

LEWIS POINTE METROPOLITAN DISTRICT

Regular Board Meeting Minutes

Meeting Date: Wednesday, August 31, 2022

Meeting Time: 5:31pm to 8:57pm

Meeting Location: Online

I. Call to Order (5:31 pm)

A regular meeting of the Board of Directors of Lewis Pointe Metropolitan (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
Amy Jones	President	Present
Anthony Garcia	Secretary	Present
Robert Maples	Assistant Secretary	Present
Christopher Deines	Treasurer	Present
Erika Christopher	Assistant Secretary	Present

Also, in attendance was Charles Wolfersberger (District Manager) and Jennifer Brink with Wolfersberger, LLC; Stephanie Ceccato (General Counsel) with Paul Rufien, PC; Susie Ellis (Covenant Enforcement Manager) with Community Preservation Specialists and Michael Hoefler with (Environmental Designs) no other homeowners were in attendance.

II. Roll Call

The meeting was called to order by Director Jones. Director Jones 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 Board reviewed the agenda for the meeting, following which all directors disclosed no conflicts of interest with the business to be discussed and conducted at the meeting.

IV. Public Comments – None

V. Administrative and Contractual Matters

- 1) Review and consider meeting agenda: The Board reviewed the meeting agenda. Director Christopher motioned to approve the meeting agenda as presented and Director Maples seconded the motion. The Board voted 5-0 to approve the motion.

- 2) Review and consider the minutes for the May 10, 2022 board meeting minutes: The Board reviewed the draft of the meeting minutes presented by the District Manager. Director Maples moved to approve the minutes. Director Deines seconded the motion and the Board voted 5-0 to approve the minutes.
- 3) Review and consider the minutes for the July 14, 2022 board meeting minutes: The Board reviewed the draft of the meeting minutes presented by the District Manager. Director Maples motioned to approve the minutes as presented. Director Deines seconded the motion and the Board voted 5-0 to approve the minutes.
- 4) Review and consider electing directors to officer positions:
 - Director Maples nominated Director Jones to be President and Director Christopher seconded the motion, and the board voted 4-0 with Director Jones abstaining.
 - Director Garcia nominated Director Deines to be Treasurer and Director Maples seconded the motion
 - Director Maples nominated Director Garcia to be Secretary and Director Deines seconded the motion
 - Director Jones nominated Director Maples to be Assistant Secretary and Director Garcia seconded the motion
 - Director Jones nominated Director Christopher to be Assistant Secretary and Director Maples second the motion

The Board voted 5-0 approving each of the above-listed motions, with Director Jones abstaining from the First vote.

VI. Landscaping and Capital Asset Matters

- 1) Status update- Install/upgrade landscaping at 144th/fairfax: Mr. Hoefler reported that the landscape enhancement project at the SW corner of Fairfax/144th has been completed. Mr. Hoefler requested that the board to inspect the project to verify that's it was completed to their expectations.

Action Item #1: District Manager will perform a walk through inspection of the project.

Action Item #2: Mr. Hoefler will submit a bid to the Board for installing mulch in the planter beds across all open spaces.

Action Item #3: Mr. Hoefler will submit a bid to the Board for installing holiday lights at the monument signs.

- 2) Review and discuss landscape proposals submitted by EDI: Mr. Hoefler reviewed with the Board a bid to replace 55 dead trees with 56 new trees. The Board reviewed and discussed the bid and also expressed interest in winter fertilization and aeration services. Director Garcia motioned to approve the bid if the bid pricing is adjusted to not exceed \$50,000. Director Maples seconded the motion and the board voted 5-0 to approve the motion.

Action Item #4: District Manager will work with the landscape manager on updating the pricing for the tree replacement project.

- 3) **Status Update - Perimeter fence repairs (Sawicki Fence/Fence Consulting Services):** The District Manager reported that Fence Consulting Services has completed the perimeter fence repair project. District Manager reported a couple homeowners have complained that the perimeter fencing bordering their respective properties needs repairs. The Board discussed and approved authorizing the District Manager to hire a maintenance contractor to perform structure repairs (but not cosmetic repairs) to the perimeter fencing. The Board preferred the fence be inspected annually and Fence Consulting Services submit a bid once per year to perform various recommended repairs to the District's perimeter fence lines.

Action Item #5: The District Manager will contact a maintenance contractor to repair perimeter fence damage reported by homeowners.

- 4) **Additional Items for Environmental Designs -** Director Jones passed on to Mr. Hoefer a concern reported by a homeowner that the landscape crew was starting weekly mow services before 7am. Mr. Hoefer stated he would talk with the crew and remind them they should not be operating machinery in the parks and open spaces before 7am.

Director Jones requested that the Holiday lights be placed and ready to turn on the day after Thanksgiving. Director Jones and Director Maples stated that we would likely need additional lights and we needed electrical on the west side of Fairfax and 144th Ave.

