

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
PARKER JORDAN METROPOLITAN DISTRICT
HELD
JUNE 18, 2013**

A regular meeting of the Board of Directors (the "Board") of the Parker Jordan Metropolitan District (the "District") was held on June 18, 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
Bill Lamberton
Clint Waldron

And, as noted herein:

Don Leyn; 16498 E. Phillips Place
Kevin Pettway; 16253 E. Otero Avenue

Also in attendance were:

Bob Blodgett, Mat Mendisco and Kevin Collins; CliftonLarsonAllen LLP
Rick Kron; Spencer Fane & Grimshaw LLP
Ron Lambert; Mulhern MRE
Mike Cornelsen; 16161 E. Otero Avenue
Chad Clavel; 7898 S. Joplin Court
David Sica; 7990 S. Kittredge Way
Ron King; The Natural Playgrounds Company (via telephone)
Mike Wurdeman; Red Hawk Ridge Elementary School Principal

Call to Order

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

Pledge of
Allegiance

Mr. Wurdeman 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

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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.

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.

Consideration of Agenda

Mr. Blodgett reported that Emerald Isle and United Development invoices are included in the May 2013 claims total on the Consent Agenda. These will be considered separately, and not approved as part of the Consent Agenda. The Board concurred.

Upon a motion duly made, seconded, and by a unanimous vote, the Board approved the Consent agenda as modified.

Public Comment

There were no comments.

CONSENT AGENDA

- a. Review and Approve Minutes of the June 4, 2013 Special Meeting
- b. Review and Approve Minutes of the May 31, 2013 Special Meeting

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- c. Review and Approve Minutes of May 14, 2013 Special Meeting
- d. Review and Accept May 31, 2013 Financial Statements
- e. Review and Accept June 12, 2013 Cash Position Report
- f. Review and Approve May 2013 Claims Totaling \$26,068.09 Represented by Check Numbers 1701 Through 1715 and Director's Fees Totaling \$646.45 Represented by Check Numbers 1694 Through 1700
- g. Approve Special District Property and Liability Pool Resolution No. 2013-06-01

DISCUSSION AGENDA

Discuss Board Vacancies

The Board reported Mr. Leyn and Mr. Pettway were the only candidates for the two vacant positions. The Board asked Mr. Leyn and Mr. Pettway to address the Board regarding their interest in serving on the Board of Directors.

Mr. Pettway reported he is deployed to Antarctica approximately four months per year. He will call in or Skype to the Board meetings during that period of his absence. Mr. Kron indicated this is an acceptable way to still attend the Board meeting.

- a. Consider Appointment(s)

Upon a motion duly made, seconded, and by a unanimous vote, the Board approved the appointment of Don Leyn and Kevin Pettway to the two vacant Board positions.

- b. Oath of Office(s)

Director Sheldon administered the Oath of Office to Mr. Leyn and Mr. Pettway. They took their seats on the Board.

Capital Projects

- a. Discuss Request by Red Hawk Ridge Elementary School for Playground Assistance – Michael Wurdeman, Principal

Mr. Wurdeman summarized his proposal for improvements to the Red Hawk Ridge Elementary School playground including fixing a drainage problem, adding picnic tables, trees, a shade shelter and improving the turf areas. He noted the Cherry Creek School District Facilities Department is in agreement with maintaining any improvements the District may construct.

Mr. Kron reported an IGA will be needed between PJMD and Cherry Creek School District regarding the understandings reached by the Board

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and Mr. Wurdeman regarding construction and maintenance responsibility.

The Board asked Mr. Lambert to review the drainage area to the south of the playground which is overgrown and appears to be a hazard to the community and the students at the school. Mr. Lambert will contact SEMSWA or the appropriate agency.

The Board expressed an interest in assisting the school with improvements to the playground. Director Waldron noted the playground is open to the entire River Run community and others in the District in addition to the school students.

