

MINUTES OF A JOINT REGULAR MEETING OF THE  
BOARDS OF DIRECTORS

OF

PAINTED PRAIRIE METROPOLITAN DISTRICT NOS. 1-12

Held: Thursday, September 28, 2023, at 11:00 a.m., via teleconference and at 5750 DTC Parkway, Suite 210, Greenwood Village, CO 80111.

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; Kent Krause and Rachel Hillis, Advance HOA Management, Inc., District Manager;; Barney Fix of Merrick & Company, District Engineer; Madison Phillips, Esq., Cockrel Ela Glesne Greher & Ruhland, P.C., Painted Prairie Public Improvement Authority General Counsel; Cheryl Schuette, Life at Painted Prairie; 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. Waldron 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 presented.

**Public Comment**  
A homeowner asked about where residents should dispose of plants from the community garden and if the District No. 1 would allow for gardening in the winter. Mr. Krause noted that Advance HOA would be providing more information on the disposal of plants and added that winter gardening is something District No. 1 could consider in the future.

**Consent Agenda**  
Director Fellows reviewed the item on the consent agenda with the Boards. The item was not requested to be removed from the consent agenda. Upon a motion duly made and seconded, the following item on the consent agenda was unanimously approved, ratified and adopted:

- August 24, 2023 Joint Regular Meeting Minutes.

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

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

Discuss and Consider Approval of Snow Removal Contract  
Mr. Krause presented the Snow Removal Contract from Schultz Industries to the Board of District No. 1 for consideration. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 unanimously approved the contract, subject to final review by legal counsel.

Other Facilities Management/District Operations Matters  
None.

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

Update on Amber Park Enhancements	Mr. Fix noted that work on Amber Park enhancements is on schedule and will begin after the dog park is completed.
Update on Tree Replacement Evaluation	Deferred.
Update on Dog Park	Mr. Fix noted construction has begun on the dog park and the completion of Phase 1 will be around Thanksgiving.
Other Construction Updates	None.

**Legal Matters**

Public Hearing on Inclusion of Property (District No. 1) Director Fellows opened the public hearing on the Petition for Inclusion of Property (Current District No. 7 Boundaries). 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 the Board Granting Inclusion of Property (District No. 1) Ms. Murphy reviewed the Petition and Resolution and Order for Inclusion of Property (Current District No. 7 Boundaries) 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. 5) Director Fellows opened the public hearing on the Petition for Inclusion of Property (New District No. 5 Boundaries). 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 the Board Granting Inclusion of Property (District No. 5) Ms. Murphy reviewed the Petition and Resolution and Order for Inclusion of Property (New District No. 5 Boundaries) 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. 7) Director Fellows opened the public hearing on the Petition for Inclusion of Property (New District No. 7 Boundaries). 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.

<p>Consider Adoption of Resolution and Order of the Board Granting Inclusion of Property (District No. 7)</p>	<p>Ms. Murphy reviewed the Petition and Resolution and Order for Inclusion of Property (New District No. 7 Boundaries) 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.</p>
<p>Public Hearing on Inclusion of Property (District No. 8)</p>	<p>Director Fellows opened the public hearing on the Petition for Inclusion of Property (New District No. 8 Boundaries). 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.</p>
<p>Consider Adoption of Resolution and Order of the Board Granting Inclusion of Property (District No. 8)</p>	<p>Ms. Murphy reviewed the Petition and Resolution and Order for Inclusion of Property (New District No. 8 Boundaries) 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.</p>
<p>Public Hearing on Inclusion of Property (District No. 10)</p>	<p>Director Fellows opened the public hearing on the Petition for Inclusion of Property (New District No. 10 Boundaries). 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.</p>
<p>Consider Adoption of Resolution and Order of the Board Granting Inclusion of Property (District No. 10)</p>	<p>Ms. Murphy reviewed the Petition and Resolution and Order for Inclusion of Property (New District No. 10 Boundaries) 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.</p>
<p>Public Hearing on Exclusion of Property (District No. 1)</p>	<p>Director Fellows opened the public hearing on the Petition for Exclusion of Property (New District No. 7 Boundaries). 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.</p>
<p>Consider Adoption of Resolution and Order of the Board Granting Exclusion of Property (District No. 1)</p>	<p>Ms. Murphy reviewed the Petition and Resolution and Order for Exclusion of Property with the Board of District No. 1. The Board of District No. 1 considered the factors to determine whether to grant or deny the petition for exclusion pursuant to Colorado law. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 determined to grant the petition and adopt the resolution for exclusion.</p>

