

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
PARKER JORDAN METROPOLITAN DISTRICT
HELD
OCTOBER 15, 2013**

A regular meeting of the Board of Directors (the "Board") of the Parker Jordan Metropolitan District (the "District") was held on October 15, 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

Also in attendance were:

Bob Blodgett, Mat Mendisco, Rachele King and Kevin Collins;
CliftonLarsonAllen LLP
Rick Kron; Spencer Fane & Grimshaw LLP
Ron Lambert; Mulhern MRE
Jeff Wohlfarth & Craig Karn; Consilium Design
Chad Clavel; Ladera
Gary Atkin; ACWWA

Call to Order

Director Sheldon called the meeting to order at 5:10 p.m.

Pledge of
Allegiance

Mr. Mendisco 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.

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

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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.

The Board excused the absences of Directors Leyn and Pettway.

Consideration of Agenda

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

Public Comment

Mr. Atkin, General Manager of Arapahoe County and Wastewater Authority, reported that the Authority is willing to work with the District on any re-use project within the District or PJCOS. Director Waldron asked that ACWWA be more transparent on their website regarding issues with the reverse osmosis plant and water quality issues for the residents. Providing this information on the website makes it easily accessible for residents rather than having to call the District to request this information, it is all public information. Director Waldron reported that common annual items such as the approved budget should also be on the website for the convenience of their customers.

Mr. Atkin acknowledged Director Waldron's comments and reported he would review the website for possible improvements.

Mr. Atkin reported the separate gray water system is not currently being used within the District by homeowners, but it can be potentially in the future.

The Board thanked Mr. Atkin for his willingness to attend the Board meeting and offer to partner with the District on future projects.

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CONSENT AGENDA

- a. Review and Approve Minutes of the September 24, 2013 Special Meeting
- b. Review and Accept October 15, 2013 Cash Position Report
- c. Review and Approve September 2013 Claims Totaling \$70,127.74

Mr. Blodgett reported that September claims total \$70,127.74, and directors' fees totaled \$277.05

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

DISCUSSION AGENDA

Capital Projects

- a. Red Hawk Ridge Elementary School Playground Improvement Project
 1. Discuss Playground Improvement Design

Mr. Wohlfarth represented several options to the Board for review and consideration. He reported that the District is meeting with the Red Hawk Ridge Elementary School principal and facilities representative on October 23rd. Directors Waldron and Sheldon will attempt to attend. Ms. Brandenburger will send an appointment to the Board regarding this meeting at 10:00 a.m. at the school.

2. Status of IGA with Cherry Creek School District for Playground Construction Funding by PJMD

Mr. Kron reported he is awaiting comments from the school district's attorney before proceeding further.

3. Schedule

The plan is to approve the design this fall for construction in the spring of 2014.

- b. 27 Open Space Planning Grant
 1. Consider Approval of Agreement with Consilium for Design Services - \$15,500

This item was tabled.

2. Discuss Agreement with Ecologist and J3 Engineering

This item was tabled.

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3. Grant Budget Status

No discussion.

4. Next Steps

The Board discussed the possibility of tabling any action at the Open Space until the weed mitigation efforts have a chance to mature over the next year or two. Perhaps a 2015 planning grant makes more sense. The Board discussed the possibility of returning the remaining 2012 planning grant funds to Arapahoe County.

Mr. Karn suggested that a representative at Western States Reclamation review the site first to determine its restoration status, and advise the Board.

After discussion, the Board concurred. Mr. Karn will inform Mr. Blodgett of the contact information from Western States Reclamation for a review of the Open Space prior to the next Board meeting if possible.

c. Ladera Connection Update

Mr. Lambert reported that Arapahoe County is now requiring additional plans to be submitted and additional fees. These have not been previously disclosed.

The Board asked Mr. Blodgett to contact Mr. Carter to discuss the reasons for the delay.

