

MINUTES OF A JOINT REGULAR MEETING OF THE  
BOARDS OF DIRECTORS

OF

PAINTED PRAIRIE METROPOLITAN DISTRICT NOS. 1-12

Held: Thursday, March 23, 2023, at 11:00 a.m., via teleconference and at 5750 DTC Parkway, Suite 210, Greenwood Village, CO 80111.

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:

Chris Fellows  
Tim O'Connor  
Dustin Anderson  
Douglas Hatfield

Also present were Clint C. Waldron, Esq., 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; Kent Krause, Maci Watlington, and Britta Schurle, Advance HOA Management, Inc., District Manager; Matt Ruhland, Esq., Cockrel Ela Glesne Greher & Ruhland, P.C., Painted Prairie Public Improvement Authority General Counsel; Kevin Collins; 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

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. Ms. Murphy 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

Mr. Krause confirmed the meeting notices were posted as required by law.

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 as amended.

**Public Comment**

A homeowner requested more information regarding the timeline for construction of Amber and Mulberry Parks. Director Fellows noted that there were concerns from the residents regarding the park design so the developer worked with the City of Aurora to have alternative construction plans approved for both parks, noting that construction will be moving forward.

A homeowner inquired about the park improvement plans, asking if the plans included lighting additions to both parks to address safety concerns. Director Fellows responded that Advance HOA, the District Manager, has had security cameras installed with plans for additional security cameras to be installed soon.

**Consent Agenda**

Director Fellows reviewed the items on the consent agenda with the Boards. 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:

- February 24, 2023 Joint Special Meeting Minutes; and
- Letter to FirstBank Regarding ECI Escrow Funds.

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

Discuss and Consider  
Approval of Association Alley  
Parking Policy

Mr. Krause reviewed the Association Alley Parking Policy with the Board of District No. 1.

Consider Approval of Joint  
Resolution with Painted  
Prairie Owners Association  
for Alley Parking  
Enforcement

Mr. Krause reviewed the Joint Resolution with Painted Prairie Owners Association for Alley Parking Enforcement 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 Joint Resolution with Painted Prairie Owners Association for Alley Parking Enforcement subject to final legal review.

Discuss and Consider Approval of Access and Maintenance Agreement for Alley Tracts, Garden Courts, and Landscaping Tracts (Filing No. 1-2) Mr. Krause reviewed the Access and Maintenance Agreement for Alley Tracts, Garden Courts, and Landscaping Tracts (Filing No. 1-2) 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 Access and Maintenance Agreement for Alley Tracts, Garden Courts, and Landscaping Tracts (Filing No. 1-2) subject to final legal review.

Discuss and Consider Approval of Access and Maintenance Agreement for Alley Tracts, Garden Courts, and Landscaping Tracts (Filing No. 3) Mr. Krause reviewed the Access and Maintenance Agreement for Alley Tracts, Garden Courts, and Landscaping Tracts (Filing No. 3) 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 Access and Maintenance Agreement for Alley Tracts, Garden Courts, and Landscaping Tracts (Filing No. 3) subject to final legal review.

District Manager's Report Mr. Krause reviewed his management report with the Boards.

Other Facilities Management/District Operations Matters None.

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

Update on High Prairie Park Enhancements Mr. Fix provided an update on the status of High Prairie Park Enhancements noting that work is ongoing.

Consider Approval of Proposal for Detention Pond Inspection (District No. 1) Mr. Fix informed the Board of District No. 1 that he has yet to receive the Proposal for Detention Pond Inspections, but the contractor will be CMS Environmental Solutions who is already providing services to District No. 1.

Discuss and Consider Approval of Change Orders None.

### **Legal Matters**

Other Legal Matters None.

### **Financial Matters**

Review Unaudited Financial Statements Ms. Wheeler reviewed the January 31, 2023 unaudited financials with the Boards of District Nos. 1 & 2. Following discussion, upon a motion duly made and seconded, the Boards of District Nos. 1 & 2 unanimously accepted the financials.


Review and Approve Accounts Payable in the amount of \$81,414.04 Ms. Wheeler reviewed the accounts payable in the amount of \$81,414.04 with the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the accounts payables in the amount of \$81,414.04.

Other Financial Matters Ms. Wheeler noted that the audit exemption applications for District Nos. 3-12 have been signed and are ready for filing.

**Other Business** Director Fellows noted that COVID, rising interest rates, supply chains, contractor and workforce availability, and the approval process with the City of Aurora, as well as other external events outside the control of the Authority and the Districts have impacted the progress of development within Painted Prairie. Director Fellows requested that before the next quarterly bond report, the District's and Authority's consultants prepare, for Board review, a formal update on development progress and impediments to the progress of development. Director Fellows noted that the report should include what land is under contract, what land is under consideration for sale, and what has been built from the approved development plans.

**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 \(May 15, 2023 09:39 MDT\)](#)

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Secretary for the Meeting, District Nos. 1-12

The foregoing minutes were approved on the 27<sup>th</sup> day of April, 2023.