Upon a motion duly made, seconded, and by a unanimous vote, the Board approved moving forward in a meeting with the school district on site and preparation of an IGA to assist the school with construction of improvements to the playground. Director Waldron recommended use of Consilium Design. The Board concurred. Mr. Blodgett will arrange a meeting between Director Waldron, another Board member, Consilium Design, the school principal and facilities department next week.

b. Dove Valley Metropolitan District Trail Projects Update – Kevin Crehan

This item was tabled to the July 16th Board meeting.

c. Ladera Connection Update

Mr. Blodgett and Mr. Lambert provided an update on the status of the project. Mr. Blodgett noted the District is still waiting for the official notice from Arapahoe County that \$4,000 of fees can be waived by considering this as one project rather than two projects. Mr. Carter is to let Mr. Blodgett know within the next week. Mr. Blodgett reported that SEMSWA has agreed to waive \$1,100 of their fees for the project construction.

Mr. Carter is also to confirm that Arapahoe County will maintain the trail once completed.

After additional discussion, upon a motion duly made, seconded by a unanimous vote, the Board approved to move forward with completing design and construction of the trail subject to a waiver of some of the fees by Arapahoe County and SEMSWA. The Board also authorized Mr. Kron to obtain necessary easements with the County and the Ladera HOA as required for construction and maintenance of the trail.

d. PJCOS Irrigation Line Within ACWWA Easement – Status

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Mr. Mendisco reported he has been in communication with Mr. Fetters regarding necessary documents so that the District can proceed with the irrigation line. Mr. Fetters has recommended a form to be completed by PJMD in lieu of a formal amendment to the easement agreement. Mr. Mendisco is awaiting the submittal of the form by Mr. Fetters for his and the District's review.

- e. Consider Approval of Agreement with Emerald Isle Landscaping for Planting 50 Trees in PJCOS - \$27,252.00

Mr. Mendisco reported Emerald Isle has been in contact with the U.S. Fish and Wildlife Service regarding any necessary approvals and permits for this work. We are awaiting their response.

Upon a motion duly made, seconded by a unanimous vote, the Board approved the proposal by Emerald Isle Landscaping subject to approval from the U.S. Fish and Wildlife Service.

- f. Update on Kiosk Issues

Mr. Mendisco provided an update on the status of the kiosk and the repairs and maintenance being performed by Boyd and Four Winds under warranty with the District.

After discussion, the Board directed Mr. Mendisco to provide an estimate of the actual time spent by Valerian in responding to kiosk issues where Boyd was not able to. Mr. Kron will send a letter to Boyd with the charges requesting reimbursement to the District.

Mr. Mendisco reported that as of this week the kiosk is working. A fact sheet has been developed by Valerian indicating responsibility for the kiosk and its various components going forward when it is out of warranty.

Legal

- a. CORA Lawsuit Update

Mr. Kron reported the District is waiting for the Court of Appeals decision.

- b. Discussion and Possible Action on First Amendment to Easement Agreement with MPIC

This item was tabled until the form recommended by MPIC is received and reviewed.

- c. Discuss Alberta Facility Fee Reimbursement Agreement Assignment Request

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Director Waldron recommended that this be removed from the agenda. The Board concurred.

d. *Executive Session (if necessary)

No executive session necessary.

Financial

a. Review and Consider Approval of Emerald Isle Landscaping, Inc. May Invoice - \$4,447.92

Upon a motion duly made, seconded, and by a unanimous vote, the Board approved the Emerald Isle invoice. Director Lamberton did not participate and abstained.

b. Review and Consider Approval of United Development Company May Invoice - \$397.50

Upon a motion duly made, seconded, and unanimously carried, the Board approved the payment of the United Development Company invoice in the amount of \$397.50. Director Sheldon did not participate and abstained.

c. Other

Mr. Lambert reviewed the requested public improvement reimbursements by South Creek Investors, LLC at the northeast corner of Broncos Parkway and Jordan Road. He reported \$163,064.15 is eligible for reimbursement. Mr. Kron reported a reimbursement agreement with South Creek needs to be prepared. He distributed a draft. He will revise this draft for the July Board meeting. Mr. Lambert noted the eligibility for reimbursement does not mandate a future funding by the District. Funding is provided when and if funds are available in the future.

