8:50 p.m. and affirmed that no actions had been taken during executive session.

Adjournment

There being no further business to come before the Board, and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at approximately 8:50 p.m.

Grant Pfost (Jul 10, 2024 14:47 MDT)

Secretary for the Meeting

Draft Special Meeting Minutes - Lincoln Creek Metro District (01.03.2024) (00716447).DOC

Final Audit Report 2024-07-10

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