

RECORD OF PROCEEDINGS

**MINUTES OF A CONTINUED REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
PARKER JORDAN METROPOLITAN DISTRICT
HELD
MAY 14, 2013**

A continued regular meeting of the Board of Directors (the "Board") of the Parker Jordan Metropolitan District (the "District") was held on May 14, 2013 at 5:00 p.m. at CliftonLarsonAllen LLP, located at 8390 E. Crescent Parkway, Suite 500, Greenwood Village, CO 80111.

Attendance

In attendance were Directors:

Norman A. Sheldon (arrived at 5:15 p.m.)
Bill Lamberton
Clint Waldron
Mike Cornelsen

Also in attendance were:

Bob Blodgett and Kevin Collins; CliftonLarsonAllen LLP
Rick Kron; Spencer Fane & Grimshaw LLP
Don Leyn; 16498 E. Phillips Place (via telephone)
John R. Feters III; Resident, MPIC
Kevin Pettway; 16253 E. Otero Avenue
Chad Clavel; 7898 S. Joplin Court
Dan Harris; 7699 S. Joplin Way

Call to Order

Director Cornelsen called the meeting to order at 5:00 p.m.

Pledge of
Allegiance

Director Cornelsen led the Board and audience in the pledge of allegiance.

Declaration of
Quorum/Director
Qualifications
Disclosure Matters

The Board was advised that pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board then reviewed the agenda for the meeting, following which each Board member confirmed the contents of any written disclosure previously made of record, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting. Additionally, the Board determined that the participation of members present was necessary to obtain a quorum or otherwise enable the Board to act.

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Director Sheldon reported that he had disclosed his interest as an owner of property located in the District. His son, Dan Sheldon, owns a minority interest in South Creek Investors, LLC and Director Sheldon has no financial interest therein. Director Sheldon is adding his wife as an owner of property in the District. These disclosures are in association with the consideration and/or approval of agenda items which may affect his interests. A written disclosure of his interests was filed with the Secretary of State prior to the meeting.

Director Lamberton reported that he had disclosed his interest as an owner of property located in the District. He is a director and owns a minority interest in Emerald Isle Landscaping, LLC, and family members have additional interests therein. Director Lamberton reported he is a co-signer on an equipment loan for Emerald Isle Landscaping, LLC. The disclosure is in association with the consideration and/or approval of agenda items which may affect his interests. A written disclosure of his interests was filed with the Secretary of State prior to the meeting.

Director Waldron reported that he had disclosed his interest as an owner of property located in the District. Director Waldron is also an associate attorney with White, Bear & Ankele, which serves as general counsel to Cornerstar Metropolitan District. The disclosure is in association with the consideration and/or approval of agenda items which may affect his interests. A written disclosure of his interests was filed with the Secretary of State prior to the meeting.

Director Cornelsen presented information on his disclosure as an owner of a home in the Southcreek Subdivision. His home backs up to the 27-Acre Open Space. A written disclosure of his interests was filed with the Secretary of State prior to the meeting.

Consideration
of Agenda

Director Cornelsen recommended that the Conflict of Interest Resolution be moved to the beginning of the Discussion Agenda. The Board concurred. The Board approved the agenda with this change.

Public
Comment

Mr. Clavel asked about the status of the Ladera Connection. Mr. Blodgett will have Mr. Lambert contact him. Mr. Blodgett will also ask Mr. Duncan to contact him regarding the update. Mr. Clavel also asked about the status of the new Arapahoe Road Bridge over Cherry Creek and the future trail extension. Director Sheldon responded. Mr. Blodgett reported this information is also available on the District's website.

CONSENT AGENDA

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Mr. Collins reported the March 31, 2013 Financial Statements are not included in the Board meeting packet. This item was removed. Director Waldron expressed concern about the amount of time Valerian has spent on their bill related to the kiosk. Ultimately, the responsibility for the kiosk is with Boyd and Four Winds. The Valerian invoice is approximately \$2,900.

After discussion, the Board removed the Valerian bill from the claims, and asked that it be billed to Boyd for payment since the kiosk is under warranty and it is presently not operational.

Upon a motion duly made and, seconded by unanimous vote, the Board approved the Consent Agenda as amended with the removal of Item 6B, the March 31, 2013 Financial Statements and the Valerian LLC April invoice.

- a. Review and Approve Minutes of the April 16, 2013 Regular Meeting
- b. Review and Accept May 14, 2013 Cash Position Report
- c. Review and Approve April 2013 Claims Totaling \$52,690.05 Represented by Check Numbers 1681 Through 1690 and Check Number 1692 and Director's Fees Totaling \$369.40 Represented by Check Numbers 1674 Through 1677

DISCUSSION ITEMS

Responses
To RFQ's for
Management and
Accounting
Services

After discussion, the Board decided to retain the services of CliftonLarsonAllen LLP for management and accounting services at this time.

Capital Projects

- a. Ladera Connection Update

Director Sheldon reported he has contacted Mr. Carter of Arapahoe County to arrange a meeting with he and Director Waldron to discuss the review process and the fees and request a waiver of some or all of the fees required for the project.

- b. PJCOS Irrigation Line Within ACWWA Easement

Mr. Kron reported the District has the authority to construct the irrigation line within the ACWWA easement. Mr. Blodgett reported that Emerald Isle will be proceeding with work on Friday morning.

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Upon a motion duly made and seconded, and unanimously carried, the Board approved the proposal of Emerald Isle Landscaping for constructing the irrigation line within the ACWWA easement on the PJCOS property in the amount of \$2,150.

c. Other

None.

Legal

a. CORA Lawsuit Update

Mr. Kron updated the Board on the status of this case. The parties are waiting to receive a decision from the Court of Appeals.

b. Discussion and Possible Action on Conflict of Interest Resolution

The Board discussed Section 3D and clarified its intent. The Board also discussed 3E and clarified this only applies to current Board members.

