

# RECORD OF PROCEEDINGS

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

HELD  
July 9, 2024

The Regular Meeting of St. Vrain Lakes Metropolitan District Nos. 1, 3, and 4 was held via Zoom and Teleconference on Tuesday, July 9, 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; White Bear Ankele Tanaka & Waldron, P.C.  
Kenny Parrish, Tracie Kaminski, Ronnie Kenfield, Stanley Holder, and Andrew Kunkel; Pinnacle Consulting Group, Inc.  
Heather Coonts and Kathryn Rorer; The Management Trust  
Dallas Becker, Steven Galbraith, Britton Weimer, and Raymond Byrd;  
District No. 2 Board of Directors  
Graham Oakly; Rocky Mountain Paddle Board  
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. Gray at 6:33 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

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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 Bremner, and upon vote, unanimously carried, it was

**RESOLVED** to approve the agenda, as amended to remove II D Ratification of New Contracts from the Consent Agenda, specifically Fitness Instructor Agreement to VII Legal Items, Omnia Partners Registration and Summit Recreation – Filing 6 Playground Equipment to V Capital Infrastructure Items, and Rocky Mountain Paddleboard to follow the Consent Agenda.

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 his dissatisfaction with the lake activation initiative implemented by the District No. 1 Board of Directors. Director Becker discussed difficulties regarding enforcement of personal flotation device regulations, potential liability of the District, and difficulties created from increased users at the lake.

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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 additional item may be removed from the consent agenda to the regular agenda upon the request of any Director. No additional items were requested to be removed from the consent agenda. Upon a motion duly made by Director Paavilainen, seconded by Director Bremner, the following items on the consent agenda were unanimously approved, ratified, and adopted:

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- A. Minutes
  - i. April 9, 2024, Regular Meeting
  - ii. May 15, 2024, Special Meeting
- B. Payment of Claims.
- C. Contract Modifications.
  - i. EDI
  - ii. Guardian Construction
  - iii. ProSec Integration, LLC

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### ROCKY MOUNTAIN PADDLE BOARD

Director Paavilainen discussed the Independent Contract Agreement with Rocky Mountain Paddle Board. Mr. Oakley introduced himself and described the proposed scope of services with the Boards. Ms. Rorer discussed resident requests and interest regarding the implementation of the proposed scope of services. Director Paavilainen noted benefits to residents who do not own paddleboards, highlighted resident discounts for rentals in comparison to outside users, and opportunities for resident education from having an onsite vendor. Mr. Gray discussed insurance requirements to alleviate liability to the District and Mr. Oakley responded. Director Paavilainen requested clarification regarding the duration of the Independent Contractor Agreement and Mr. Gray responded noting the contract duration expires following the 2024 season. Director Urban reiterated the opportunity for resident education regarding enforcement of personal floatation device regulations through the use of an onsite vendor and discussed potential options for temporary use personal floatation devices. Mr. Oakley discussed personal floatation devices provided by Rocky Mountain Paddle Board and measures taken to enforce proper usage of paddle boards and personal floatation devices. Director Bremner requested clarification regarding planned hours of operation and Mr. Oakley responded. Director Bremner inquired regarding the number of paddle boards and kayaks available to rent and the placement of them duration planned hours of operations. Mr. Oakley responded noting they would be stored in a way that would not block resident access to the lake. Director Bremner inquired regarding the number of staff members that will be onsite during planned hours of operation and Mr. Oakley responded noting two staff members and from 10:00 a.m. to 6:00 p.m. Director Bremner requested clarification regarding the storage of materials at the lake and Mr. Oakley responded noting a trailer would be stationed at the lake. Director Bremner requested clarification regarding the number of rentals to be provided during the 2024 season and Mr. Oakley responded noting a goal of an estimated 30-40 rentals per day. Director Becker from the District No. 2 Board of Directors requested clarification regarding operations plans for parking and Mr. Oakley and Mr. Rorer responded. Director Paavilainen reminded the Boards of resident requests for paddle board and kayak rental services

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received by Ms. Rorer and Director Simpson and Bremner noted their alignment with the operations plan for the 2024 season. Director Paavilainen noted additional services to be provided by Rocky Mountain Paddle Board to include paddle board yoga and moonlight paddles and Mr. Oakley provided additional information. 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 Independent Contractor Agreement with Rocky Mountain Paddle Board subject to final review and approval by District Management and District Legal Counsel.

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DISTRICT MANAGER  
ITEMS

District Manager's Report: Mr. Parrish and Mr. Kenfield presented the District Manager's Report to the Boards. Director Bremner requested the total number of fish that were stocked, and Mr. Kenfield responded. Director Urban inquired into the cause of the drainage issue described in the report and Mr. Kenfield responded noting the cause is due to the design of the drainage ditch and described plans for remediation.

Accessibility Resolution for PCGI & Appointment of The Management Trust's Accessibility/Compliance Officer for Resident Website Portal: Mr. Gray discussed the need to modify the District's Accessibility Resolution. Director Paavilainen requested clarification regarding modifications to the Accessibility Resolution to include replacing the District Manager, Kenny Parrish with Pinnacle Consulting Group, Inc. the organization, and to name The Management Trust Compliance officer for the District Resident Website portal and Mr. Gray responded in the affirmative. 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 modifications to the District's Accessibility Resolution to remove District Manager, Kenny Parrish with Pinnacle Consulting Group, Inc. the organization as compliance officer for the District's Website and to appoint The Management Trust as compliance officer for the District Resident Website Portal, and for District legal counsel to draft a resolution to present for Board ratification at the next regular Board meeting regarding said appointment.