VII. Financial Matters

- 1) **Review and consider payment of claims:** The Board reviewed the schedule of check payments (#100100 to #100111 and 117-120) totaling \$62,070.33. Director Garcia motioned to approve the payments as presented. Director Deines seconded the motion and the Board voted 5-0 to approve the motion.
- 2) **Review July 2022 financial statements:** The District Manager presented and reviewed the District's financial statements with the Board. Through July 31, 2022, the District has collected 99.1% of property tax assessments and 67.2% of projected specific ownership tax revenue.

As of July 31, 2022, cash in the checking and CSAFE accounts totaled \$75,623 and \$952,878, respectively. Year-to-date expenses through July 31, 2022 in the operating fund are as follows:

Expense Category	Actual	Budget	\$ Difference	% of Budget Spent
Administrative Costs	\$ 60,570	\$ 69,333	\$ 8,763	87%
Landscaping Costs	81,316	100,243	18,927	81%
Trash pick-up services	35,200	35,292	92	100%
Capital Asset Maint	7,179	20,250	13,071	35%
Media & Recreation Costs	5,480	6,000	520	91%
Cov enf & snow removal	16,972	20,767	3,795	82%

Capital fund contributions	-	-	-	-
Total Costs	\$ 206,717	\$ 251,885	\$ 45,168	82%

- 3) Status update – 2021 financial statement audit: The District Manager reported that the auditors have completed the audit of the District’s 2021 financial statements and issued a “clean” audit opinion and recommended no adjustments to the financial statements as submitted to the auditors. The 2021 audited financial statements have been filed with the State of Colorado.

VIII. Executive session –At 7:20pm, Director Jones motioned to convene the meeting to executive session per C.R.S 24-6-402(4)(b) to discuss the covenant enforcement and design review policy matters. Director Maples seconded the motion and the Board voted 5-0 to approve the motion.

No actions were taken by the Board during executive session.

At 7:57pm, Director Jones motioned to close the executive session. Director Maples seconded the motion and the Board voted 5-0 to approve the motion.

The board discussed the Design Guideline rules regarding sheds. Director Garcia motioned to change the setback for sheds to 2 ft. Director Deines seconded the motion and the Board voted 4-0 with Director Jones abstaining from the vote.

Action Item #6: The Covenant Enforcement Manager will update the Design Guidelines to reflect the rule change to a 2-foot minimum property line setback requirement for sheds.

IX. Covenant Enforcement

- 1) Review covenant enforcement reports: Ms. Ellis reviewed the enforcement reports with the Board. Thru the month of August 2022, CPS has opened 222 cases, conducted 625 inspections related to cases, issued 233 notices, and assisted with 23 inquiries needing a field inspection, research, or other information. There are 5 properties at the \$100 fine stage and 1 at the \$250 fine stage

Ms. Ellis reported 56 design request forms have been submitted to the Architectural Review Committee by homeowners in 2022

- 2) Review and consider homeowner appeals: None
- 3) Status update- missing pillar in perimeter fence line at Fairfax Ave & 144th: The Board discussed the missing brick pillar in the District’s fence line behind the Fairfax/144th monument sign (fence borders 14365 Forest Street). A bid was submitted by a mason contractor (who is also a homeowner) to install the pillar for \$3,200. Director Maples motioned to approve the bid. Director Christopher seconded the motion and the Board voted 5-0 to install the pillar.

Action Item #7: Director Garcia will notify the contractor that his bid was approved and forward the contractor’s invoiced to the District Manager.

- 4) Design Guideline Rules Regarding Boats, Trailers and RVs: Ms. Ellis reviewed and discussed with the Board the rules prohibiting overnight parking of boats, trailer and RVs on homeowners' properties. Director Garcia motioned to approve allowing homeowners to park an RV on or around a homeowner's property for up to one 48-hour period every 2 weeks. Director Christopher seconded the motion and the board voted 5-0 to approve the motion.

Action Item #8: The Covenant Enforcement Manager will update the Design Guidelines to reflect the rule change regarding RV parking in Lewis Pointe.

X. Directors Matters

- 1) Director Jones reported that a homeowner would like the Districts support to petition to the city in regards to a concrete permit. Legal counsel advised to stay out of the situation.
- 2) Director Jones also reported that they have done 4 movie nights. The social committee will plan something for veterans' day. They are still struggling with getting the word out via email and the Facebook group. It was suggested that we try a text message option.
- 3) Director Jones requested that the Christmas lights be put up the day after Thanksgiving.
- 4) Director Maples would like to see bid to install power on the West side of 144th.

XI. Adjournment (8:57pm)

There being no further business to come before the Board, and upon motion duly made by Director Jones, the meeting was adjourned. The next board meeting is scheduled for Tuesday November 15, 2022 at 5:30 pm at the Trail Winds Recreation Center (13495 Holly St, Thornton, Co 80602)

DocuSigned by:
Anthony Garcia
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Secretary

12/12/2022

Date