1. Consider Approval of Bid from Colorado Concrete Construction LLC - \$38,733.98

Upon a motion duly made, seconded, and by unanimous vote, the Board approved the construction bid from Colorado Concrete Construction LLC pending the certified letter from the Ladera HOA that they support the plans and the easements are approved by the County and HOA, and all other requirements by Arapahoe County are addressed.

2. Schedule

Not discussed.

Legal

a. *Executive Session (if Necessary)

Not Required

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Mr. Kron reported that the Court of Appeals did not award funds to the District from MPIC. The Court of Appeals has the authority to return the District's deposit of \$250. This had been requested by Mr. Bronesky.

Financial

- a. Review and Consider Approval of Emerald Isle Landscaping, Inc. September Invoice - \$16,536.41

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

- b. Consider Approval of a Check to Director Sheldon for Reimbursement Expenses Totaling \$290.54

Upon a motion duly made, seconded, and unanimously carried, the Board approved the reimbursement payment to Director Sheldon in the amount of \$290.54. Director Sheldon did not participate and abstained.

- c. Consider Approval of a Check to Director Waldron for Reimbursement Expenses Totaling \$424.85

Upon a motion duly made, seconded, and unanimously carried, the Board approved the reimbursement payment to Director Waldron in the amount of \$424.85. Director Waldron did not participate and abstained.

- d. Consider Approval of a Check to Director Lamberton for Reimbursement Expenses Totaling \$TBD

Tabled to the November meeting.

Director's Items

- a. Discuss Holiday Dinner

After discussion, the Board asked Mr. Blodgett's office to contact Ya Ya's Restaurant regarding the use of their private room. Director Sheldon will also contact the manager at Del Frisco's to negotiate their rate offer and room price if possible.

- b. CCSP Annual Conference, November 6

Mr. Blodgett's office will register Board members if any are interested.

- c. Confirm Quorum for Next Meeting (2014 Budget Public Hearing) – November 19, 2013 at 5:00 p.m.

Directors Sheldon and Waldron are available for this meeting. Director Lamberton indicated he may not be available. The status of Directors Leyn and Pettway are not known. November 12th may be a backup for this meeting. Mr. Blodgett's office will contact the Board to verify.

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Manager's Items

a. PJCOS

1. Consider Approval of Agreement with Emerald Isle for Kiosk Erosion Control and Landscaping

Emerald Isle has not yet provided this revised proposal for review by the Board.

2. Status of Kiosk Repairs

Mr. Mendisco reported the repairs have been scheduled in October. After discussion, the Board tabled the additional work that would be required in order to provide regular usage statistics on the kiosk. This was not in the original design, and to add it will cost approximately \$4,000.

3. Discuss Security Camera Proposal with Denver Protection Services - \$7,800

Directors Waldron and Sheldon acknowledged the security camera test did not work well after dark. After discussion, the Board tabled the addition of any security cameras other than the one at the kiosk itself for kiosk users.

4. South Creek Request for PJCOS Access Through Fence

Mr. Kron reported this fence is on private property and is owned by the HOA, and therefore, the District does not have jurisdiction to approve or deny this request. Mr. Mendisco will inform the South Creek HOA and thank them for involving the District if needed.

b. 2014 Budget Schedule

1. October 15 – Board Meeting to Discuss Draft Budget

The Board discussed the draft budget briefly with Mr. Collins. Director Lamberton stated his goal would be to lower the General Fund mill levy at least 1 mill in 2014. After discussion, the Board decided to schedule a budget workshop meeting prior to the November 19th regular board meeting. Mr. Blodgett's office will coordinate that schedule with the Board.

2. November 19 – Public Hearing to Review and Approve 2014 Budget

Mr. Blodgett's office will coordinate with the Board regarding confirmation of the November 19th regular meeting.

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c. Website Update

No report.

d. Referrals

None.

Other Business

a. Discuss 2014 Budget

Directors Leyn and Pettway were unable to call in due to their work schedules. No additional discussion.

Adjournment

Upon a motion duly made, seconded, and unanimously carried, the Board adjourned the meeting at 8:10 p.m.


Secretary for the Meeting