

Lewis Pointe Metropolitan District Regular Board Meeting Minutes

Meeting Date: Tuesday November 14, 2023

Meeting Time: 5:36pm to 8:34pm

Meeting Location: Trail Winds Recreation Center (13495 Holly St, Thornton, Co 80602)

I. Roll Call (5:36 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		Present
Robert Maples	Secretary	Present
Chris Deines	Treasurer	Present
Daniel Laing		Present

Also, in attendance were district managers Charles Wolfersberger and Jennifer Brink (Wolfersberger, LLC); general counsel Stephanie Ceccato (Paul Rufien, PC) (Online); landscape managers, Michael Hoefler and Randy Hiraki (Environmental Designs); and Covenant Enforcement Manager, Susie Ellis (Community Preservation Specialists). One homeowner was in attendance: Philip Gong (4934 E 143rd Ave)

II. Call to Order

The meeting was called to order by Director Adler who noted that a quorum of the Board was present, the Directors had confirmed their qualification to serve, the meeting notice was duly posted on the District's website, and therefore called the regular meeting of the Board of Directors of Lewis Pointe Metropolitan District to order.

III. Disclosure Matters

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 each Board member disclosed no conflicts of interest.

IV. Public Comments – None

V. Administrative and Contractual Matters

- 1) Review and approve meeting agenda: The Board reviewed the agenda as presented by the District Manager. Director Adler moved to approve the agenda. Director Maples seconded the motion and the Board voted 5-0 to approve the agenda
- 2) Review and consider minutes from the September 12, 2023 board meeting: The Board reviewed the draft of the minutes as presented by the District Manager. Director Maples moved to approve the minutes as presented. Director Deines seconded the motion and the Board voted 5-0 to approve the motion
- 3) Review and consider 2024 Administrative Resolution: The District Manager presented and the Board reviewed and discussed the 2024 administrative resolution. The Board discussed officer positions and agreed to keep positions the same. Director Maples motioned to approve the 2024 administrative Resolution as amended by the Board. Director Deines seconded the motion and the Board voted 5-0 to approve the motion

Action Item #1: The District Manager will post the 2024 administrative resolution on the District's website.

VI. Landscaping Matters

- 1) Status update- electric meter install bid on west side of Fairfax/144 Ave: The Board reviewed the Wild River Electric as presented by the District Manager. Director Jones moved to approve the bid and include a \$1,000 cap for the landscaper to dig a trench for the electric wire. Director Maples seconded the motion and the Board voted 5-0 to approve the motion.
- 2) Review and consider bid to install mulch throughout all planter beds: The Board reviewed the bids for installing mulch in the planter beds across all District-owned open spaces. Director Jones moved to approve the bid from Express Mulch. Director Maples seconded the motion and the Board voted 5-0 to approve the motion.

VII. Covenant Enforcement

- 1) Review covenant enforcement reports: Ms. Ellis reviewed the enforcement reports with the Board. Through the month of October, CPS opened 222 property maintenance violations, conducted 852 inspections, issued 352 notices, and responded to 31 homeowner inquiries requiring a field inspection, research, or other information. 52 \$100 fine stage notices have been issued and 9 \$250 fine stage notices have been issued.

Ms. Ellis reported 43 design request forms have been submitted by homeowners to the Architectural Review Committee in 2023.

- 2) Status Update – Neighborhood paint book: Ms. Ellis reported that she is waiting on Sherwin Williams to complete and publish on its website the neighborhood paint book.

- 3) Review and discuss homeowner appeals/fine hearing: The Board reviewed and discussed the following homeowner appeals:
 - 4934 E 143rd Ave: Mr. Gong addressed the Board regarding a violation and fine issued on his property and reported the maintenance issue has been corrected. Director Adler motioned to reduce the fine by 50% considering the homeowner has corrected the issue. The Board unanimously agreed to approve the motion.
- 4) Review and discuss shed setbacks: The Board reviewed and discussed the shed setback rule per the Design Guidelines (which is a minimum 2-foot setback). The Board agreed that the shed roof overhang should be at least two feet away from the fence and the body of sheds should be at least two feet away from the house.
- 5) Review and discuss add-builder installed shutters: It was brought to the boards attention the Design Review Committee received a request form where a homeowner has removed all shutters from the house in response to a notice that one or more of the shutters on the house was damaged. Rather than repair/replace the shutter, the homeowner decided to remove all shutters. The Board discussed and reviewed photos. Covenant enforcement will submit the request to DRC for further review.

