

RECORD OF PROCEEDINGS

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**MINUTES OF A CONTINUED REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
PARKER JORDAN METROPOLITAN DISTRICT  
HELD  
March 11, 2014**

A continued regular meeting of the Board of Directors (the "Board") of the Parker Jordan Metropolitan District (the "District") was held on March 11, 2014 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  
Kevin Pettway

Also in attendance were:

Bob Blodgett, Matt Mendisco and Kevin Collins; CliftonLarsonAllen LLP  
Rick Kron; Spencer Britt & Browne LLP  
Ron Lambert; Mulhern MRE  
Jeff Brasel; City of Centennial (via telephone)  
Jeff Wohlfarth; Consilium Design (via telephone)  
Mark Hoover; 16451 E. Phillips Dr., Englewood, CO 80112  
Mike Wurdeman; Red Hawk Ridge Elementary School Principal

Call to Order

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

Pledge of  
Allegiance

Mr. Hoover 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 Leyn reported that he owns a 50% interest in Universal Lighting Systems, LLC and owns a residence in the District. A written disclosure of his interests was filed with the Secretary of State prior to the meeting.

Director Pettway reported that he is a homeowner in the Southcreek Subdivision within the District and is a member of the Board of the Southcreek Master HOA. A written disclosure of his interests was filed with the Secretary of State prior to the meeting.

Director Lamberton reported he is moving a new company into his building within the District. Mr. Kron will work with him regarding the necessary future disclosures.

The Board excused the absence of Director Leyn.

### Consideration of Agenda

Director Waldron asked for the issues involving Mr. Brasel and Mr. Wurdeman to be addressed early in the meeting. The Board concurred.

Upon a motion duly made, seconded, and upon a vote, unanimously carried, the Board approved the Agenda as modified.

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### Public Comment

Mr. Brasel reported the City of Centennial has increased their loose dog enforcement efforts at PJCOS. Several warnings have been issued to residents with dogs off leash. He stated the City can manufacture some signs to be placed along the trail to emphasize the need to keep dogs on their leash. The Board asked Mr. Brasel to work with Mr. Blodgett's office to discuss signage language and location options and bring these back to the Board for review and approval. Director Sheldon suggested signs at the entrance to the regional trail near the Broncos Parkway Trailhead at the southern entrance to the trail near the 17 Mile House and 2-3 others along the trail.

Director Sheldon asked if the City could review the possibility of an off-leash dog area within PJCOS in the future. Mr. Brasel indicated he would need to review with Staff and City Council.

The Board discussed the possibility of Mr. Mendisco reviewing the cost of a fence to be placed adjacent to the fence owned by the Fetters. After discussion, action on this proposal was tabled.

Director Waldron asked about the status of Potomac Park. Mr. Brasel reported there was a master plan effort completed in the Fall of 2013. The plan consists of 3-9 ball fields and soccer fields. The build out cost is \$15-\$20 million. The City is currently working with Arapahoe County to perhaps partner with them and coordinate the development of Potomac Park with future development of Dove Valley Regional Park.

Mr. Blodgett reported that Mr. Carter, Arapahoe County Open Space Administrator, is interested in discussing the possibility of a joint maintenance agreement with the County for the 17 Mile House property in PJCOS, CCVEP and Aurora Open Space south of Arapahoe Road. Mr. Brasel stated the City of Centennial is interested in discussing this also. Mr. Blodgett will schedule a meeting in the near future with all the parties to discuss. Directors Sheldon and Waldron will attend on behalf of the Board.

Mr. Wohlfarth provided an update regarding the design development for the Red Hawk Ridge Elementary School playground improvements. He noted the project is slightly behind schedule since the Cherry Creek School District has not authorized the required survey of the property yet. This is delaying the final design and engineering work. Mr. Wohlfarth does not know why the School District has not yet approved the survey. Director Sheldon stated he is attending the next status report meeting Wednesday morning at the School District, and this issue will be discussed with them at that time. Mr. Lambert, Mr. Wohlfarth and Mr. Mendisco will also be attending this meeting for the District.

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Mr. Wurdeman thanked Mr. Wohlfarth for his updates. Mr Wurdeman stated he will be happy to assist in expediting the project in anyway he can.

Mr. Wohlfarth and Mr. Brasel left the meeting at 5:35pm.

### **CONSENT AGENDA**

Mr. Blodgett reported the February 28, 2014 financial statements are not ready due to the early Board meeting this month.

Mr. Blodgett reported the February claims needing to be ratified total \$3,382.76. Current claims are \$25,635.23. Directors' Fees are \$461.75 including payment for Director Leyn for the February meeting he attended.

After further discussion, upon a motion duly made seconded, and upon vote, unanimously carried, the Board approved the Consent Agenda as modified.

- a. Review and Approve Minutes of the February 18, 2014 Regular Meeting
- b. Accept February 18, 2014 Cash Position Report
- c. Ratify Approval of February Claims Totaling- \$3,382.76
- d. Approve Current 2014 Claims Totaling \$25,635.23 and Directors' Fees Totaling \$461.75

### **DISCUSSION AGENDA**

#### Capital Projects

- a. 27 Acre Open Space Planning Grant
  1. Discuss Maintenance Options for Cherry Creek Corridor (CCVEP, PJCOS and 17 Mile House)  
  
Previously discussed
  2. Discuss Future PJCOS monitoring.

