RECORD OF PROCEEDINGS

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

Held: Tuesday, April 25, 2023 at 6:30 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:

Christina Reynolds
John Donovan
Richard Brewer
James Ballard

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

Declaration of Quorum

Director Reynolds noted that a quorum of the Board was present and therefore called the meeting of the Board of Directors of the Lincoln Creek Metropolitan District 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 March 2, 2023 board meeting. After review and discussion, and upon motion made, seconded and unanimously carried, the Board approved the minutes as presented.

Financials

- Financial Report	Ms. Wheeler presented the Board with financial statements through March 31, 2023. Ms. Wheeler discussed the District's debt service payments and confirmed that the District is authorized to make additional payments toward the District's bonds starting December 1, 2026. After review and discussion, and upon motion made, seconded and unanimously carried, the Board accepted the report as presented.
Contractor Proposals	
- Entryway Median Repairs	The Board reviewed two proposals from BrightView for repairs and modifications to the District's entryway landscaping. After review and discussion, and upon motion made, seconded and unanimously carried, the Board approved the proposal for upgrades to the entryway endcap for a total of $6,528.44.
- Fence Repairs	The Board reviewed two proposals from Falch & Falch to complete fencing repairs, with one to be performed near 11589 Colony Loop and another to be performed near 11605 and 11609 Colony Loop. After review and discussion, and upon motion made, seconded and unanimously carried, the Board approved both proposals and directed legal counsel to attach the proposals to the District's form of service agreement.
- Sidewalk Repairs	The Board reviewed a proposal for concrete sidewalk repairs, noting that damage to the existing sidewalk was likely caused by homeowners pouring salt on the concrete. The Board determined to table action on this item and seek additional proposals for consideration at a future board meeting.
- Parking Lot Barriers	The Board discussed the potential for filling existing parking lot barriers with sand to prevent them from blowing over or being easily moved aside. The Board determined not to fill the barriers with sand at this time.
- Tree Planting	The Board reviewed a proposal from BrightView to plant two missing trees at Center Park Loop and Colony Loop for a total of $2,335.08. After review and discussion, and upon motion made, seconded and majority vote, the motion to plant the two trees passed, with Director Brewer voting against the motion.
- Pond Maintenance	The Board reviewed three proposals for cleaning, rehabilitation, and maintenance of the District's large and small detention ponds.

The Board reviewed the proposal for cleaning of the small pond, in an amount of $2,802.22 and an additional monthly maintenance price of $340. After review and discussion, and upon motion made, seconded and unanimously carried, the Board approved the proposal, subject to the monthly maintenance being performed only upon the written request of the District.

The Board next reviewed the proposal for cleaning of the large pond, in an amount of $22,064.59 and an additional monthly maintenance price of $340. The Board noted that $2,879.68 of the total price relates to the construction of a pond maintenance roadway. The Board discussed whether construction of the roadway is necessary, and Director Rastberger noted his understanding that Douglas County requires the construction of the roadway. Director Rastberger agreed to follow-up with Douglas County to confirm whether the roadway is a requirement. After review and discussion, and upon motion made, seconded and unanimously carried, the Board approved the proposal with the deletion of the roadway from the scope of work, and determined that the roadway could be added to the scope of work at a later date if determined to be a county requirement. The Board noted that the monthly maintenance shall be performed only upon the written request of the District.

The Board took no action on the third proposal related to the installation of a split-rail fence around the large pond.

Director Matters

- Frisbee Golf Updates

The Board confirmed with Director Rastberger that reimbursement of the cost to purchase frisbee golf facilities is scheduled to occur soon.

- Parking Lot Updates

Director Brewer updated the Board on CORE Electric's consideration of funding playground and parking lot upgrades in exchange for the District allowing it to place electric vehicle charging stations in the District's parking lot. The proposal is being reviewed by the company's executive committee.

- Legal Signors

The Board noted that Director Ballard will no longer be on the Board as of May 3rd and that the District needs to appoint a new authorized signatory for the District to take Director Ballard's place. Upon motion made, seconded and unanimously carried,

the Board appointed Director Donovan as a District signatory to replace Director Ballard.

Public Comment

Director Reynolds opened the meeting for public comment.

Corey Schmidt addressed the Board and asked for the District to conduct research regarding the responsibility for repairing Cardel townhomes driveways.

Teri Vogel addressed the Board and requested that the District provide updates on BrightView's schedule for providing spring landscaping services within the community.

There being no further public comment, the public comment period was closed.

Executive Session

At approximately 8 p.m., Director Reynolds 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 and to receive legal advice regarding the District's Declaration of Supplemental Covenants. Upon second and unanimous vote, the Board passed the motion to enter into executive session for the above-stated purposes.

The Board reconvened from executive session at approximately 8:30 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 8:30 p.m.

Ken Rastberger (Jun 8, 2023 14:27 MDT)

Secretary for the Meeting

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Final Audit Report 2023-06-08

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