

MINUTES OF A JOINT REGULAR MEETING OF THE  
BOARDS OF DIRECTORS

OF

PAINTED PRAIRIE METROPOLITAN DISTRICT NOS. 1-12

Held: Thursday, August 18, 2022, at 11:00 a.m., via teleconference and at 5750 DTC Parkway Suite 210, Greenwood Village, CO 80111 and via teleconference.

The joint regular meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve, were in attendance:

Christopher Fellows  
Tim O'Connor  
Dustin Anderson  
Douglas Hatfield

Also present were Clint C. Waldron, Esq., Megan J. Murphy, Esq., and Tate Crosby, White Bear Ankele Tanaka & Waldron, District General Counsel; Diane Wheeler, Simmons & Wheeler, PC, District Accountant; Barney Fix, Merrick & Company, District Engineer; Matt Ruhland, Esq., Cockrel Ela Glesne Greher & Ruhland, P.C., General Counsel to the Painted Prairie Public Improvement Authority; Maci Watlington, Kent Krause and Britta Schurle, Advance HOA Management, Inc., District Manager.

Call to Order/Declaration of Quorum

Director Fellows noted that a quorum of the Boards was present and called the meeting to order.

Director Conflict of Interest Disclosures

Ms. Murphy 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 Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Director Fellows inquired into whether members of the Boards 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 board members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

Joint Meetings

The Boards of Directors of the Districts have determined to hold joint meetings of the Districts and to prepare joint minutes of action

taken by the Districts in such meetings. Unless otherwise noted, all official action reflected in these minutes is the action of each of the Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

Confirmation of Meeting  
Notice and Posting

Deferred.

Approval of Agenda

Director Fellows reviewed the proposed agenda with the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the agenda.

**Public Comment**

None.

**Consent Agenda**

Director Fellows reviewed the items on the consent agenda with the Boards. Ms. Murphy advised the Boards that any item may be removed from the consent agenda to the regular agenda upon the request of any director. No items were requested to be removed from the consent agenda. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved, ratified and adopted:

- June 22, 2022 Joint Special Meeting Minutes;
- Ratification of Letter to ECI Site Construction Management, Inc. Regarding Landscape Escrow, Maintenance and Warranty Agreement; and
- Agreement for Conveyance of Improvements with Town Center Metropolitan District for Temporary Detention Pond Improvements and Bill of Sale.

**Facilities  
Management/District  
Operations (District No. 1)**

District Manager's Report

Mr. Krause reviewed the District Manager's Report with the Board of District No. 1.

Update on Reserve Study  
Status

Deferred.

Update on Landscape  
Maintenance Bid

Mr. Fix reviewed the three landscape maintenance proposals to the Board with the Board of District No. 1. Following discussion, upon motion duly made and seconded, the Board of District No. 1 unanimously approved the proposal from Schultz Industries Inc., to be billed hourly for snow removal. Mr. Krause to provide estimated snow removal cost to Ms. Wheeler.

Other Facilities Management/District Operations Matters None.

**Construction Updates (District No. 1)**

General Updates Mr. Fix provided an update on construction to the Board of District No. 1 and noted that he is waiting on materials for High Prairie Park and noted that the final walk through with ECI is scheduled for next week.

Discuss and Consider Approval of Change Orders None.

**Legal Matters**

2022 Legislative Memorandum Ms. Murphy reviewed the 2022 Legislative Memorandum with the Boards.

Public Hearing on Inclusion of Property (District No. 1) Director Fellows opened the public hearing on the Petition for Inclusion of Property (District No. 1 Director's Parcel). Ms. Murphy noted that notice of the public hearing was published in accordance with Colorado law and no written objections or comments have been received. There being no public comment, the hearing was closed.

Consider Adoption of Resolution and Order of Board Granting Inclusion of Property (District No. 1) Ms. Murphy reviewed the Petition and Resolution and Order for Inclusion of Property (District No. 1 Director's Parcel) with the Board of District No. 1. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 determined to grant the petition and adopt the resolution.

Public Hearing on Inclusion of Property (District No. 2) Director Fellows opened the public hearing on the Petition for Inclusion of Property (District No. 2 Director's Parcel). Ms. Murphy noted that notice of the public hearing was published in accordance with Colorado law and no written objections or comments have been received. There being no public comment, the hearing was closed.

