RECORD OF PROCEEDINGS

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

Held: Wednesday, May 1, 2024 at 5:00 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
Roger Glick, Director

Absent: None.

Also present were: Colin B. Mielke, Seter, Vander Wall & Mielke, P.C; Heather Star, MSI, LLC; Diane Wheeler, Simmons & Wheeler, P.C.; 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.

RECORD OF PROCEEDINGS

Approval of Minutes	The Board reviewed the minutes for the January 3, 2024 special meeting. After review and discussion, and upon motion made, seconded and unanimously carried, the Board approved the minutes as presented.
Financial Matters	
– Financial Report	Ms. Wheeler presented the Board with financial statements as of March 31, 2024. The Board discussed snow removal and landscaping invoices and requested that they be reviewed to confirm that they are included in the financial statements. Director Platt commented on the cost of shoveling by hand and requested Ms. Star ask Rocky Mountain Landscape to confirm why it shoveled areas by hand when other communities had similar areas shoveled by machine. After review and discussion, and upon motion made, seconded and unanimously carried, the Board accepted the financial reports as presented.
– Payment of Claims Report	Ms. Star presented the Board with a payment of claims report from February 1, 2024 to April 30, 2024 in the amount of $69,562.34. After review and discussion, and upon motion made, seconded and unanimously carried, the Board ratified the payment of claims as presented.
– Engagement of Auditor	Ms. Wheeler presented the Board with an engagement letter from Hiratsuka & Associates LLP to complete the District's 2023 audit for an amount not to exceed $6,700. After review and discussion, and upon motion made, seconded and unanimously carried, the Board ratified the engagement of the auditor to perform the 2023 audit.
Director Matters	
– Update to Regular Meeting Schedule	The Board discussed its desire to hold more regular meetings during the year. After discussion, and upon motion made, seconded and unanimously carried, the Board approved a regular meeting schedule for the 2nd Monday of May, September, and November at 5:00 p.m.
– CORE Electric EV Charging Station	The Board discussed the pending EV Charging Station Lease with CORE Electric. Director Brewer noted that he is an employee of CORE Electric and abstained from discussing or voting on this matter. Upon motion made, seconded and unanimously carried, the Board requested legal counsel contact CORE Electric to determine whether it would agree to pay the District a portion of CORE Electric's revenues from the

	charging stations during the lease. The Board further discussed the potential need for CORE Electric to obtain a permit to install the ADA compliant ramp infrastructure.
– District Debit Card	The Board discussed that historically the Board President has been authorized to expend up to $800 per month to ensure District activities are completed timely, and that those expenditures are then reviewed and ratified at a later board meeting. The Board noted that issuing debit cards to the Board Presidents would further expedite completion of such activities. Upon motion made, seconded and with a majority voting yes, the motion carried, the Board authorized a total expenditure of $800 per month by the Board Presidents and the issuance of debit cards to the Board Presidents for such expenditures. Director Brewer voted no.
– Shed Installation	The Board reviewed proposals for the installation of a storage shed near Colony Loop, and discussed whether a shed would be authorized under the covenants. The Board further discussed the cost of maintenance and potential liability issues for the shed. The Board determined to table consideration of the shed proposals and upon motion made, seconded and unanimously carried, the Board formed an ad hoc committee of Directors Brewer and Rastberger to research options and alternatives for a potential shed. [*Director Brewer left at this time]
– Legislative Update regarding Gas Powered Landscaping Equipment	The Board discussed the potential requirement for landscaping equipment to be fully electric by 2025 and whether it applies to the District or the District's contractors. The Board further questioned whether equipment purchased before 2025 is grandfathered in or would need to be replaced. Legal counsel will research this issue further.
– Snow Trigger Discussion	Director Platt recommended the District place rulers in the community to identify snow trigger depth for the District's snow removal contract and to create a map of areas where snow should be pushed when snow operations are performed. The Board determined to discuss this further at a future meeting.
– Discussion regarding Streamlining District	Director Platt recommended the District find ways to streamline its processes to save money on operations, including utilizing

