

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF ST. VRAIN LAKES METROPOLITAN DISTRICT NOS. 1, 3, & 4

HELD
February 13, 2024

The Regular Meeting of St. Vrain Lakes Metropolitan District Nos. 1, 3, and 4 was held via Zoom and Teleconference on Tuesday, February 13, 2024, at 6:30 p.m.

ATTENDANCE

Directors in Attendance:

Christopher Bremner
Brandon Curiel
Lyndsey Paavilainen
Neil Simpson
Anastasia Urban

Also in Attendance:

Matt Gray and Heather Hartung; White Bear Ankele Tanaka & Waldron, P.C.
Kenny Parrish, Andrew Kunkel, Ronnie Kenfield, and Amanda Castle; Pinnacle Consulting Group, Inc.
Kathryn Rorer and Eric Nelson; The Management Trust
Several Members of the Public.

ADMINISTRATIVE ITEMS

Call to Order: The Regular Meeting of the Boards of Directors (collectively, the “Boards”) of the St. Vrain Lakes Metropolitan District Nos. 1, 3, and 4 (collectively, the “District”) was called to order by Mr. Parrish at 6:40 p.m.

Coordinated Meetings: The Boards determined to hold joint meetings of the Districts and to prepare joint minutes of actions taken by the Districts at such meetings. Unless otherwise noted herein, all official actions reflected in these minutes shall be deemed to be the actions of all the Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

Declaration of Quorum/Director Qualifications/Disclosure of Potential Conflicts of Interest: Mr. Gray noted that a quorum was present, with five out of five Directors in attendance. All Board Members confirmed their qualifications to serve on the Boards. Mr. Gray advised the Boards that pursuant to Colorado law, certain disclosures by Board Members might be required prior to taking official action at a meeting. Mr. Gray reported that disclosures for those Board Members who provided White Bear

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Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest, if any, were filed with the Colorado Secretary of State's Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Mr. Gray inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest regarding any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

Approval of Agenda: The Boards considered the approval of the agenda. Following review and discussion, upon a motion duly made by Director Bremner, seconded by Director Paavilainen, and upon vote, unanimously carried, it was

RESOLVED to approve the agenda, as amended to remove District Manager Item C and Capital Infrastructure Item F and to add Capital Infrastructure Item Infrastructure Acceptance Discussion regarding testing methods for underdrains following Capital Infrastructure Item E.

Public Comment: There were no Public Comments received.

Director Comment: There were no Director Comments received.

Report From District No. 2 Board of Directors: Director Becker outlined recommendations from the District No. 2 Board regarding gym and pool access and operations. Children ages 12 and under are not allowed gym access. Children ages 12-15 are allowed gym access with adult supervision. Children ages 16 or older are allowed gym access without adult supervision. Additional recommendations for gym access include updates to signage for loitering restrictions and the implementation of surveillance for recording purposes only. Children ages 15 and under are allowed pool access with adult supervision. Children ages 16 or older are allowed pool access without adult supervision. Additional recommendations for pool access include a swim at own risk policy and updates to signage to include updates for swim at own risk policy and corresponding operations and the implementation of surveillance for recording purposes only.

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CONSENT AGENDA

Mr. Gray reviewed the items on the consent agenda with the Boards. Mr. Gray advised the Boards that any item may be removed from the consent agenda to the regular agenda upon the request of any Director. No items were requested to be removed from the consent agenda. Upon a motion duly made by Director Bremner, seconded by Director Simpson, the following items on the consent agenda were unanimously approved, ratified, and adopted:

A. Minutes

- i. November 14, 2023, Regular Meeting
- ii. November 14, 2023, Annual Meeting
- iii. December 21, 2023, Special Meeting
- iv. January 18, 2024, Special Meeting

B. Payment of Claims.

C. Contract Modifications.

DISTRICT MANAGER ITEMS

District Manager's Report: Mr. Parrish and Mr. Kenfield presented the District Manager's Report to the Boards and answered questions.

Community Manager's Report: Mr. Nelson presented the Community Manager's Report to the Boards and answered questions.

Appointment of Representative for FURA Board of Commissioners: Mr. Gray discussed the Appointment of a Representative for the FURA Board of Commissioners with the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Bremner, seconded by Director Paavilainen, and upon vote, unanimously carried, it was

RESOLVED to appoint Director Urban as the District's Representative for the FURA Board of Commissioners.

Swimming Pool Operations and Lifeguard options for 2024 Season: Director Paavilainen suggested the Board proceed with the recommendations outlined by the District No. 2 Board of Directors. Director Becker noted potential resident concerns regarding limitations for children aged 15. It was the decision of the Boards to direct district staff to review current insurance policies and evaluate potential changes to insurance premiums and to present an updated policy for approval at the next regular meeting.