Consider Adoption of Resolution and Order of Board Granting Inclusion of Property (District No. 2) Ms. Murphy reviewed the Petition and Resolution and Order for Inclusion of Property (District No. 2 Director's Parcel) with the Board of District No. 2. Following discussion, upon a motion duly made and seconded, the Board of District No. 2 determined to grant the petition and adopt the resolution.

Public Hearing on Inclusion of Property (District No. 3) Director Fellows opened the public hearing on the Petition for Inclusion of Property (District No. 3 Director's Parcel). Ms.

Murphy noted that notice of the public hearing was published in accordance with Colorado law and no written objections or comments have been received. There being no public comment, the hearing was closed.

Consider Adoption of Resolution and Order of Board Granting Inclusion of Property (District No. 3) Ms. Murphy reviewed the Petition and Resolution and Order for Inclusion of Property (District No. 3 Director's Parcel) with the Board of District No. 3. Following discussion, upon a motion duly made and seconded, the Board of District No. 3 determined to grant the petition and adopt the resolution.

Public Hearing on Inclusion of Property (District No. 4) Director Fellows opened the public hearing on the Petition for Inclusion of Property (District No. 4 Director's Parcel). Ms. Murphy noted that notice of the public hearing was published in accordance with Colorado law and no written objections or comments have been received. There being no public comment, the hearing was closed.

Consider Adoption of Resolution and Order of Board Granting Inclusion of Property (District No. 4) Ms. Murphy reviewed the Petition and Resolution and Order for Inclusion of Property (District No. 4 Director's Parcel) with the Board of District No. 4. Following discussion, upon a motion duly made and seconded, the Board of District No. 4 determined to grant the petition and adopt the resolution.

Public Hearing on Inclusion of Property (District No. 5) Director Fellows opened the public hearing on the Petition for Inclusion of Property (District No. 5 Director's Parcel). Ms. Murphy noted that notice of the public hearing was published in accordance with Colorado law and no written objections or comments have been received. There being no public comment, the hearing was closed.

Consider Adoption of Resolution and Order of Board Granting Inclusion of Property (District No. 5) Ms. Murphy reviewed the Petition and Resolution and Order for Inclusion of Property (District No. 5 Director's Parcel) with the Board of District No. 5. Following discussion, upon a motion duly made and seconded, the Board of District No. 5 determined to grant the petition and adopt the resolution.

Public Hearing on Inclusion of Property (District No. 6) Director Fellows opened the public hearing on the Petition for Inclusion of Property (District No. 6 Director's Parcel). Ms. Murphy noted that notice of the public hearing was published in accordance with Colorado law and no written objections or comments have been received. There being no public comment, the hearing was closed.

Consider Adoption of Resolution and Order of Board Granting Inclusion of Property (District No. 6) Ms. Murphy reviewed the Petition and Resolution and Order for Inclusion of Property (District No. 6 Director's Parcel) with the Board of District No. 6. Following discussion, upon a motion duly

made and seconded, the Board of District No. 6 determined to grant the petition and adopt the resolution.

Public Hearing on Inclusion of Property (District No. 7) Director Fellows opened the public hearing on the Petition for Inclusion of Property (District No. 7 Director's Parcel). Ms. Murphy noted that notice of the public hearing was published in accordance with Colorado law and no written objections or comments have been received. There being no public comment, the hearing was closed.

Consider Adoption of Resolution and Order of Board Granting Inclusion of Property (District No. 7) Ms. Murphy reviewed the Petition and Resolution and Order for Inclusion of Property (District No. 7 Director's Parcel) with the Board of District No. 7. Following discussion, upon a motion duly made and seconded, the Board of District No. 7 determined to grant the petition and adopt the resolution.

Public Hearing on Inclusion of Property (District No. 8) Director Fellows opened the public hearing on the Petition for Inclusion of Property (District No. 8 Director's Parcel). Ms. Murphy noted that notice of the public hearing was published in accordance with Colorado law and no written objections or comments have been received. There being no public comment, the hearing was closed.

Consider Adoption of Resolution and Order of Board Granting Inclusion of Property (District No. 8) Ms. Murphy reviewed the Petition and Resolution and Order for Inclusion of Property (District No. 8 Director's Parcel) with the Board of District No. 8. Following discussion, upon a motion duly made and seconded, the Board of District No. 8 determined to grant the petition and adopt the resolution.

