

# LEWIS POINTE METROPOLITAN DISTRICT

## Regular Board Meeting Minutes

Meeting Date: Monday August 17, 2020

Meeting Time: 5:32pm to 7:44pm

Meeting Location: Online video conference

### I. Roll Call (5:32 pm)

A regular meeting of the Board of Directors of the Lewis Pointe Metropolitan District (District) was called and held as shown above and in accordance with the statutes of the State of Colorado. The following Directors were in attendance:

| Directors      | Office              | Attendance |
|----------------|---------------------|------------|
| Pete Adler     | President           | Present    |
| Amy Jones      | Treasurer           | Present    |
| Robert Maples  | Assistant Secretary | Present    |
| Anthony Garcia | Assistant Secretary | Present    |
| Vacancy        |                     |            |

Also, in attendance was Charles Wolfersberger (District Manager) and Jennifer Brink, Wolfersberger, LLC, Michael Davis from Miller & Associates (District's general counsel) and Susie Ellis from Community Preservation Specialists, Inc. (Covenant Enforcement Manager). No homeowners attended the meeting.

### II. Call to Order

Meeting was called to order by Director Adler. Director Adler noted that a quorum of the Board was present, and the Directors confirmed their qualification to serve and, therefore, called the regular meeting of the Board of Directors of the District to order.

### III. Present disclosures of potential conflicts of interest

The District Manager reminded the board 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 all directors reported no conflicts of interest. Attorney Michael Davis indicated the public notice regarding the meeting was posted in a timely manner on the District's website.

### IV. Public Comments – None

### V. Administrative and Contractual Matters

- 1) Review and consider the minutes for the June 15, 2020 board meeting: The Board reviewed the meeting minutes as drafted by CliftonLarsonAllen. Director Jones motioned to approve

the minutes as presented and Director Garcia seconded the motion. The Board voted 4-0 to approve the motion.

- 2) Review and consider candidates to fill vacancy created by resignation of Director Franzen: The Board noted Director Franzen moved out of the neighborhood. The Board expressed their appreciation for his volunteer service and contributions to the District. The Board discussed its community outreach efforts to generate interest among homeowners to volunteer to serve on the Board. (Notice was posted in the Northglenn Sentinel and on the District's website.) Director Jones and Director Garcia reported that there is one homeowner who has contacted them expressing interest in serving on the District Board.

Action item #1: The Board will review and discuss at the next board meeting interested homeowner candidates to fill the vacancy on the Board.

Action item #2: The District Manager will send out via email blast an application for interested homeowners to apply to serve on the District board.

- 3) District website upgrade project – status update: Director Adler reported the redesign of the District's website has been completed and the contact information for the District's new management company (Wolfersberger, LLC) is now reflected on the District's website. He also reported that homeowners can now submit design request forms directly to the Design Review Committee online through the District's website.

Action item #3: Per Director Adler's request, the website will be updated to include the covenant enforcement manager's contact information.

- 4) District management transition - status update: The District Manager reported that CliftonLarsonAllen has transferred most files to Wolfersberger, LLC. Wolfersberger, LLC is waiting on CLA to provide (1) homeowner detail ledgers, (2) District check registers for 2019 and 2020, (3) general ledger as of June 30, 2020 and (4) copies of contractor invoices paid in 2019 and 2020.

Action item #4: The District manager will follow up with CLA regarding the transfer of these outstanding District documents.

- 5) Status update- reimbursement due to District from damages to District landscaping caused by Adams 12 School District utility boring project: The Board reviewed and discussed the damages caused by the School District's data line boring project. Henkels & McCoy, Inc. was the subcontract hired by the School District to run the data line through the Lewis Pointe Metro District's common areas along the west side of Fairfax Drive, E 141<sup>st</sup> Place and Dahlia Way. Total estimated cost to the District to repair the damaged sprinkler lines and wiring is approximately \$20,000. The School District and its subcontractor have collectively offered to reimburse the District approximately \$7,200. The Board and District Manager discussed options for obtaining full reimbursement of the District's repair costs. Director Maples motioned to file a property damage claim with the District's insurance carrier. Director Garcia seconded the motion and the Board voted 4-0 to approve the motion.

Action item #5: District Manager will contact the District's insurance carrier (Colorado Special District Property & Liability Pool) and see if a property damage claim can be filed under the District's insurance policy.

- 6) Discussion of use of social media by Board members: The Board discussed whether directors should communicate with the neighborhood through the Lewis Pointe Facebook page. The Board agreed that it could not prohibit any one director from communicating with homeowners through the Facebook page. However, the Board acknowledged that they should individually be careful with posting on Facebook because homeowners may interpret the post from any one Director as the viewpoint or opinion of the entire Board. Director Garcia agreed to be the point of contact to monitor and respond to homeowner questions posted on Facebook regarding the District's operations and services.

## VI. Financial Matters

- 1) Review and consider cash disbursement schedule: The District Manager reported that once all records are received from CLA, future board meeting packets will include the check disbursement register for the Board to review and approve.
- 2) Review and consider banking proposals: The Board reviewed and considered the following proposals regarding the District's cash management:
- Proposal to open a checking account with Vectra Bank
  - Proposal to open an investment account with CSAFE
  - Proposal to close the District's checking account with First Bank
  - Proposal to open an online invoice review and payment processing service through Strongroom Solutions

Director Jones motioned to approve all listed proposals and Director Maples seconded the motion. The Board voted 4-0 to approve the motion.

