

RECORD OF PROCEEDINGS

**MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
LEWIS POINTE METROPOLITAN DISTRICT
HELD
MAY 11, 2020**

A meeting of the Board of Directors of the Lewis Pointe Metropolitan District was called and held on Monday, May 11, 2020 at 5:00 p.m., by teleconference.

Attendance In attendance were Directors:
Amy Jones
Kress Franzen
Pete Adler
Robert Maples
Tony Garcia

Also in attendance were:
Kim Herman, Manager and Matt Vigil, Accountant; CliftonLarsonAllen LLP
Michael Davis; Miller & Associates Law Offices, LLC
Susie Ellis; CPS
Allen Pelkey; Resident

Call to
Order

Upon a motion duly made by Director Jones, seconded by Director Franzen, and upon a vote, unanimously carried, the meeting was called to order at 5:00 p.m.

A. Present Disclosures of Potential Conflicts of Interest

The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board and to the Secretary of State. Attorney Davis noted a quorum was present and requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute. Attorney Davis noted that Directors' Disclosure Statements were filed for all Directors, and no additional conflicts were disclosed at the meeting.

Legal
Matters

- A. May 5, 2020 Directors' Election Results
a. Administer Oaths of Office
b. Election of Officers

Attorney Davis provided an update on the May 5, 2020 Directors' Election. Director Jones nominated Director Adler to be President. Director Adler noted that he would administer the Oath of Office to Directors Franzen, Garcia and Maples.

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Following review and discussion, upon a motion duly made by Director Jones, and upon a vote, unanimously carried, the Board approved the following slate of Officers for Lewis Pointe Metropolitan District:

Pete Adler – President

Kress Franzen – Secretary

Amy Jones – Treasurer

Robert Maples– Assistant Secretary

Tony Garcia – Assistant Secretary

B. Other - None

Approval
of Agenda

Upon motion duly made by Director Adler, seconded by Director Franzen and, upon vote unanimously carried, the Board approved the agenda as presented.

Administrative
Matters

A. Discuss Term of Emergency Procedures Resolution and Re-establish the Date, Time and Place of Regular Board Meetings

Following discussion, upon motion duly made by Director Franzen, seconded by Director Jones and upon vote, unanimously carried, the Board determined that they would continue to have virtual meetings, as opposed to meeting in person for the time-being. For future meetings to be held on June 15, August 17 and November 16th at 5:30 p.m., a location would be determined at a later time.

B. Confirm Location of Posting of Notices

Following discussion regarding the location of posting of notices, Mr. Davis reported that he would email the Board the Statute.

C. Review and Approve April 9, 2020 Special Board Meeting Minutes

Upon motion duly made by Director Jones, seconded by Director Adler and, upon vote unanimously carried, the Board approved the April 9, 2020 Special Board Meeting Minutes as presented.

D. Other – None.

Public
Comment

There were no public comments.

Financial
Items

A. Review and Ratify Approval of the Payment of Claims

Following review and discussion, upon a motion duly made by Director Franzen, seconded by Director Adler and, upon vote unanimously carried, the Board approved payment of the claims totaling \$39,525.88.

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B. Review and Accept March 31, 2020 Unaudited Financial Statements

Mr. Vigil reviewed the March 31, 2020 Unaudited Financial Statements with the Board. Following review and discussion, upon a motion duly made by Director Franzen, seconded by Director Garcia and, upon vote unanimously carried, the Board accepted the March 31, 2020 Unaudited Financial Statements.

Management
Matters

- A. Landscaping Update/Report from Landscaping Committee
 a. Irrigation Damage Update – Adams 12 Boring
 b. Other

The Board discussed the General Landscaping update/report and informed staff that they would like more attention to details and additional weed control. Ms. Herman presented a settlement offer from Henkle and Adams 12. The Board requested Director Adler work with Ms. Herman to discuss an increase in the reimbursement for the boring damage to the irrigation system.

B. Design Review Update

Ms. Herman provided the Board with a Design Review Update. Following discussion, the Board determined they would like to appoint the following to the Design Review Committee to review Design Review Requests: Amy Jones, Kress Franzen, Shane Sena and Kim Lake

C. Covenant Enforcement Update -

Ms. Ellis presented and answered questions regarding the Covenant Enforcement report.

D. Other

Director Jones discussed creating a Social Committee with such community contests like, ‘Yard of the Month’.

Other
Business

None

Executive
Session

- A. Executive Session Pursuant to Section 24-6-402(4)(e), C.R.S.

Director Franzen motioned to enter the executive session pursuant to §24-6-402(4)(e), C.R.S. for the purpose of receiving legal advice regarding contract negotiations with RFP respondents for management and accounting services for the District. Mr. Davis stated that the discussion regarding the negotiations was protected by attorney-client privilege and would not be recorded. Director Pete Adler seconded the motion and the Board unanimously approved entering into the executive session at 6:29 pm.

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At 7:04 pm Director Maples motioned to conclude the executive session and resume the special meeting. Upon a second by Director Garcia the Board unanimously approved the conclusion of the executive session and resumption of the special meeting at 7:04 pm.

Adjournment

Director Maples motioned to adjourn the special meeting at 7:04 pm. Upon a second by Director Garcia the Board unanimously approved the motion and the meeting adjourned at 7:04 pm.

Respectfully submitted,

Secretary for the Meeting