Public Hearing on Inclusion of Property (District No. 9) Director Fellows opened the public hearing on the Petition for Inclusion of Property (District No. 9 Director's Parcel). Ms. Murphy noted that notice of the public hearing was published in accordance with Colorado law and no written objections or comments have been received. There being no public comment, the hearing was closed.

Consider Adoption of Resolution and Order of Board Granting Inclusion of Property (District No. 9) Ms. Murphy reviewed the Petition and Resolution and Order for Inclusion of Property (District No. 9 Director's Parcel) with the Board of District No. 9. Following discussion, upon a motion duly made and seconded, the Board of District No. 9 determined to grant the petition and adopt the resolution.

Public Hearing on Inclusion of Property (District No. 10) Director Fellows opened the public hearing on the Petition for Inclusion of Property (District No. 10 Director's Parcel). Ms. Murphy noted that notice of the public hearing was published in accordance with Colorado law and no written objections or comments have been received. There being no public comment, the hearing was closed.

Consider Adoption of Resolution and Order of Board Granting Inclusion of Property (District No. 10) Ms. Murphy reviewed the Petition and Resolution and Order for Inclusion of Property (District No. 10 Director's Parcel) with the Board of District No. 10. Following discussion, upon a motion duly made and seconded, the Board of District No. 10 determined to grant the petition and adopt the resolution.

Public Hearing on Inclusion of Property (District No. 11) Director Fellows opened the public hearing on the Petition for Inclusion of Property (District No. 11 Director's Parcel). Ms. Murphy noted that notice of the public hearing was published in accordance with Colorado law and no written objections or comments have been received. There being no public comment, the hearing was closed.

Consider Adoption of Resolution and Order of Board Granting Inclusion of Property (District No. 11) Ms. Murphy reviewed the Petition and Resolution and Order for Inclusion of Property (District No. 11 Director's Parcel) with the Board of District No. 11. Following discussion, upon a motion duly made and seconded, the Board of District No. 11 determined to grant the petition and adopt the resolution.

Public Hearing on Inclusion of Property (District No. 12) Director Fellows opened the public hearing on the Petition for Inclusion of Property (District No. 12 Director's Parcel). Ms. Murphy noted that notice of the public hearing was published in accordance with Colorado law and no written objections or comments have been received. There being no public comment, the hearing was closed.

Consider Adoption of Resolution and Order of Board Granting Inclusion of Property (District No. 12) Ms. Murphy reviewed the Petition and Resolution and Order for Inclusion of Property (District No. 12 Director's Parcel) with the Board of District No. 12. Following discussion, upon a motion duly made and seconded, the Board of District No. 12 determined to grant the petition and adopt the resolution.

Discuss Formation of Authority for Regional Improvements Director Fellows noted that the City of Aurora allows for the formation of a regional improvement district and has scheduled a meeting in September with surrounding metropolitan districts to discuss formation of a separate regional improvement district.

Other Legal Matters None.

### **Financial Matters**

Review Unaudited Financial Statements Ms. Wheeler reviewed the June 30, 2022 financials with the Boards.

Approval of Claims Listing Ms. Wheeler reviewed the claims with the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the claims listing.

Approve/Ratify Requisition No. 45/Draw No. 36 from Escrow Funds (District No. 1) Ms. Wheeler reviewed Requisition No. 45/Draw No. 36 from Escrow Funds with the Board of District No. 1. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 unanimously approved the requisition and draw.

Approve/Ratify Requisition No. 46/Draw No. 37 from Escrow Funds (District No. 1) Ms. Wheeler reviewed Requisition No. 46/Draw No. 37 from Escrow Funds with the Board of District No. 1. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 unanimously approved the requisition and draw.

Other Financial Matters None.

**Other Business**

Discuss Attendance at SDA Annual Conference – September 13-15, 2022 The Boards determined to not attend the conference.

Changing Regular Meeting Date The Boards engaged in general discussion regarding changing regular meeting dates. Following discussion, upon a motion duly made and seconded, the Boards unanimously determined to hold regular meetings for the remainder of 2022 on the fourth Thursday of each month at 11:00am via teleconference and at 5750 DTC Parkway, Suite 210, Greenwood Village, Colorado.

**Adjourn** There being no further business to come before the Boards, and following discussion and upon motion duly made, seconded and unanimously carried, the Boards determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

*Dustin Anderson*

Dustin Anderson (Sep 30, 2022 15:11 MDT)

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Secretary for the Meeting, District Nos. 1-12

The foregoing minutes were approved on the 29<sup>th</sup> day of September, 2022.