

MINUTES OF A JOINT SPECIAL MEETING OF THE
BOARDS OF DIRECTORS

OF

PAINTED PRAIRIE METROPOLITAN DISTRICT NOS. 1-12

Held: Thursday, July 15, 2021 at 11:00 a.m. via teleconference.

Due to the threat posed by the COVID-19 coronavirus, the meeting was held via teleconference.

The joint special 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
Douglas Hatfield
Dustin Anderson

Also present were Clint C. Waldron, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Diane Wheeler, Simmons & Wheeler, PC, District Accountant; John Guzman-Peonio, Advance HOA Management, District Manager; Barney Fix, Merrick & Company, District Engineer; Matt Ruhland, Collins Cockrel & Cole, General Counsel to the Painted Prairie Public Improvement Authority; and homeowners.

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

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 Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Mr. 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 herein, 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 Mr. Waldron confirmed the meeting notices were posted as required by law.

Approval of Agenda The Boards reviewed the proposed agenda. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the agenda as amended.

Public Comment A homeowner asked about additional information regarding the High Prairie Park enhancements.

Consent Agenda Director Fellows reviewed the items on the consent agenda. Mr. Waldron 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 17, 2021 Joint Special Meeting Minutes
- 2020 Consolidated Annual Report

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

District Manager's Report Mr. Guzman-Peonio reviewed the District Manager's Report with the Board of District No. 1, noting that he is continuing to work on the replacement of the vandalized equipment and will have arborist proposals for the Board's consideration at the next regular meeting.

Discuss Full Time Maintenance Job Description Mr. Guzman-Peonio reviewed the maintenance job description with the Board of District No. 1. No action taken.

Update on Security Camera Installation Mr. Guzman-Peonio provided an update on the status of the Security Camera Installation to the Board of District No. 1, noting that the security camera company is ready to schedule installation once the electrical work has been completed. Mr. Fix noted that he is working on bidding the electrical work.

Other Facilities Management/District Operations Matters None.

Construction Updates (District No. 1)

General Updates

Mr. Fix provided an update to the Board of District No. 1 on District Construction.

Discuss and Consider Approval of Notice of Failure to Cure Default to ECI

Mr. Fix noted for the Board of District No. 1 that ECI is responsible for monthly maintenance, but has failed to cure maintenance items that the District has notified them of, including dead trees. Mr. Fix further noted that ECI provided a proposed cure schedule, but has failed to meet that schedule, and is proposing a revised schedule. Following discussion, the Board of District No. 1 requested Mr. Fix and legal counsel provide an additional notice to ECI regarding the default and the rights of the District under the agreement.

Discuss and Consider Approval of Change Orders

Consider Approval of Change Order No.21 from Hall Contracting in the amount of \$27,817.50

Mr. Fix reviewed Change Order No. 2 from Hall Contracting in the amount of \$27,817.50 with the Board of District No. 1. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 unanimously approved Change Order No. 2 with Hall Contracting in the amount of \$27,817.50.

Discuss High Prairie Park Enhancements and Status of Bid

Mr. Fix noted that the project is currently being bid.

Discuss Public Art

Director Fellows noted that the public art proposal is still being prepared.

Legal Matters

Discuss Procurement Policy (District No. 1)

Mr. Waldron provided an overview to the Board of District No. 1 of a possible procurement policy. Following discussion the Board requested that he work with Ms. Wheeler and Mr. Guzman-Peonio on a proposed policy for review by the Board of District No. 1.

Other Legal Matters

Mr. Waldron noted that HB 1278 has been signed, and the Boards should discuss the location for future board meetings. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved meeting in a physical location, and providing board members, consultants, and members of the public who may not be able to attend in person the option to attend electronically. The Board noted that they would like this to begin with the next regular Board meeting.

Financial Matters

Review and Consider
Acceptance of Unaudited
Financial Statements

Deferred.

Review and Consider
Approval of Claims Payable

Ms. Wheeler reviewed the claims listing in the amount of \$37,713.80 with the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved payment of the claims.

Approve/Ratify Requisition
No. 32/Draw No. 23 from
Escrow Funds (District No.
1)

Ms. Wheeler reviewed Requisition No. 33/Draw No. 24 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 Requisition No. 33/Draw No. 24.

Discuss status of 2020 Audit
(District Nos. 1 & 2)

Ms. Wheeler updated the Boards of District Nos. 1 & 2 on the status of 2020 Audits. The Boards of District Nos. 1 & 2 deferred further discussion until the next meeting.

Other Financial Matters

None.

Other Business

Discuss and Consider
Appointment(s) to Painted
Prairie Public Improvement
Authority

Deferred.

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 (Aug 30, 2021 11:22 MDT)

Secretary for the Meeting, District Nos. 1-12

The foregoing minutes were approved on the 16th day of August, 2021.