

MINUTES OF A JOINT REGULAR MEETING OF THE
BOARDS OF DIRECTORS

OF

PAINTED PRAIRIE METROPOLITAN DISTRICT NOS. 1-12

Held: Thursday, November 18, 2021 at 11:00 a.m., 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., and Megan J. Murphy,
Esq., White Bear Ankele Tanaka & Waldron, District General
Counsel; Diane Wheeler, Simmons & Wheeler, PC, District
Accountant; Barney Fix, Merrick & Company, District Engineer;
John Guzman-Peonio, Advance HOA Management, Inc., District
Manager; and members of the public.

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

Ms. Murphy 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

None.

Consent Agenda

The Boards reviewed the items on the consent agenda. 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 and ratified:

- October 21, 2021 Joint Special Meeting Minutes
- Claims Payable in the amount of \$83,534.32

**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.

Discuss Tree Lawn Irrigation along 60th Ave.

Mr. Guzman-Peonio discussed the Tree Lawn Irrigation Project along 60th Avenue with the Board of District No. 1, noting that he is working with Legal Counsel on this matter.

Discuss Garden Court Irrigation

Mr. Guzman-Peonio discussed the Garden Court Irrigation project with the Board of District No. 1, noting that he is working with Legal Counsel on this matter.

Discuss Park Reservations/Rentals

Mr. Guzman-Peonio reviewed the Park Reservation and Rentals process with the Board of District No. 1 noting that he is working with Legal Counsel to move things forward.

Discuss Full-time Maintenance

Mr. Guzman-Peonio discussed the Full-Time Maintenance Employee with the Board of District No. 1, noting that currently the in-house Advance HOA maintenance person is performing maintenance. Mr. Guzman-Peonio requested that the Board of District No. 1 approve 80% salary reimbursement in the amount of \$48,988. Deferred.

Discuss Admin Assistant

Mr. Guzman-Peonio discussed adding an administrative assistant for support with the Board of District No. 1. He noted that this in-

house Advance HOA admin person will help him provide more in-person service. Deferred.

Discuss Lifestyle Director

Mr. Guzman-Peonio discussed engaging a Lifestyle Director with the Board of District No. 1. Director Fellows noted that he thinks this is an HOA function. No action taken.

Other Facilities
Management/District
Operations Matters

None.

Construction Updates (District No. 1)

General Updates

Mr. Fix provided a general update on construction matters to the Board of District No. 1, noting that all the work has been completed.

Discuss and Consider
Approval of Change Orders

Consider Approval of Change Order with Hall Contracting, LLC in the Amount of \$44,985

Mr. Fix reviewed Change Order No. 5 from Hall Contracting, LLC in the amount of \$44,985 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. 5 from Hall Contracting, LLC.

Consider Approval of Change Order for Ventura Electric in the Amount of \$2,612.04

Mr. Fix reviewed Change Order No. 4 from Ventura Electric in the amount of \$2,612.04 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 Change Order from Ventura Electric.

Legal Matters

Discuss Demand for Payment and Preservation of Records in Anticipation of Litigation from Moye White – Counsel to Forestar (USA) Real Estate Group Inc. and Consider Engagement of Special Litigation Counsel

Mr. Waldron reviewed the Demand for Payment and Preservation of Records in Anticipation of Litigation from Moye White, Litigation Counsel to Forestar (USA) Real Estate Group Inc., with the Boards noting that Ms. Rivera with Waas Campbell is working on a response. Following discussion, upon a motion duly made and seconded, the Boards approved the engagement of Waas Campbell as Special Litigation Counsel. Mr. Waldron noted that he had provided materials concerning the potential litigation to Ms. Rivera, and Mr. Fix and would provide additional information shortly.

Consider Approval of Contractor Agreement for

Mr. Guzman-Peonio reviewed the proposed Agreement for Holiday Lighting with Mile High Holiday Lighting with the Board

Holiday Lighting with Mile High Holiday Lighting of District No. 1. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 unanimously approved the Agreement for Holiday Lighting with Mile High Holiday Lighting.

Other Legal Matters None.

Financial Matters

Review and Consider Approval of Claims Listing Ms. Wheeler reviewed the Claims Listing in the amount of \$83,534.32 with the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the Claims Listing.

Approve/Ratify Requisition No. 37/Draw No. 28 from Escrow Funds (District No. 1) Ms. Wheeler reviewed Requisition No. 37 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. 37.

Other Financial Matters None.

Other Business

Consider Appointment to Fill Vacancies, Administer Oaths of Office, Consider Election of Officers 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 \(Jan 21, 2022 16:07 MST\)](#)

Secretary for the Meeting, District Nos. 1-12

The foregoing minutes were approved on the 20th day of January, 2022.