

# RECORD OF PROCEEDINGS

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

HELD  
April 9, 2024

The Regular Meeting of St. Vrain Lakes Metropolitan District Nos. 1, 3, and 4 was held via Zoom and Teleconference on Tuesday, April 9, 2024, at 6:30 p.m.

### ATTENDANCE

#### Directors in Attendance:

Brandon Curiel  
Lyndsey Paavilainen  
Neil Simpson  
Anastasia Urban

#### Directors Absent but Excused:

Christopher Bremner

#### Also in Attendance:

Matt Gray; White Bear Ankele Tanaka & Waldron, P.C.  
Kenny Parrish, Andrew Kunkel, Ronnie Kenfield, Michael Garcia, Tracie Kaminski, and Stanley Holder; Pinnacle Consulting Group, Inc.  
Eric Nelson and Kathryn Rorer; The Management Trust  
Kaite Cooksey; Piper Sandler  
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 Director Paavilainen at 6:43 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 four 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

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that disclosures for those Board Members who provided White Bear 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 Paavilainen, seconded by Director Simpson, and upon vote, unanimously carried, it was

**RESOLVED** to approve the agenda, as amended to remove District Manager Item III F Consider Adoption of Amended and Restated Social Committee Resolution.

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 presented the Report from the District No. 2 Board of Directors and noted standard operations and limited activity.

### 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 Urban, seconded by Director Paavilainen, the following items on the consent agenda were unanimously approved, ratified, and adopted subject to amendments to the February 13, 2024, Regular Meeting Minutes as follows: Deviation from posted public meeting agenda language to change the word "appoint" to "nominate" on page 10 and to include the start time for the Executive Session during finalization and execution of the minutes.

#### A. Minutes

- i. February 1, 2024, Special Meeting
- ii. February 13, 2024, Regular Meeting

#### B. Payment of Claims.

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### C. Contract Modifications.

DISTRICT MANAGER  
ITEMS

District Manager's Report: Mr. Parrish and Mr. Kenfield presented the District Manager's Report to the Boards. Director Paavilainen requested clarification regarding damage to monument signage and Mr. Kenfield responded.

Community Manager's Report: Mr. Nelson presented the Community Manager's Report to the Boards. Director Paavilainen requested the total number of attendees at the Spring Event and Mr. Nelson responded 250 – 300 attendees.

Pinnacle Consulting Group, Inc. Addendum: Mr. Parrish requested ratification of the Pinnacle Consulting Group, Inc Addendum Independent Contractor Agreement related to services provided for the Filing 6 project. Following review and discussion, upon a motion duly made by Director Urban, seconded by Director Simpson, and upon vote, unanimously carried, it was

**RESOLVED** to ratify the Pinnacle Consulting Group, Inc. Addendum Independent Contract Agreement, as presented.

Swimming Pool Operations and Lifeguard Options for 2024 Season for Staffing Guidelines, Signage Verbiage, Camera Installation, Pool Maintenance Contractor, and Insurance Premiums: Mr. Parrish began the discussion regarding Swimming Pool Operations and Lifeguard Options for the 2024 Season for Staffing Guidelines, Signage Verbiage, Camera Installation, Pool Maintenance Contractor, and Insurance Premiums.

Staffing Guidelines: Mr. Nelson presented lifeguard and waiver options for the 2024 season. Director Paavilainen requested clarification regarding staffing for pool operating hours and Mr. Nelson noted staff will be physically onsite during normal pool operating hours. Director Paavilainen requested clarification regarding the extension of pool operating hours and Mr. Nelson noted the hours would be extended to 10:00 am to 8:00 pm Sunday through Saturday. Director Paavilainen requested clarification regarding the intended number of staff hired for the 2024 season and Mr. Nelson noted the positions are part time position with less than 25 hours per week and described the individual duties of each staff member. Director Paavilainen requested clarification regarding staff responsibilities for the Snack Shack and Mr. Nelson noted their intention to operate the Snack Shack on Friday, Saturday, and Sunday and to refrain from selling food items that would require a food service certification. Director Urban requested clarification regarding the