Mr. Kron summarized the various provisions of the Conflict of Interest Resolution. Director Cornelsen thanked Mr. Kron for his efforts in preparing this resolution responding to the Board's concerns.

After discussion, and upon a motion duly made and seconded, and unanimously carried, the Board approved the Conflict of Interest Resolution as amended.

c. Executive Session

None needed.

d. Legislative Update

Mr. Kron provided an update on important District related bills approved by the Legislature in the recent session that just adjourned.

Financial

a. Discuss Additional Base Budget Alternative

Mr. Collins reviewed the additional base budget alternatives and estimated expenditures associated with future Capital Budget projects. The Board accepted this information as a guide for use in preparing the 2014 Budget and mill levy. This will be discussed later in the summer when the draft budget discussions begin.

b. Status of 2012 Audit

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Mr. Collins reviewed the 2012 Audit with the Board. The Board decided that Simmons & Wheeler, the District's auditor, did not need to attend a future Board meeting.

After discussion, upon a motion duly made, seconded, and unanimously approved, the Board approved the 2012 Audit subject to final legal, accounting and management review, and authorized Mr. Collins to file with the Division of Local Government.

- c. Review and Consider Approval of Emerald Isle Landscaping, Inc. Invoice for April Maintenance - \$8,703.84

Upon a motion duly made, seconded, and unanimously carried, the Board approved the payment of the Emerald Isle Landscaping invoice in the amount of \$8,703.84. Director Lambertson did not participate and abstained.

Upon a motion duly made, seconded, and unanimously carried, the Board approved the invoice for reimbursements to Director Sheldon in the amount of \$92.47. Director Sheldon did not participate and abstained.

Director's Items

- a. 27 Acre PJCOS Grant – Review Preliminary Design RFQ's

The Board reviewed the qualifications of Design Concepts and The Natural Playground Company. They decided The Natural Playground Company approach was a better fit for the 27 acre project.

After discussion, the Board authorized Mr. Blodgett to contact The Natural Playground Company and arrange for them to attend a special Board meeting as soon as possible. The District will pay for the cost of airfare for one individual from The Natural Playground Company to attend the Board meeting with the District and an on site review.

- b. March 4th Work Session Update and Continuation of Items 3 Through 12

The Board decided this may be removed from future agendas. These topics have been addressed through various Board meetings.

- c. Discuss PJCOS Ownership Issue

Director Sheldon reported Mr. Widner, City of Centennial (COC) attorney, contacted him this afternoon. He indicated the COC discussed this matter in Executive Session at their May 13th City Council meeting. The City decided they did not have the funds or an interest in acquiring additional ownership from Parker Jordan Metropolitan District.

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d. Discuss Results of SDA Media Training

Director Sheldon stated the training was worthwhile. He stated this similar training will be provided at the SDA conference in Keystone in September for interested Board members.

e. Confirm Quorum for Next Meeting – June 18, 2013 at 5:00 p.m.

Directors Lamberton, Sheldon and Waldron confirmed a quorum for the June 18th meeting.

f. Other

Director Lamberton asked if the Board would consider moving the meeting to a time during the day. The Board stated this makes it difficult to provide public input, and also for those Board members who work full time. Action was tabled on changing the regular Board meeting time.

Manager's Items

a. SDA Spring Board Member Workshop

Mr. Blodgett reported the spring workshop in the Denver area is June 14th. If Board members are interested in attending, his office will register them.

b. PJCOS Tree Replacement

Mr. Blodgett reported that Ms. Powell, ERO, reported the U.S. Fish & Wildlife Service should be contacted regarding the District's request. Permits may be required for the District to proceed with replacing the trees.

After discussion, the Board asked that Mr. Cyboron from Emerald Isle Landscaping contact the U.S. Fish & Wildlife Service to discuss their proposal and obtain necessary approval for the District to proceed.

Other Business

a. Accept Resignation of Directors Cal Lennon and Michael Cornelsen

The Board reluctantly accepted the written resignations of Directors Lennon and Cornelsen. Director Lennon had contacted Mr. Blodgett this afternoon indicating because of his pending relocation to Seattle, he could not attend the meeting tonight. Director Cornelsen confirmed that his resignation was due to his new job and family duties.

The Board presented Director Cornelsen a recognition award for his service to the District. Director Waldron will take Director Lennon's recognition award to him.

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Mr. Don Leyn joined the Board meeting by telephone. He expressed an interest in filling one of the vacancies on the Board. The Board thanked him for his interest. This issue will be further discussed at the June Board meeting.

Mr. Blodgett reported the Arapahoe Library District bookmarks containing the 2013 bookmobile schedule at the Broncos Parkway Trailhead will be distributed in the ACWWA water bills at the end of May.

After discussion, the Board decided that the Board member vacancy information will be placed on the website immediately.

The Board discussed the District's iPad retention policy for Board members who leave the District Board. The present policy provides that Board members who complete their term may retain their iPad. Those that leave early, will be subject to a Board discussion. The Board expressed concern that this policy is not clear related to the length of the term or whether one was appointed or elected. Director Waldron noted that he works with another District that has a much clearer policy related to the age of the iPad and what it's current value may be when a director leaves.

After discussion, upon a motion duly made, seconded, and unanimously approved the Board authorized Mr. Collins to utilize that policy and determine the value of Director Lennon's and Cornelsen's iPads, and offer to sell them for a nominal fee. Mr. Collins will calculate a cost and provide it to Directors Cornelsen and Lennon for their review and decision.

Adjournment

Upon a motion duly made, seconded and unanimously approved, the Board adjourned the meeting at 7:15 p.m.


Secretary for the Meeting