Processes	online payments instead of coupon books and having the District's management company perform more meeting preparation activities instead of legal counsel. Ms. Star and Mr. Mielke confirmed they will work on transitioning regular meeting preparations to MSI.
– Website Compliance	The Board discussed website compliance requirements. Ms. Star confirmed that the website will be compliant with accessibility requirements by the July 1st deadline.
– Trees and Shrubs Replacement	The Board reviewed two proposals from Otto Enterprises for a total amount of $19,125 for tree and shrub installations. After review and discussion, and upon motion made, seconded and unanimously carried, the Board approved the two proposals as presented.
– Light Pole Solar Replacement	The Board reviewed a proposal from Parker Electric to replace a solar head for a District light pole at the park for $1,800. Upon motion made, seconded and unanimously carried, the Board approved the proposal as presented.
– Irrigation Startup	The Borad reviewed a proposal from Rocky Mountain Landscape for irrigation startup activities. The Board asked Ms. Star to work with Rocky Mountain Landscape to remove from the scope of work the (1) weathertrack decoder and (2) hunter dual decoder, and the related labor charges. Upon motion made, seconded and unanimously carried, the Board approved the proposal with modified scope of work as discussed. The Board further noted that Rocky Mountain Landscape will be scheduling a walk with Directors Donovan and Rastberger to review landscaping work.
Manager Report	Ms. Star presented the Board with her manager's report. Ms. Star confirmed that MSI provided residents with notice of the increased District fees that were approved at the January board meeting. Ms. Star requested the Board consider a modification to MSI's management agreement to include an increase in fees for management of the District's website and an updated hourly rate for extra board meetings and extended meeting lengths.

The Board appointed Directors Platt and Brewer to review future MSI invoices.

Ms. Star and the Board thanked Ms. Schmidt for joining the community's social committee.

The Board asked Ms. Star about increasing District mill levies to allow for a reduction in fees. Mr. Mielke noted that the District's service plan and electoral questions impose various limits on the level of mill levies that the District can impose.

Legal Matters

The Board discussed the status of past due accounts and the need for further information from the District's collections law firm, WLPP, before proceeding further against a previously discussed account.

Other Business

The Board discussed various District matters. Director Donovan informed the Board that he has talked with the school about children loitering at the detention ponds and informed them that people are not authorized to be in that area of the District.

Director Donovan also noted that grass within the community is dying from dog urine and recommended the District send warning letters if dog owners can be identified. Director Donovan also noted that electric scooters and bikes are being used on sidewalks and have been going the wrong way down the one-way streets.

The Board discussed the possibility of installing a cell tower on District property near the school. No action was taken at this time.

Lastly, the Board requested Ms. Star purchase 1-2 additional speed limit signs to be placed in the community.

Public Comment

The Board opened the meeting for public comment.

Craig Gage addressed the Board and asked if there is a separate HOA. The Board noted that Aspen Brook is the only HOA within the District. Mr. Gage further stated that MSI has been unresponsive to his communications and requested the District obtain a new management company.

Director Platt asked Mr. Gage to contact him so they can discuss including language in the next contract with MSI regarding timely responses.

Paris Sherman asked why the District is using a disreputable snow removal company. The Board noted that the company is not necessarily disreputable, but it does need to be closely monitored.

Teri Vogel noted that there is a discrepancy with some of the speed limit signs in the community. Director Donovan noted that speed limits are within the county's purview.

Corey Schmidt proposed installing a traffic light at Village Creek. Director Rastberger noted that traffic lights are a County responsibility. Mr. Schmidt further stated that the traffic line at the school is dangerous. The Board stated the District does not have authority over that issue.

Mr. Schmidt stated that there are cigarette butts scattered around a bench near Colony Loop and he would like this issue raised in a community email blast. He would also like the light pole on Colony Loop changed to solar power. He further noted that there are pressure problems with the irrigation system at Colony Loop and Bethany. The Board is looking at solutions to the pressure problem and Director Donovan noted that the slope in that area causes reduced pressure.

Lastly, Mr. Schmidt noted that Rocky Mountain Landscape's snow removal smashed various bushes in the community and he requested they be replaced. Director Rastberger noted he will obtain an estimate to replace the bushes and requested that photos be sent to Ms. Star so he can request replacement at Rocky Mountain Landscape's expense.

Executive Session

At approximately 7:45 p.m., it was moved that pursuant to section 24-6-402(4)(b) and (e) 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 and discussing negotiating positions with regard to District consultant agreements.

The Board reconvened from executive session at approximately 7:55 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 8:00 p.m.

Grant Platt (Jul 19, 2024 05:05 MDT)

Secretary for the Meeting

Draft Special Meeting Minutes - Lincoln Creek Metro District (05.01.2024) (00743581).DOC

Final Audit Report 2024-07-19

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Document e-signed by Grant Platt (grantplatt@gmail.com)
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