Amended Amenity Rules and Regulations: Mr. Gray discussed the Amended Amenity Rules and Regulations with the Boards and answered questions. Following review and discussion, upon a motion duly made by

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Director Paavilainen, seconded by Director Bremner, and upon vote, unanimously carried, it was

RESOLVED to approve the Amended Amenity Rules and Regulations.

Updated Fitness Center Waiver Form: Mr. Gray discussed the Updated Fitness Center Waiver Form with the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Paavilainen, seconded by Director Bremner, and upon vote, unanimously carried, it was

RESOLVED to approve the Updated Fitness Center Waiver Form, to align with the recommendations outlined by the District No. 2 Board of Directors effective immediately.

Insurance Requirements Waiver for Sports & Fitness, Inc.: Mr. Kenfield discussed the Insurance Requirements Waiver for Sports & Fitness with the Boards and answered questions.

Amended Amenity Rules and Regulations regarding Alcoholic beverages and removal of requirement for security personnel: Director Paavilainen discussed the Amended Amenity Rules and regulations regarding Alcoholic beverages and removal of requirement for security personnel with the Boards. It was the decision of the Boards to direct district staff to bring a recommendation for Amended Amenity Rules and Regulations regarding Alcoholic beverages and removal of requirement for security personnel for review and approval at the next regular meeting.

CAPITAL
INFRASTRUCTURE
ITEMS

Cost Acceptance Resolution (Filing 4 Infrastructure): It was the decision of the Boards to table this item until the next regular meeting.

Cost Acceptance and Infrastructure Acquisition Resolution (Filing 4 Landscaping): It was the decision of the Boards to table this item until the next regular meeting.

Cost Acceptance and Infrastructure Acquisition Resolution (Filing 5 Landscaping): It was the decision of the Boards to table this item until the next regular meeting.

Cost Acceptance Resolution (Filing 5 Infrastructure): It was the decision of the Boards to table this item until the next regular meeting.

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Updated Construction Pricing Regarding Barefoot Lakes Filing 6 Landscape Project: Mr. Gray discussed the Updated Construction Pricing Regarding Barefoot Lakes Filing 6 Landscape Project with the Boards. Following review and discussion, upon a motion duly made by Director Urban, seconded by Director Bremner, and upon vote, unanimously carried, it was

RESOLVED to approve the Updated Construction Pricing Regarding Barefoot Lakes Filing 6 Landscape Project.

Infrastructure Acceptance Discussion Regarding Testing Methods for Underdrains: Director Bremner led the Infrastructure Acceptance Discussion Regarding Testing Methods for Underdrains. It was the decision of the Board to direct district staff to coordinate with the district engineer regarding industry standard testing methods for underdrains.

FINANCIAL ITEMS

Financial Report: Ms. Castle reviewed the unaudited Financial Statements for the period ending December 31, 2023, with the Boards. Following review and discussion, upon a motion duly made by Director Simpson, seconded by Director Urban, and upon vote, unanimously carried, it was

RESOLVED to accept the unaudited Financial Statements for the period ending December 31, 2023, as presented.

LEGAL ITEMS

2024 Posting Locations Resolution: Mr. Gray presented the 2024 Posting Locations Resolution to the Boards. Following review and discussion, upon a motion duly made by Director Paavilainen, seconded by Director Urban, and upon vote, unanimously carried, it was

RESOLVED to approve the 2024 Posting Locations Resolution, as presented.

EXECUTIVE SESSION

Executive session, pursuant to § 24-6-402(4)(b), C.R.S., for the purposes of receiving confidential legal advice as it relates to the Shore Point covenant violation case

Mr. Gray advised the Boards that it was permitted, upon compliance with requisite statutory procedures under the Colorado Open Meetings Law, for the Boards to convene an executive session, pursuant to § 24-6-402(4)(b), C.R.S., to conference with an attorney for the purposes of receiving confidential legal advice as it relates to the Shore Point

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covenant violation case. Upon a motion duly made by Director Paavilainen, seconded by Director Simpson, and upon vote, unanimously carried, it was

RESOLVED to convene an Executive Session, pursuant to § 24-6-402(4)(b), C.R.S., to conference with an attorney for the purposes of receiving confidential legal advice regarding as it relates to the Shore Point covenant violation case.

The Boards returned from Executive Session at 8:36 p.m. Following review and discussion, upon a motion duly made by Director Bremner, seconded by Director Simpson, and upon vote, unanimously carried, it was

RESOLVED to resubmit a settlement offer for reasonable legal fees in an amount not to exceed \$7500.00 and to waive all fees, fines, and liens subject to acceptance of settlement offer no later than February 29th, 2024.

DIRECTOR
MATTERS

There were no Director Matters to come before the Boards.

OTHER
MATTERS

There were no Other Matters to come before the Boards.

ADJOURNMENT

There being no further business to come before the Boards, upon motion duly made by Director Simpson, seconded by Director Paavilainen, and upon unanimous vote, the meeting was adjourned at 8:40 p.m.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Respectfully submitted,

Andrew Kunkel, Recording Secretary for the Meeting