VIII. Financial and Contractual Matters

- 1) Review and consider 2024 Landscape service bids: The Board reviewed and discussed the 2024 Landscape service contract bids. Director Deines motioned to approve First Class Sprinkler starting January 2024 and Director Laing seconded the motion. The Board voted 5-0 to approve the motion.
- 2) Review and consider 2023/24 Snow plow contract bids: The Board reviewed and discussed the 2023/24 snow plow service contract bids. Director Deines motioned to approve First Class Sprinkler starting ASAP. The Board agreed to keep the trigger depth at 2 inches. Director Deines motioned to approve the service contract as presented and Director Laing seconded the motion. The Board voted 5-0 to approve the motion
- 3) Review and consider 2023 audit engagement letter from BF Borgers: The District Manager reviewed the engagement letter submitted by BF Borgers CPA to audit the District's 2023 annual financial statements. Director Jones motioned to approve the engagement letter as presented. Director Maples seconded the motion and the Board voted 5-0 to approve the motion.
- 4) Review Payment of Claims: The Board reviewed the schedule of check payments (checks #10083 to #100192 and check #121) totaling \$44,855.52 Director Jones motioned to approve the payment of claims and Director Maples seconded the motion. The Board voted 5-0 to approve the motion
- 5) Review and consider 2023 director fee schedule: The District Manager presented and reviewed with the Board the 2023 Director meeting stipend schedule. The Board had no comments regarding the schedule.

Action item #2: The District Manager will cut the stipend check payments and deliver to the individual board members.

6) Public hearing on District's proposed 2024 budget: Director Adler motioned to open 2024 Budget public hearing at 7:57 pm. Director Deines seconded the motion and the Board voted 5-0 to approve the motion. The District Manager reviewed the proposed 2024 budget. Highlights from the review included the following:

- Taxable values of the 373 homes in the District increased 31.5% to \$20.3 million in 2023 compared to 2022. However, because the 2024 Budget reflects no increase in tax revenue needed to fund District operations and debt in 2024, the proposed mill levy will decrease from 68.625 mills for 2023 to 52.179 mills for 2024.
- 2024 budgeted operating expenditures totals \$505,700 – an increase of \$103,300 compared to estimated total expenditures for 2023. \$48,700 the increase is due to unusually low irrigation bills for 2023 due to the rainy weather (which is not anticipated to repeat in 2024) compared to the 2024 budget for irrigation of \$118,000 (which is still lower than the \$129,892 irrigation expense for 2022). Also, the Board did not fund any major landscape projects in 2023 but is budgeting \$30,000 in landscape improvement projects for 2024.
- The 2024 budget is a break-even budget – meaning revenues equal expenses.
- Approximately \$307,000 of the balance in the operating fund will be transferred to the Capital Project Fund in 2024. The District manager recommended consolidating the “excess” cash balance in the District’s Capital Project Fund. The remaining \$33,000 contribution to the Capital Project Fund in 2024 is the “regular” annual Capital Project Fund contribution.

Director Adler motioned to close the 2024 Budget public hearing at 8:22pm. Director Jones seconded the motion and the Board voted 5-0 to approve the motion.

7) Consider resolution to adopt 2024 budget, appropriate funds, set mill levies: The District Manager presented the resolution to adopt the 2024 budget, set mill levies and appropriate funds. Director Jones motioned to approve the resolution as presented. Director Deines seconded the motion and the Board voted 5-0 to approve the motion.

Action Item #3: District Manager will file the 2024 budget with the State of Colorado and the mill levy certification with the County Treasurer.

IX. Recreation Events/Social Committee

- 1) Status update - 2024 neighborhood event calendar: Director Jones reported that she is now the only member of the Social Committee. Neighborhood event plans for 2024 include an Easter Egg hunt (March 23rd), Community Garage Sale (June 8th), Community block party (not yet scheduled) and Fourth of July Bike Parade (June 29th). Director Laing offered to assist with these events. The Board expressed interest in planning a summer party with the North Holly Metro District.

X. Director Matters- none

XI. Adjournment (8:34pm)

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 Tuesday February 13, 2024 at the Trail Winds Recreation Center at (13495 Holly St, Thornton, Co 80602)

DocuSigned by:

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Secretary

2/14/2024
Date