

Blackstone Metropolitan District
REGULAR MEETING OF THE BOARD OF DIRECTORS
MINUTES
May 21, 2024

I. ATTENDANCE & CALL TO ORDER

Board Members in attendance were Perry Deeds, Lisa Monahan, and Marty Liles.

Also, in attendance were Clint Waldron (White Bear Ankele Tanaka & Waldron), Curtis Bourgouin (CliftonLarsonAllen LLP), Ben Zand (LandTech Contractors, LLC), Jordan Devine (Westwind Management Group, LLC), and members of the public. The meeting was called to order at 6:00 pm.

II. DISCLOSURE OF ANY CONFLICTS OF INTEREST – Mr. Waldron reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State’s Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law. Mr. Waldron inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to 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 Board to act.

III. AGENDA REVIEW / UPDATES OR APPROVAL – Ms. Devine requested to remove approval of the April 16, 2024, Special Meeting Minutes from the Consent Agenda. Director Deeds requested to move item VII. VACANT DIRECTOR POSITION to IV. and to add a discussion on recording District Board meetings to XIII. OTHER BUSINESS. c. Director Monahan requested to add the appointment of Architectural Review Committee members to IX. COMMITTEE REPORTS, b. 1. Upon motion duly made by Director Liles, seconded by Director Deeds, upon vote, unanimously carried, the agenda was approved as amended.

IV. VACANT DIRECTOR POSITION

- a. The Board considered applicants for the vacant Director position and asked those present to introduce themselves and explain their reasons for running for the Board of Directors.
- b. Following discussion, upon motion duly made by Director Liles, seconded by Director Monahan, upon vote, unanimously carried, the Board appointed Brent Johnston to the Blackstone Metro District Board of Directors.
- c. The Board discussed the appointment of officers. Upon motion duly made by Director Monahan, seconded by Director Liles, upon vote, unanimously carried, the Board appointed Director Deeds as President. Upon motion duly made by Director Deeds, seconded by Director Monahan, upon vote, unanimously carried, the Board appointed Director Liles as Treasurer.

V. PUBLIC COMMENT

- An owner requested that the Board prioritize debt repayment over additional projects and expressed dissatisfaction with the \$2M spent on common area improvements without homeowner approval. They also criticized the 2024 budget's 11% allocation to the ARI Levy for SARIA, arguing that the funds should benefit the Metro District and asked the Board to investigate reducing this contribution. Lastly, they requested that the \$515K budgeted for capital projects in 2024 be redirected to debt repayment unless 67% of homeowners approve the expenditure.

- An owner expressed agreement with the concerns raised by the previous owner. The Board agreed to hold a special meeting to provide community members with information about SARIA.

VI. CONSENT AGENDA

The Board asked to exclude items b. Ratification of the November 7, 2023, Special Meeting Minutes and d. Ratification of the Resolution Approving Service Plan Amendment from the Consent Agenda, along with item a. Approval of the April 16, 2024, Special Meeting Minutes. Upon motion duly made by Director Monahan, seconded by Director Deeds, upon vote, unanimously carried, the Board approved the consent agenda items as follows:

- a. Approve and Ratify Payment of Claims in the amount of \$137,024.12

VII. ACKNOWLEDGE RESIGNATION OF DIRECTOR MCCALL

The Board acknowledged the resignation of Director McCall from the Blackstone Metro District Board of Directors.

VIII. FINANCIAL REPORT

- a. Mr. Bourgouin presented the financial statements updated as of April 30, 2024. Upon motion duly made by Director Monahan, seconded by Director Liles, upon vote, unanimously carried, the Board accepted the financial statements as submitted by CliftonLarsonAllen LLP.
- b. The review of the 2023 Audit was tabled to June 2024 because the 2023 audit was not yet available for consideration.
- c. Mr. Bourgouin informed the Board about the availability of two credit cards, one of which was previously held by Lee McCall, and asked if another Director would like to become the second cardholder. The discussion was tabled until June 2024.

IX. LANDSCAPE REPORT

- a. Ben Zand, Account Manager with LandTech Contractors, LLC, reported on recent landscape activities, including annual color planting schedule, mulch refreshment, fertilization at Country Club and Hilltop Parks, adjustment of the mowing schedule to the end of the week, upcoming tree warranty inspection, and emphasis on weed management prioritization. Mr. Zand was tasked with providing a report on the tree warranty drive, particularly focusing on the success of tree species across different areas of the community. An owner expressed the desire for more mature trees along Monahan Road and advocated for beauty band mowing. The Board also raised concerns about the lack of immediate cleanup after mowing, uncut weeds, and requested an update on the pre-emergent turf application. Following discussion, upon motion duly made by Director Monahan, seconded by Director Liles, upon vote, unanimously carried, the Board agreed to move the LANDSCAPE REPORT before the first Public Comment section for future Board meetings.