Community Manager's Report: Ms. Coonts presented the Community Manager's Report to the Boards. Director Curiel inquired into covenant violation enforcement procedures for resident privacy fences in the District and Ms. Coonts responded.

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Social Committee Resolution & Appointment of Social Committee Members: Director Paavilainen provided background regarding the origin of the Social Committee Resolution to the Boards. Director Urban requested clarification regarding Social Committee Member terms and Ms. Rorer 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 Social Committee Resolution and to ratify the Appointment of Social Committee members, as presented.

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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.

Consideration for Special Meeting or Consider Cost Certifications at October Meeting: Director Paavilainen discussed the Boards options for addressing the tabled Capital Infrastructure Items noted above. Mr. Gray provided additional information regarding the tabled Capital Infrastructure Items as they relate to the impending bond issuance and the timeline for capital acceptance.

Board President Role to Enter Into Contracts and/or Modifications for the Filing 6 Project: Mr. Gray discussed the Board President's role to enter into contracts and/or modifications for the Filing 6 Project with 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

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**RESOLVED** to authorize the Board President to enter into contracts and/or modifications for the Filing 6 Project with no limitations from the Board, subject to costs aligning with the adopted budget of the District.

Omnia Partners Registration: Director Curiel discussed the Omnia Partners Registration with the Boards. Following review and discussion, upon a motion duly made by Director Paavilainen, seconded by Director Curiel, and upon vote, unanimously carried, it was

**RESOLVED** to ratify the Omnia Partners Registration, as presented.

Summit Recreation – Filing 6 Playground Equipment: Director Curiel discussed the Summit Recreation – Filing Playground Equipment contract with the Boards. 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 Summit Recreation – Filing 6 Playground contract, as presented.

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### FINANCIAL ITEMS

Financial Statements: Ms. Kaminski reviewed the unaudited Financial Statements for the period ending May 31, 2024, with the Boards. Following review and discussion, upon a motion duly made by Director Simpson, seconded by Director Paavilainen, and upon vote, unanimously carried, it was

**RESOLVED** to accept the unaudited Financial Statements for the period ending May 31, 2024, as presented.

2023 Audit for District No. 1: Ms. Kaminski reviewed the 2023 Audit for District No. 1 with the Boards. Ms. Kaminski reported that the audit received a clean unmodified opinion. Following review and discussion, upon a motion duly made by Director Simpson, seconded by Director Paavilainen, and upon vote, unanimously carried, it was

**RESOLVED** to approve the 2023 Audit for District No. 1 contingent upon a two-week review period to allow the Boards of Directors adequate time to review and pose questions.

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Bond Issuance for District No. 3 and District No. 4: Mr. Gray provided an update regarding the Bond Issuance for District No. 3 and District No. 4 to the Boards. Director Paavilainen noted the distribution of an Addendum with Pinnacle Consulting Group, Inc. as Bond Consultant and inquired into the approval of the Addendum in addition to the Bond Consultants listed under VI Financial Items D-J and Mr. Gray responded noting the approval may proceed. 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 engagement of Bond Consultants noted under agenda items VI Financial Items D-J, Engagement with Ballard Spahr as Bond Counsel, Fee Disclosure Letter from White Bear Ankele Tanaka & Waldron for General Counsel Duties with Respect to Bond Transaction, Engagement with Sherman & Howard as Disclosure Counsel, Engagement with Cockrel Ela Glesne Greher & Ruhland as Pledge District Counsel, Amended Engagement with Kline Alvarado Veio as Underwriter's Counsel, Engagement with Zonda Advisory for Production of Market Study, Engagement with Causey Demgen & Moore P.C. for Production of Financial Forecast and to approve the Addendum with Pinnacle Consulting Group, Inc as Bond Consultant.

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### LEGAL ITEMS

Fitness Instructor Agreement: Mr. Gray and Ms. Rorer presented the Fitness Instructor Agreement to the Boards. Director Paavilainen inquired into efforts regarding coordinating with additional fitness instructors and Ms. Rorer responded. Director Paavilainen inquired into the process for ratifying agreements with additional fitness instructors and Mr. Gray responded. 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 Fitness Instructor Agreement and to authorize Community Management to enter into individual Fitness Instructor Agreements based on the form set forth, subject to ratification by the Board of Directors.

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### DIRECTOR MATTERS

Director Paavilainen and Director Urban expressed their satisfaction with the April 9, 2024, Regular Meeting Minutes and requested a similar level of detail be included in future Board Meeting Minutes.

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PUBLIC COMMENT

Lee Johnson-Hesson requested clarification regarding ARC approvals for privacy fences. Director Curiel noted his observations regarding different types of privacy fencing being installed throughout the District and Director Urban and Director Bremner 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 Bremner, seconded by Director Simpson, and upon unanimous vote, the meeting was adjourned at 8:25 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