Public Hearing on Exclusion of Property (District No. 5)

Director Fellows opened the public hearing on the Petition for Exclusion of Property (Current District No. 5 Boundaries). 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 the Board Granting Exclusion of Property (District No. 5)

Ms. Murphy reviewed the Petition and Resolution and Order for Exclusion of Property with the Board of District No. 5. The Board of District No. 5 considered the factors to determine whether to grant or deny the petition for exclusion pursuant to Colorado law. Following discussion, upon a motion duly made and seconded, the Board of District No. 5 determined to grant the petition and adopt the resolution for exclusion.

Public Hearing on Exclusion of Property (District No. 7)

Director Fellows opened the public hearing on the Petition for Exclusion of Property (Current District No. 7 Boundaries). 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 the Board Granting Exclusion of Property (District No. 7)

Ms. Murphy reviewed the Petition and Resolution and Order for Exclusion of Property with the Board of District No. 7. The Board of District No. 7 considered the factors to determine whether to grant or deny the petition for exclusion pursuant to Colorado law. Following discussion, upon a motion duly made and seconded, the Board of District No. 7 determined to grant the petition and adopt the resolution for exclusion.

Public Hearing on Exclusion of Property (District No. 8)

Director Fellows opened the public hearing on the Petition for Exclusion of Property (Current District No. 8 Boundaries). 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 the Board Granting Exclusion of Property (District No. 8)

Ms. Murphy reviewed the Petition and Resolution and Order for Exclusion of Property with the Board of District No. 8. The Board of District No. 8 considered the factors to determine whether to grant or deny the petition for exclusion pursuant to Colorado law. Following discussion, upon a motion duly made and seconded, the Board of District No. 8 determined to grant the petition and adopt the resolution for exclusion.

Public Hearing on Exclusion of Property (District No. 10)

Director Fellows opened the public hearing on the Petition for Exclusion of Property (Current District No. 10 Boundaries). 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 the Board Granting Exclusion of Property (District No. 10)

Ms. Murphy reviewed the Petition and Resolution and Order for Exclusion of Property with the Board of District No. 10. The Board of District No. 10 considered the factors to determine whether to grant or deny the petition for exclusion pursuant to Colorado law. Following discussion, upon a motion duly made and seconded, the Board of District No. 10 determined to grant the petition and adopt the resolution for exclusion.

Other Legal Matters

None.

### **Financial Matters**

Review Unaudited Financial Statements

Ms. Wheeler reviewed the December 31, 2022, unaudited financials with the Boards.

Review and Approve Accounts Payable in the amount of \$86,666.71

Ms. Wheeler reviewed the accounts payable in the amount of \$86,666.71 with the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the accounts payable in the amount of \$86,666.71.

Public Hearing on 2022 Amended Budget (District No. 1)

Director Fellows opened the public hearing on the 2022 Budget Amendment. Ms. Murphy noted that the notice of public hearing was provided in accordance with Colorado Law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of Resolutions Amending 2022 Budget (District No. 1)

Ms. Wheeler reviewed the Resolution Amending the 2022 Budget with the Board of District No. 1. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 unanimously adopted the resolution amending the Special Revenue Fund to \$765,000 and the Capital Project Fund to \$508,060.

Public Hearing on 2022 Amended Budget (District No. 2)

Director Fellows opened the public hearing on the 2022 Budget Amendment. Ms. Murphy noted that the notice of public hearing was provided in accordance with Colorado Law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of Resolutions Amending 2022 Budget (District No. 2)

Ms. Wheeler reviewed the Resolution Amending the 2022 Budget with the Board of District No. 2. Following discussion, upon a motion duly made and seconded, the Board of District No. 2 unanimously adopted the resolution amending the General Fund to \$75,000.

Other Financial Matters None.

**Other Business** None.

**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.

*Timothy OConnor*  
Timothy OConnor (Dec 1, 2023 11:27 MST)

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Secretary for the Meeting, District Nos. 1-12

The foregoing minutes were approved on the 26th day of October, 2023.