Upon a motion duly made, seconded, and by a unanimous vote, the Board approved the eligibility of \$163,064.15 in future public improvement reimbursements to South Creek Investors subject to preparation of a reimbursement agreement between the District and South Creek Investors. Directors Sheldon and Waldron did not participate and abstained.

Director's Items

a. 27 Acre PJCOS Grant Status

Mr. King joined the Board meeting by telephone. He explained the work that Natural Playgrounds would undertake with Board approval of the agreement. The Board asked if a sketch or preliminary design was available at a cost of approximately \$1,000. Mr. King reported the design is based on questionnaires of adjacent residents and the Board prior to proceeding. He does not have a short form agreement.

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The Board expressed concern about proceeding without a better understanding of what would be designed. The Board thanked Mr. King for his assistance. Mr. King left the meeting by telephone at that time.

1. Consider Approval of Agreement with the Natural Playgrounds Company for Design of Natural Playground - \$15,620

The Board tabled action on the agreement.

2. Consider Approval of Proposal for the Playground Survey Work, Bell Surveying - \$2,865

The Board tabled this item.

3. Schedule

Director Waldron recommended that a meeting be set with Rocky Mountain Recreation to discuss a potential sketch plan and design for the playground before proceeding further. The Board concurred. The Board directed Mr. Blodgett to arrange a meeting between Director Waldron, another Board member and Rocky Mountain Recreation to discuss a potential design for the 27 acre open space area.

- b. Discuss City of Centennial Sponsorship Request for August 3rd "Celebrate Under the Stars" Event

The Board decided not to contribute funds to this project.

- c. Confirm Quorum for Next Meeting – July 16, 2013 at 5:00 p.m.

A quorum was confirmed.

- d. Election of Officers

After discussion, upon a motion duly made, seconded by a unanimous vote, the Board elected the following officers:

President – Norman Sheldon
Vice President – Clint Waldron
Secretary//Treasurer – Don Leyn
Assistant Secretary//Treasurer – Kevin Pettway
Assistant Secretary//Treasurer – Bill Lamberton

Upon a motion duly made, seconded, and by a unanimous vote, the Board approved payment to Valerian LLC represented by check number 1716 in the amount of \$2,991 for work done related to the kiosk and other work in April. This check had been tabled at the May Board meeting.

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Manager's Items

a. Website Update

Mr. Blodgett provided an update to the Board.

b. SDA Conference – September 18-20, Keystone

All Board members expressed an interest in attending some or all of the conference. Mr. Blodgett will inform Ms. Brandenburger to coordinate.

c. June 28th Shareback Ceremony at 17-Mile House

Board members will attempt to attend this ceremony within the District.

d. November 2013 Election

The Board decided there will be no election in November 2013.

e. Orientation

Mr. Blodgett will arrange an orientation session for Mr. Pettway and Mr. Leyn as needed.

f. CCBWG

Mr. Blodgett will coordinate with Director Sheldon regarding their next meeting.

g. iPads

Mr. Blodgett reported that Mr. Cornelsen has decided to purchase his iPad for its fair value of \$250 as determined by Mr. Collins. Mr. Lennon asked the Board to consider a price of \$125 based on the length of service of his term. After discussion, the Board decided to confirm its policy to value the used iPads at a market rate and depreciated value. Mr. Lennon's iPad is also available to him for \$250. Mr. Blodgett will inform Mr. Lennon.

Other Business


Mr. Pettway suggested the grasses and trees within the open space be labeled for additional public education for area residents and other visitors to this public site.

Mr. Pettway stated he would like to research a window surface tablet before requesting the District to purchase an iPad for him. Director Leyn indicated he does not want an iPad. He will use his laptop for the electronic meeting materials.

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Adjournment

Upon a motion duly made, seconded, and unanimously approved, the Board adjourned the meeting at 8:40 p.m.


Secretary for the Meeting