X. COMMITTEE REPORTS

- a. Landscape Committee
 1. Capital Projects
 1. Median and Entryway Project Updates – Ms. Hesketh provided updates, noting the final walk-through with the vendor, during which irrigation and shrub issues were identified. She mentioned that LandTech was aiding in

resolving the irrigation issues and highlighted that an official punch list had not yet been received.

2. The review of the punch list and authorization of the notice for final payment was tabled to a later date due to the unavailability of the official punch list.
3. The consideration of Change Order No. 5 was tabled due to changes in the project's completion date.
4. Ms. Hesketh also notified the Board about a water-wise presentation offered by the city for community members. Additionally, the Board agreed to organize a special meeting with a guest presenter from the city to educate residents about water-wise landscaping. Director Monahan requested revised compliance letter templates from Westwind Management for the Board's review and consideration.

b. Architectural / Design Review

1. Committee Member Appointments – The Board deliberated on the appointment of Architectural Review Committee members. Upon motion duly made by Director Deeds, seconded by Director Liles, upon vote, unanimously carried, the Board appointed the following individuals to the Architectural Review Committee:

- Aaron Jones
- Kathy Morgan
- Tom Hesketh

c. Social Committee – Ms. Morgan presented recent updates.

XI. LEGAL REPORT

- a. Attorney Waldron presented the Streamline Master Services Agreement for consideration to the Board. Upon motion duly made by Director Monahan, seconded by Director Liles, upon vote, unanimously carried, the Board approved the master services agreement with Streamline.
- b. Attorney Waldron discussed the Resolution Adopting a Digital Accessibility Policy with the Board and proposed listing Westwind Management as the compliance officer. Upon motion duly made by Director Liles, seconded by Director Monahan, upon vote, unanimously carried, the Board adopted the Resolution Adopting a Digital Accessibility Policy.
- c. Attorney Waldron presented recent legislative changes.

XII. MANAGEMENT REPORT

- a. Ms. Devine presented the District Management Report.
- b. The Board reviewed estimates from Rocky Mountain Playground Services for risk management signs at Canyon and Hilltop Park.
- c. The Board reviewed estimates from Rocky Mountain Playground Services for playground repairs. These estimates, along with a previously reviewed estimate for risk management signs, were tabled for further discussion. Director Liles was asked to meet onsite with the vendor to discuss the estimates provided in more detail before a final decision was made.
- d. The Board reviewed the Delinquency and Compliance Report and sought additional clarification on the status of accounts with balances exceeding \$1,000.

- e. Other Management Matters
 - 1. Ms. Devine outlined the protocol for community communication, emphasizing the presentation of draft messages to the Board for review before distribution and the submission of emergency communications to the Board President for approval when necessary.

XIII. OTHER BUSINESS

- a. The Board discussed the current status of potential collaboration with Cherry Creek School for the Playground at Woodland Elementary.
- b. The Board also reviewed the progress regarding access to playgrounds for individuals with alternative mobility needs. Upon motion duly made by Director Monahan, seconded by Director Deeds, upon vote, unanimously carried, decided to table discussions on items a. and b. until further notice.
- c. The Board deliberated on potential options for recording and facilitating hybrid District meetings.
- d. The Board inquired about the process of acquiring individual District email addresses for each Director. White Bear Ankele Tanaka & Waldron confirmed they would follow up on this option.
- e. The Board deliberated on the potential attendance of all Directors at the 2024 SDA Conference. White Bear Ankele Tanaka & Waldron confirmed their intention to distribute the request to the Directors after the meeting.
- f. Director Deeds proposed the purchase of Blackstone Metro District polos for the Directors.
- g. The Board inquired about the current location of the warrantied shade sail for Country Club Park. Ms. Devine confirmed that it was stored in the District's storage unit.

XIV. PUBLIC COMMENT

- An owner listed several requests to the Board, which included prioritizing debt servicing over new projects, reconsidering fund allocations to SARIA, and seeking homeowner approval before proceeding with \$515K in capital expenditures, proposing that this amount be used to pay down the principal debt instead.
- An owner voiced frustration regarding taxes, District debt, and SARIA.

XV. ADJOURNMENT

- a. Upon motion duly made by Director Monahan, seconded by Director Deeds, upon vote, unanimously carried, the Board adjourned the meeting at 8:21 pm.

Minutes approved: *Lisa Monahan* Date: 07/09/2024
[Lisa Monahan \(Jul 9, 2024 08:21 PDT\)](#)