

**RECORD OF PROCEEDINGS
MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF
LYONS RIDGE METROPOLITAN DISTRICT**

HELD: Friday, March 11, 2022, 2:00 p.m., via video and teleconference.

ATTENDANCE:

A regular meeting of the Board of Directors of Lyons Ridge Metropolitan District, Jefferson County, Colorado, was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Peter A. Culshaw, President
John Kilrow, Assistant Secretary
Greg Forst, Director
Bruce Wiesley, Director
Katrien Singer, Director

Also present were Ken Lykens of Shea Properties as General District Manager and Secretary to the Board; Cassie Thomas, Hannah Boldt, Andrew Adamowski of Shea Properties; Margaret Henderson of CliftonLarsonAllen; Tom George of Spencer Fane LLP as Counsel for the District, and members of the public.

CALL TO ORDER:

It was noted that a quorum was present for the purpose of conducting a meeting of the Board of Directors of the Lyons Ridge Metropolitan District and the meeting was called to order at 2:01 p.m.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST:

Mr. George noted that transactional disclosure statements for various members of the Board had been filed with the Secretary of State and the Secretary of the District with regards to any actions taken by the Board at this meeting.

DISTRICT MATTERS:

1. Meeting Minutes. The Board reviewed the minutes of the regular meeting of the Board held on December 10, 2021. Following discussion and upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the minutes as presented.
2. Pay Applications. Ms. Henderson reviewed the pay applications with the Board. Following review and upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the pay applications as presented.

3. 2022 Final Budget. Ms. Henderson noted for the Board that the final 2022 budget was filed with the Division of Local Government and is attached as an informational item.
4. Draft 2021 Financial Statements and 2021 Audit. Ms. Henderson reviewed the draft 2021 Financial Statements with the Board and noted that the 2021 Audit process will start in May. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the Draft 2021 Financial Statements. Directors Wiesley and Singer volunteered to serve as an ad hoc audit committee for the Board and assist in the audit process as necessary. The Board concurred.
5. Proposals for Management Services. Mr. Lykens presented to the Board a summary of three proposals received for Management Services. Following discussion of the proposals generally, the Board directed Mr. Lykens to set up interviews with all three respondents with members of the Board ahead of the June Board meeting.
6. Contract Discussion.
Rowcal. Mr. Lykens noted for the Board that Rowcal declined to extend their contract. Shea Properties Management Company, Inc. ("Shea") agreed to step in and manage the DRC for the interim.
TCM/Shea. Mr. Lykens noted that the Shea and Tech Center Maintenance ("TCM") agreements are included in the packet as informational items. No action was taken.
Landscaping. The Board reviewed the landscaping proposals received. Following discussion and upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the Sabells proposal and directed legal counsel and the Board President to finalize and execute a final agreement with Sabells consistent with the proposal reviewed.
7. Montane Playground. Director Singer noted for the Board concerns about the safety of the playground and large rock in the play area in Montane and expressed a preference for replacing them with updated playground equipment. The Board directed Mr. Lykens to review the matter and determine what solutions there may be.
8. General Updates:
 - a. Election Updates. Mr. George gave an update on the election noting that there are ten (10) candidates for the three (3) available positions. Discussion ensued regarding the potential withdrawal of candidates and it was noted that if all but three (3) candidates were to withdraw, the election would be cancelled.

Directors Culshaw and Kilrow stated that, based on the best interests of the District and the residents, they both intended to withdraw from the election.

- b. Landscape and Maintenance Update. Mr. Lykens gave a general landscape and maintenance update to the Board. No action was taken.
- c. Tract D Stairs. Mr. Lykens updated the Board on the status of the project. He noted that staff has solicited initial bids for the project and received estimates in the range of around \$45,000. He also noted that plans have been submitted to Jefferson County for review and approval. Following approval of the plans, the District will publicly bid the project. Discussion ensued regarding the same. No action was taken.
- d. Community Guidelines. Director Singer updated the Board on the progress. She has been working with Lyons Ridge DRC members and district legal counsel on the draft guidelines. Work is progressing and the draft will be brought to the Board at a future meeting.
- e. 15546 Red Deer Dr. – Trees. Mr. Lykens presented to the Board the background regarding the installation of trees on District property near the foregoing address, noting that the trees were planted without the District's knowledge or permission.

Mr. Mark Davies addressed the Board regarding the trees, noting that he did have the trees installed. He described concerns about the golf course having moved the greens closer to his home recently, and explained that is why he had the trees installed. He requested the Board allow the trees to remain. Discussion ensued.

EXECUTIVE SESSION:

Trees Planted Near 15546 Red Deer Drive: Upon a motion duly made, seconded and, upon a vote, unanimously carried, the Board entered into executive session pursuant to Section 24-6-402(4)(b), C.R.S., to confer with legal counsel and receive legal advice on specific legal questions related to the trees planted near 15546 Red Deer Drive.

Upon a motion duly made, seconded and, upon a vote, unanimously carried, the Board adjourned the executive session and resumed the open meeting.

Following the executive session, Directed Culshaw stated that more information was needed about the trees planted near 15546 Red Deer Drive before the Board was ready to make a determination. The Board directed the District Manager and staff to gather more information and meet with the interested parties to discuss the matter in more detail.

PUBLIC COMMENT:

A question was asked as to why Shea did not submit a proposal for Management Services. Director Culshaw stated, on behalf of Shea, that it had previously committed it would not do so. He also noted that after the receipt of the current proposals, he did not feel that Shea could make a competitive proposal on price.

A question was asked about what happens when Jefferson County damages landscaping during snow plowing. Mr. Adamowski noted that the Board has communicated these issues to the County in the past but that the County has not been responsive.

A question was asked as to the process for public input on the Montane playground installation. Director Singer suggested that when the plans are developed a public meeting should be held. The Board concurred.

It was noted that the District needs to establish a consistent approach to the planting and replacement of trees in public areas.

It was noted that there is a runoff problem between certain homes where the sidewalks are constantly wet (14995 and 14985 on Lyons Ridge). It was noted that staff will look into this issue.

OTHER BUSINESS:

Director Singer raised a question about whether the Board has appointed a member to the MDRC. Staff will look into this matter and follow up with the Board.

ADJOURNMENT:

It was noted that the next Board meeting is scheduled for Friday, June 10, 2022. There being no further business to come before the Board and upon motion duly made, seconded and unanimously carried, the Board adjourned the meeting at 4:02 p.m.

The foregoing Minutes constitute a true and correct copy of the minutes of the above-referenced meeting and were approved by the Board of Directors of the Lyons Ridge Metropolitan District.



Secretary to the Board