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standard operations plan and standard operating procedures for staff members and Mr. Nelson noted they would be presented to the Boards prior to implementation. Director Paavilainen requested clarification regarding the need for wristbands and Mr. Nelson noted he does not believe there is currently a need for them. Director Becker from the Board of Directors of St. Vrain Lakes Metropolitan District No. 2 noted concerns regarding bag checks and emphasized the need for a clear standardized operating procedure. Director Urban requested Mr. Gray's input regarding standardized operating procedures for bag checks and Mr. Gray reiterated the need for a clear procedure that is fair to all residents of the community.

Camera Installation: Director Paavilainen requested clarification regarding security camera footage monitoring and Mr. Nelson noted cameras are for recording purposes only. Director Urban suggested signage be implemented to clarify the cameras are for recording purposes only and Mr. Gray agreed. Director Weimer from the Board of Directors of St. Vrain Lakes Metropolitan District No. 2 requested clarification regarding the length of time video recordings are stored. Mr. Kenfield discussed a proposal for Camera Installation and described options for storage. Director Paavilainen requested clarification regarding the Colorado Records Retention Schedule for video storage and Mr. Kenfield noted the proposal from ProSec for Camera Installation would allow for a minimum of 30 days of video storage. Mr. Kenfield reviewed additional proposal details from ProSec and recommended the Boards engage ProSec for Camera Installation. Director Paavilainen requested confirmation that the proposal falls within budgeted expenditures and Mr. Kenfield responded in the affirmative.

Signage Verbiage: Mr. Parrish noted an upcoming on-site meeting with the Colorado Special District's Property & Liability Pool's insurance representative to review the operations plan and to acquire recommendations for additional best practices. Mr. Gray requested Mr. Parrish document details from the meeting for later review and discussion and Mr. Parrish agreed.

Impact on Insurance Premiums: Mr. Parrish noted ongoing conversations with Kyle Brown from the Colorado Special District's Property & Liability Pool. Mr. Parrish noted the largest premium increase for proposed 2024 Pool Operations is 20%. Mr. Parrish noted the adopted 2024 budget line item for Insurance is adequate to address potential increases.

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Camera Installation Cont.: Following review and discussion, upon a motion duly made by Director Urban, seconded by Director Paavilainen, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Camera Installation proposal with ProSec in an amount not to exceed \$16,703.47, as presented.

Signage Verbiage and Staffing Guidelines Cont.: Director Paavilainen reiterated the Boards request to review the standardized operating procedures prior to implementation and requested the opportunity to review best practices being presented to the Colorado Special Districts Property & Liability Pool for consideration during underwriting. Director Paavilainen requested clarification regarding appropriate modifications to the Amended Amenity Rules and Regulations regarding updated signage verbiage to include mention of recording in progress and to state capacity limits for the pool. Following further review and discussion, upon a motion duly made by Director Urban, seconded by Director Paavilainen, and upon vote, unanimously carried, it was

**RESOLVED** to approve new Signage Verbiage with respect to signage in and around the pool relating to the new no lifeguard policy and for staff to implement that verbiage in consultation to and subject to the approval of Director Urban.

Following further review and discussion, upon a motion duly made by Director Paavilainen, seconded by Director Urban, and upon vote, unanimously carried, it was

**FURTHER RESOLVED** to approve Staffing Guidelines Standardized Operating Procedures relating to the new no lifeguard policy and for staff to implement that verbiage in consultation to and subject to the approval of Director Urban.