Mr. Blodgett stated this is the issue of the future involvement of an Ecologist working with the District in the addition to our maintenance contractors. A decision was tabled until the joint maintenance discussion is held with Arapahoe County.

- b. Red Hawk Ridge Elementary School Playground Improvement Project

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1. Status of Design

2. Construction Schedule

Previously discussed.

c. Ladera Trail construction Status

Mr. Lambert reported SEMSWA is holding \$41,200.00 as deposit for the District required erosion control. He is asking to release that since the District will be addressing the erosion issues in the Fall with the contract recently approved for Western States Reclamation.

Mr. Lambert stated the contractor is ready to begin work once the ground dries out from the recent rain and snow. Hopefully that will be next week.

Legal

a. May 6, 2014 Directors' Election

Mr. Kron distributed information listing the candidates and schedule for the May 6<sup>th</sup> mail ballot election. He also distributed the mail ballot election plan. Mr. Kron will amend the summary to include the time by which ballots must be received on May 6<sup>th</sup>.

The Board authorized all the information to be placed on the District's website.

Director Lamberton asked about the cost for the mail Ballot Election of 2012. Mr. Collins indicated it was about \$44,000. Director Lamberton stated his concerns about the District spending so much money for a contested mail ballot election. He is considering resigning from the Board to help avoid this expense. Mr. Kron reported even with his resignation there would have to be one other withdrawal from the election for the 4 year term and one of the 2 year term candidates will also have to withdraw. Otherwise, the mail ballot election will be conducted anyway. Director Pettway was also concerned about the cost but was pleased to have the opportunity to run and be elected by the residents of the District rather than be appointed by the Board.

b. Status of Tract A Detention Pond Adjacent to Savannah Condominiums

Director Sheldon reported that he spoke to Mr. McCarty, SEMSWA Manager, who indicated he hopes to have an answer regarding the potential ownership and maintenance of the detention pond by SEMSWA later this week.

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- c. \*Executive Session (if necessary)

Not needed.

Financial

- a. Review and Consider approval of Emerald Isle Landscaping, Inc. February Invoices

Upon a motion duly made, seconded, and upon vote, unanimously carried, the Board approved the January invoices submitted by Emerald Isle Landscaping in the amount of \$5,318.50. Director Lamberton did not participate and abstained.

- b. Review and Consider Approval of Reimbursement to Director Sheldon - \$42.27

Upon a motion duly made, seconded, and upon vote, unanimously carried, the Board approved \$42.27 submitted by Director Sheldon for reimbursement. Director Sheldon did not participate and abstained.

- c. Review March 1<sup>st</sup>, 2014 Cash Position Report

Mr. Collins reviewed the March 1, 2014 Cash Position Report with the Board. They also reviewed the Property Tax Collection Report. After discussion, the Board accepted both of these reports.

Director's  
Items

- a. Website/Email Update – Director Leyn

Deferred in the absence of Director Leyn.

- b. Confirm Quorum for Next Meeting – April 15, 2014 at 5:00 p.m.

The Board confirmed a quorum for the April 15, 2014 meeting.

Director Sheldon asked if Mr. Blodgett would confirm this information with Director Leyn.

- c. Other

Manager's  
Items

- a. Referrals

Mr. Blodgett reported Director Waldron had referred the Healthcare Plasma Project on the west side of Parker Road, South of Arapahoe Road to his office. This tract is in the City of Aurora and within the Parker Jordan Metropolitan District. It had inadvertently been shown as excluded with the Cornerstar Property in 2006. A referral had not been received from the City of Aurora when the project was approved and permit issued

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recently. Mr. Mendisco reported he has sent a letter to the property owner with a bill for approximately \$19,000 per the District facility fee resolution. The property owner was very concerned they were not aware of this fee in advance. Mr. Mendisco reported the fee is recorded and we had not received the development information from the City of Aurora.

b. PJCOS Loose dog Enforcement Issue

Previously discussed.

c. Other

Mr. Blodgett reported Mr. Ruhland and Ms. Miller from the Miller & Associates Law Firm has requested that Director Sheldon and he be a part of an SDA panel regarding the recent CORA case against the District, in which the District prevailed in 2013. The panel will also include Mr. Joseph Bronesky of Sherman & Howard, LLC, who handled the litigation for the District and Mr. Ruhland. Director Sheldon recommended Director Waldron attend and be on the panel in his place. Director Waldron agreed.


Mr. Kron reported he was informed today legislation will be introduced that reverses many of the court findings in favor of the District in the case. He will update the Board at the next meeting. Mr. Blodgett will discuss with Ms. Miller's office.

Other  
Business

The Board asked that Mr. Hoover provide his background and interest in becoming a Board member. Mr. Hoover indicated he is a 14 year resident of the District and works for Wagner Equipment Company. He has been on the HOA Board for a number of years along with Director Pettway. Director Pettway informed him of projects of the District which piqued his interest to run for the Board. The Board thanked him for his interest in serving on the Board.

Adjournment

Upon a motion duly made, seconded, and upon vote, unanimously carried, the meeting adjourned at 7:15 p.m.

  
Secretary for the Meeting