Action item #6: District Manager will collect the Board signatures and other information required to complete the Board-approved banking changes.

- 3) Status update- board meeting room deposit with Thornton: The District Manager reported that the District's \$96 deposit with the Trailwinds Recreation Center is still available to apply to a subsequent room rental. Once the Recreation Center starts allowing meetings again, the District Manager recommended paying at the beginning of the year the room rental fees for all board meetings to be held at the Recreation Center for the year. The Board agreed with paying for all room rentals at the beginning of the year.
- 4) Review and discuss status of Willow Bend water meter bills paid by District: Director Adler reported that he noted the District had been paying the water bills for a couple of water meters located on the north side of E 144<sup>th</sup> Avenue. These water meters are servicing the open spaces in the Willow Bend Metro District. He indicated the District should be reimbursed by the Willow Bend Metro District for these water bills. The Board noted the

CliftonLarsonAllen performs the accounting and processes bill payments for both districts and this was the likely cause for the payment errors.

Action item#7: The District Manager will investigate this issue and determine how much is due to be reimbursed to the District by the Willow Bend Metro District.

- 5) Review and discuss bond refinancing project: The District Manager reported he is collecting refinancing proposals from a few banks including DA Davidson, Vectra Bank and BBVA Compass Bank. Once he collects all proposals, he will forward them to the Board for review.

Action Item #8: The Board will call a special meeting to review and consider bond refinance proposals after all proposals are forwarded to the Board for review.

## VII. Landscaping Matters

- 1) Review and discuss landscape maintenance issues: Director Adler noted the District's landscape maintenance contract with Double Eagle is up for renewal at the end of this year. He expressed dissatisfaction with the level of service provided by this contractor and expressed interest in considering two or three bids from other landscape companies to maintain the landscaping in the District's parks and open spaces in 2021.

Action item#9: District Manager will obtain bids from three landscape companies for the Board to review and consider for the 2021 year.

Director Adler noted there is a tree stump dumped at the intersection of E 141<sup>st</sup> Place and Dahlia Way. Ms. Ellis indicated the tree stump is on City property.

Action item #10: Ms. Ellis will contact City of Thornton neighborhood services and request they come out to pick up the tree stump.

- 2) Review and consider cancellation of service with Colorado 811: The District Manager recommended the Board consider cancelling the District's membership with Colorado 811. The District does not own or operate any Underground Facility as defined per CRS 9-1.5-102(7). The underground sprinkler lines owned by the District and installed in the open spaces within the District's boundaries are not used for the purpose of storing or conveying water to end users. The Board also noted the following:

- Any potential damage to District-owned sprinkler lines does not create a situation where service to end users of a utility service is disrupted; and
- The District's sprinkler lines are dissimilar to sewer, gas, pressurized water or charged electric lines; such utility lines can pose hazards to property and persons.

Director Jones motioned to terminate the District's membership with Colorado 811 and Director Maples seconded the motion. The Board voted 4-0 to approve the motion.

Action item #11: The District Manager will notify Colorado 811 regarding the Board's decision to terminate the District's membership with Colorado 811.

**VIII. Architectural Committee Matters**

- 1) Design Review Committee Report: The Design Review Committee Chairperson – Director Jones – reported that a new homeowner has recently been appointed to serve on the Committee (Sean McNiff). Director Jones expressed concern that nobody is inspecting homeowner projects after such projects have been approved by the Committee and such projects are completed by the homeowner.
- 2) Design Review Committee Report: Ms. Ellis reviewed the year-to-date enforcement report with the Board. For the 7 months through July 31<sup>st</sup>, the Enforcement Manager opened 305 cases, conducted 942 inspections related to cases, issued 238 notices, and responded to 36 homeowner inquiries. One property has been assessed a fine for failure to comply with violation notices in a timely manner.

**IX. Director Matters**

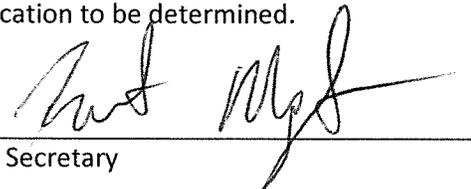
Director Jones requested the Board consider installing an electric outlet at the monument sign at Fairfax Drive and E 144<sup>th</sup> Avenue. An electric outlet already exists at the monument located at E 141<sup>st</sup> Ave and Holly Street. She would like to see the monuments at both entrances decorated during the Christmas holidays.

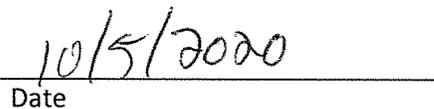
Action item #12: The District Manager will obtain a quote form the landscaper to trench a line from the electric meter to the monument sign at E 144<sup>th</sup> Avenue and Fairfax Drive.

**X. Executive Session – None**

**XI. Adjournment (7:44 pm)**

There being no further business to come before the Board, and upon motion duly made by Director Adler, seconded by Director Maples and unanimously carried, the meeting was adjourned. The next board meeting will be held at 5:30 pm on Monday November 16, 2020 location to be determined.

  
Secretary

  
Date