Pool Maintenance Contractor: Mr. Parrish and Mr. Kenfield presented an Independent Contractor Agreement with Aquatic Chemical Solutions, Inc. to the Boards. Director Urban requested clarification regarding the use of this contractor in 2023 and Mr. Kenfield responded noting use of the contractor since the opening of The Cove. Director Urban inquired into potential concerns utilizing this contractor and Mr. Kenfield noted minor concerns regarding communications for annual contract renewal. Director Urban inquired into budgetary considerations compared to the previous year and Mr. Kenfield responded noting no cost increases. Director Paavilainen requested clarification regarding options for available contractors and Mr. Kenfield responded noting limited quantities of Pool Maintenance Contractors. Director Urban requested

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clarification regarding additional costs for annual start up and shut-down processes and Mr. Kenfield responded noting no additional costs. Following review and discussion, upon a motion duly made by Director Urban, seconded by Director Paavilainen, and upon vote, unanimously carried, it was

**RESOLVED** to approve the First Addendum to the Independent Contractor Agreement with Aquatic Chemical Solutions, Inc in an amount not to exceed \$7,075.00., as presented.

Impact on Insurance Premiums Cont.: Mr. Parrish noted his intention to distribute pool operations best practices and notes from the upcoming meeting with the Colorado Special Districts Property & Liability Pool representative.

Amended Amenity Rules and Regulations: Mr. Parrish provided background regarding efforts to update the Amended Amenity Rules and Regulations, described the extent of the changes to the no lifeguard policy, changes to age requirements and limitations, and changes to the alcohol policy, and described the organizational structure of the document. Director Paavilainen further described the organizational structure of the Amended Amenity Rules and Regulations and reiterated the governing nature of the exhibits that cover individual facility types and individual policies. Director Urban requested the Boards consider approval of the Updated Waiver Form and Minor Release Form and to table approval of the Amended Amenity Rules and Regulations to a later date to allow time for Board member review. Director Paavilainen noted additional exhibit items are subject to policy changes, such as the Alcohol Policy and Fitness Instructor Fee and updates to the Fee Schedule. Director Curiel requested clarification regarding contradictions of approving the exhibit documents prior to the main Amended Amenity Rules and Regulations document and Mr. Gray responded. It was the decision of the Board to Table this item to allow additional time for Board member review.

Updated Waiver Form: Director Paavilainen presented the updated Waiver Form to the Boards. Following review and discussion, upon a motion duly made by Director Urban, seconded by Director Simpson, and upon vote, unanimously carried, it was

**RESOLVED** to approve the updated Waiver Form, as presented.

Minor Release Form: Director Paavilainen presented the updated Waiver Form to the Boards. Following review and discussion, upon a motion duly

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made by Director Urban, seconded by Director Simpson, and upon vote, unanimously carried, it was

**RESOLVED** to approve the updated Minor Release Form, as presented.

Waiver Audit Requirement: Director Paavilainen discussed the need to audit the annual waiver to ensure updated waivers are executed by all residents of the District. Mr. Nelson commented on the implementation of a plan to audit annual waivers. Director Simpson and Director Curiel noted their support of an annual audit requirement for residents of the District. Director Paavilainen inquired into selecting a date for the execution and return of an updated waiver for 2024 and Mr. Gray responded. Following review and discussion, upon a motion duly made by Director Urban, seconded by Director Curiel, and upon vote, unanimously carried, it was

**RESOLVED** to approve the requirement for Community Management to implement a process to audit annual waivers and to require residents of the districts to submit an updated waiver annually.

Fitness Class Instructor Fee Requirements & Recreation Amenities Fee Schedule: Director Paavilainen provided background regarding the need to update requirements for Fitness Class Instructor Fees and noted additional changes to the Recreation Amenities Fee Schedule. Director Urban requested clarification regarding the guest policy for out of District pass holders and Director Paavilainen responded. Following review and discussion, upon a motion duly made by Director Urban, seconded by Director Paavilainen, and upon vote, unanimously carried, it was

**RESOLVED** to approve the amendment to the Fitness Class Instructor Fee Requirement to remove the \$5.00 base exercise class fee and to authorize individual Fitness Class Instructors the ability to determine excise class fees, as needed, and to address additional proposed redlines to the Amended Amenity Rules and Regulations at a later date, with the retention of the Non-Motorized Watercraft Fees in the Recreation Amenities Fee Schedule.

