MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
LINCOLN CREEK METROPOLITAN DISTRICT
HELD
MONDAY, NOVEMBER 18, 2024

A public meeting of the Board of Directors of the Lincoln Creek Metropolitan District was convened on Monday, November 18, 2024 at 5:15 p.m. via Zoom virtual meeting platform.

ATTENDANCE

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

Absent: None.

Also present were:
Colin Mielke, Esq., Seter, Vander Wall & Mielke, P.C.
Diane Wheeler, Simmons & Wheeler, P.C.
Donna LaWall, MSI, LLC
Various members of the public

CALL TO ORDER

The meeting of the Board of Directors of the Lincoln Creek Metropolitan District was called to order at 5:15 p.m.

DISCLOSURE MATTERS

The Board had been previously advised that pursuant to Colorado law, certain disclosures by the Board members might be required prior to taking official action at the meeting. The Board then reviewed the agenda for the meeting, following which each Board member affirmed their conflicts of interest, 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

Upon motion made, seconded and unanimously carried, the minutes of the September 9, 2024 regular meeting were approved.

FINANCIAL MATTERS/PAYMENT OF CLAIMS

Ms. Wheeler presented the District's financial report for the period ending October 31, 2024. Director Donovan asked Ms. LaWall to confirm that all properties that were previously being

charged $131 per month are being charged the correct increased amount that was adopted by the Board earlier in 2024. Upon motion made, seconded and unanimously carried, the financial report was accepted.

PUBLIC HEARING REGARDING 2025 BUDGET

Ms. Wheeler presented the Board with a draft 2024 budget. The Board opened the public hearing on the budget.

The Board and members of the public discussed concerns with snow removal costs, the types of snow removal methods used by the District's snow removal contractor, and ways in which to reduce snow removal costs.

The Board discussed various line items and requested they be updated by Ms. Wheeler.

There being no further comments from members of the public, the public hearing on the 2025 budget was closed. Upon motion made, seconded and unanimously carried, the Board adopted the 2025 budget resolution and budget, appropriated the budgeted funds, and certified the District's mill levies as discussed.

DIRECTOR MATTERS

2025 Annual Administrative Resolution
Mr. Mielke presented the Board with a draft 2025 Annual Administrative Resolution, which grants certain authorizations and identifies various items required by Colorado statute. The Board reviewed and discussed the resolution. It was noted that the District's website address should be updated to the District's current address in Section 4 of the resolution. The Board further requested Section 6 be updated to identify the District's annual meeting be set for immediately prior to the District's last meeting of the year. The Board confirmed that legal counsel should be identified as the primary insurance representative and MSI identified as the secondary insurance representative for the District. Lastly, the Board requested the resolution be updated to identify Director Glick as the Board Treasurer.

There being no further discussion, and upon motion made, seconded and unanimously carried, the Board voted to adopt the 2025 Annual Administrative Resolution with the changes discussed.

MANAGER REPORT

Ms. LaWall presented the manager's report.

Environmental Designs Contract Amendment
Ms. LaWall presented the Board with an amendment to the Environmental Designs landscape agreement to include trash. The Board noted that the amendment also includes pet waste cleanup, but the District already contracts with Pet Scoop for those services. The Board determined that pet waste cleanup can remain in the amendment, but should be provided by Environmental Designs only upon additional direction from the District. Upon motion made, seconded and unanimously

carried, the Board approved the amendment to the Environmental Designs landscape agreement as discussed.

Discussion regarding District Rules and Regulations
The Board discussed the possibility of updating the District's guidelines to clarify parking is not allowed in the rocks next to driveways, and to further clarify the limitations on pergolas to only be allowed if temporary, and height and materials restriction on pergolas. The Board also discussed clarifying that basketball hoops must be moved away from the street when not in use. The Board requested legal counsel review and confirm the District's authority to enact these clarifications.

Management Coordination Discussion
Ms. LaWall and the Board discussed ways to streamline coordination between management and the Board. Ms. LaWall requested that she be updated when individual board members obtain proposals for projects. Ms. LaWall also asked for Board direction regarding who is authorized to sign contracts. Director Platt moved that contracts must be signed by all Board Presidents before they are considered valid. The motion was seconded and upon vote of a majority of the board members present, the motion passed. Director Donovan voted nay.

Discussion regarding Vehicle Towing
The Board reviewed a vehicle towing services proposal from Elite Towing. Upon motion made, seconded and unanimously carried, the Board approved the proposal as presented. The Board further discussed towing of vehicles, which is to be performed by Elite Towing. The Board authorized Director Rastberger to inspect and order towing of vehicles that are illegally parked on the District's roadways.

MSI Contract Addendum
Ms. LaWall presented the Board with a contract addendum for MSI, LLC's management services, which would take effect on January 1, 2025. After review and discussion, and upon motion made, seconded and unanimously carried, the Board approved the contract addendum as presented.

Proposals for Irrigation Repairs – Environmental Designs
The Board reviewed proposals for irrigation repairs from Environmental Designs. Upon motion made, seconded and unanimously carried, the Board approved irrigation wire repairs in the amount of $2,000 and tabled the other two proposed services.

Proposals for Shrub and Tree Services
The Board reviewed proposals from Otto Enterprises and Environmental Designs for various shrub and tree remediation services. The Board determined to table these projects due to the District's anticipated limited budget in 2025.

Fence Repair and Replacement Project
The Board reviewed fence repair and replacement proposals from Front Range Fence. The Board reviewed a fence staining proposal in the amount of $13,903 and discussed an additional

$25,000 in fence repairs that are included in a prior proposal provided by Front Range Fence. The Board asked Director Rastberger to get an updated proposal for the $25,000 in fence repairs, and noted that it would consider approval of both proposals at its next board meeting.

Solar Street Light Discussions
The Board discussed Street Light Nos. 5, 9, and 15, which are currently not working. Director Rastberger noted that these street lights are in the process of being converted to solar. Ms. LaWall confirmed that she will obtain proposals from Parker Electric to convert these three street lights to solar.

LEGAL MATTERS

Discussion regarding Alleged Injury on District Property
Mr. Mielke updated the Board regarding an alleged injury within the District open space, noting that he will keep the Board apprised of future updates.

OTHER MATTERS

There were no other matters presented at this time.

PUBLIC COMMENT

The Board opened the meeting for public comment. There being no further public comment, the public comment period was closed.

ADJOURNMENT

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

Grant Platt (Jan 4, 2025 08:39 MST)

Secretary for the Meeting

11.18.2024 Draft Special Meeting Minutes - Lincoln Creek Metro District (00775939).DOCX

Final Audit Report 2025-01-04

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