Amended Amenity Rules and Regulations regarding Alcoholic beverages and removal of requirement for security personnel: Director Paavilainen discussed the Social Committee's request to remove the requirement for security personnel at any District events where alcoholic beverages may be consumed. Following review and discussion, upon a motion duly made by Director Urban, seconded by Director Simpson, and upon vote, unanimously carried, it was

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**RESOLVED** to approve the Amendment to the Amended Amenity Rules and Regulations regarding the removal of the requirement for security personal as it relates to any District events where alcoholic beverages may be consumed, and to amend the District’s rental agreement form to align with the Amended Amenity Rules and Regulations regarding the removal of the requirement for security personal as it relates to District events where alcoholic beverages may be consumed, and to add a section regarding the Districts right to hire security personal for District events if deemed necessary.

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CAPITAL  
INFRASTRUCTURE  
ITEMS

District Project Manager Update: Mr. Holder provided the District Project Manager Updates to the Boards.

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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FINANCIAL ITEMS

Financial Statements: Ms. Kaminski reviewed the unaudited Financial Statements for the period ending February 29, 2024, 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 February 29, 2024, as presented.

2023 Audit Exemptions for District No. 3 and District No. 4: Ms. Kaminski presented the 2023 Applications for Exemption from Financial Audit for District No. 3 and District No. 4 to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Simpson, seconded by Director Paavilainen, and upon vote, unanimously carried, it was



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**RESOLVED** to ratify the 2023 Applications for Exemption from Financial Audit for District No. 3 and District No. 4, as presented.

District No. 3 and District No. 4 2024 Bond Issuance: Director Paavilainen provided background regarding the need for a Bond Issuance in 2024 for District No. 3 and District No. 4 with the Boards.

Piper Sandler as Bond Underwriter: Ms. Cooksey presented two financing comparison scenarios and potential options for District No. 3 and District No. 4 bond issuance with the Boards. Director Paavilainen inquired into the preferred timeline for the bond issuance in comparison to the District's regular board meeting schedule and Ms. Cooksey responded. Mr. Gray requested clarification regarding the engagement of Zonda as market study provider and the timing of the authorization of the related expenditures and if the amount authorized would be subject to a not to exceed amount. Ms. Cooksey responded noting the deposit requirement of an estimated \$15,000.00 to begin the study and an additional \$15,000.00 following completion of the study. Ms. Cooksey recommended including a not to exceed amount of \$30,000.00 as part of the engagement with Zonda as market study provider. 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 engagement with Zonda to provide a market study for the upcoming bond issuance in an amount not to exceed \$30,000.

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### LEGAL ITEMS

FURA Board of Director Appointment Process: Mr. Gray provided background and an update regarding the reasoning behind a Board member's appointment to the FURA Board of Directors. Director Paavilainen inquired into options to obtain additional seats on the FURA Board of Directors and Mr. Gray responded. Director Paavilainen requested clarification regarding the total number of seats Special Districts located within the Urban Renewal Authority may hold and Mr. Gray responded only one seat.

Public Entity Digital Accessibility Standards Memorandum: Mr. Gray and Mr. Parrish presented the Public Entity Digital Accessibility Standards Memorandum to the Boards. Director Paavilainen inquired into the timeline and actions required for implementation and Mr. Gray responded.

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DIRECTOR  
MATTERS

Director Paavilainen inquired into the need for a Special Board Meeting to discuss and approve any potential outstanding items for 2024 amenity operations and Mr. Gray responded.

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OTHER  
MATTERS

There were no Other Matters to come before the Boards.

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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 9:16 p.m.

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

Respectfully submitted,



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Andrew Kunkel, Recording Secretary for the Meeting