

RECORD OF PROCEEDINGS

MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF THE
PLAINS METROPOLITAN DISTRICT
HELD
MAY 16, 2024

The regular meeting of the Board of Directors of the Plains Metropolitan District (referred to hereafter as "Board") was convened on Thursday, May 16, 2024 at 12:00 p.m. at KC & Associates, 10106 W. San Juan Way, Suite 210, Littleton, Colorado 80127. The meeting was open to the public.

ATTENDANCE

Directors in Attendance:

Kathy Christensen
Scott Burrows
Kathy Tourney
Steve Langer
Joe Pickard

Also in Attendance were:

Shannon Smith Johnson, Esq.; Icenogle Seaver Pogue
David B. Peak; District Manager

CALL TO ORDER

A motion was duly made by Director Langer, and seconded by Director Burrows, and upon vote, unanimously carried, the Board called the meeting to order.

DISCLOSURE MATTERS

Ms. Smith Johnson advised the Board that, pursuant to Colorado law, certain disclosures may be required prior to taking official action at the meeting. The Board reviewed the agenda for the meeting, following which each Board member confirmed the contents of written disclosures previously made, stating the fact and summary nature of any matters, as required by Colorado law, to permit official action be taken at the meeting. Additionally, the Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

APPROVAL OF AGENDA

This Regular Board Meeting was held in-person and open to the public. Following review and discussion, upon a motion duly made by Director Burrows, and seconded by Director Langer, and upon vote, unanimously carried, the Board approved the Agenda.

APPROVAL OF MINUTES

Following review and discussion, upon a motion duly made by Director Burrows, and seconded by Director Tourney, and upon vote, unanimously carried, the Board approved the Minutes of the April 18, 2024 Regular Meeting.

COMMUNITY COMMENT

None.

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FINANCIAL MATTERS

A. Cash Position as of May 16, 2024

Mr. Peak reviewed the Cash Position Schedule as of May 16, 2024. After review and upon a motion duly made by Director Burrows, and seconded by Director Langer, and upon vote, unanimously carried, the Board accepted the May 16, 2024 Cash Position Schedule as presented. Ms. Smith Johnson requested Mr. Peak, the District's Manager inquire with the District's Accountant to see if the District has received tax reimbursements from Jefferson County as prescribed in Senate Bill 22-238.

B. Approval of May 2024 Received Claims

Mr. Peak reviewed the May 2024 received claims with the Board. After review, and upon a motion duly made by Director Burrows, and seconded by Director Langer, and upon vote, unanimously carried, the Board approved the May 2024 claims totaling \$11,944.74 for check numbers 2337-2346.

C. Other

None.

ADMINISTRATIVE MATTERS

A. Update on the Landscape Improvements on C-470 and Ken Caryl Right-of-Way

Mr. Peak informed the Board that there is no irrigation to the right-of-way landscape area at the southeast intersection of C-470 and the Ken Caryl Avenue which is needed if there is to be sod installed in that area. Mr. Peak will continue to work out an alternative dry land landscape plan for this non-irrigated section that is owned by Colorado Department of Transportation.

B. Other

None.

BOARD MATTERS

A. Other

None.

LEGAL MATTERS

A. Review and Approve Technology Accessibility Resolution

Ms. Smith Johnson reviewed the Resolution Adopting the Plains Metropolitan District Technology Accessibility Statement and Technical Standards with the Board. After discussion and upon a motion duly made by Director Burrows, and seconded by Director Langer, and upon vote, unanimously carried, the Board passed the Resolution subject to final legal approval.

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B. Review and Approve Purchase and Sale Agreement with In Play Membership, Inc. for the Deer Creek Golf Course 64 Acre Parcel

Ms. Smith Johnson presented the Purchase and Sale Agreement with In Play Membership, Inc. for the Deer Creek Golf Course 64 Acre Parcel (the "PSA"), and the Resolution Authorizing the Purchase of the Real Property regarding the same. After discussion and upon a motion duly made by Director Langer, and seconded by Director Tourney, and upon vote, with Directors Christensen, Burrows, Tourney, and Langer voting aye, and with Director Pickard abstaining from the voted discussion, the Board approved the Resolution Authorizing the Purchase of Real Property and authorized the final payment to Ken Caryl Ranch Metropolitan District for \$652,000 to be paid concurrently with the execution the PSA in accordance with the Stipulated Supplemental Order and Judgement.

C. Approve Location and Extent Waiver Request to Jefferson County

Ms. Smith Johnson presented the letter to Jefferson County requesting a location and extent waiver related to the Deer Creek Golf Course 64-acre parcel. After a brief discussion and upon a motion duly made by Director Burrows, and seconded by Director Langer, and upon vote, unanimously carried, the Board approved the transmission of the location and extent waiver request to Jefferson County, and authorized Mr. Peak to sign the letter on the District's behalf.

D. Discuss Drafting a Resolution Seeking a Jefferson County Open Space Grant Application

Mr. Peak and Ms. Smith Johnson discussed the process of submitting a land acquisition grant application to Jefferson County Open Space for funds to augment the District's General Fund expenditures in the acquisition of the 64-acre parcel. In conjunction with the Board's approval of the Purchase and Sale Agreement for the 64-acre parcel the Board authorized the District's Attorney and its Manager to obtain additional information regarding the land acquisition grant process from Jefferson County Open Space.

E. Executive Session pursuant to Sections 24-6-402(4)(b) and 24-6-402(4)(e), C.R.S. for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters than may be subject to negotiations, developing strategy for negotiations, and instructing negotiators related to real property acquisition from In Play Membership, Inc.

Director Pickard excused himself prior to the Executive Session due to a possible conflict of interest.

Director Langer moved that the Board convene into executive session pursuant to Sections 24-6-402(4)(b) and 24-6-402(4)(e), C.R.S. for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators related to potential real property acquisition from In Play Membership, Inc. Director Tourney seconded the motion, which was unanimously approved by the remaining four directors Board at 1:20 p.m.

At approximately 1:30 p.m. upon a motion duly made by Director Christensen, and seconded by Director Langer, and upon vote, unanimously carried by the remaining four directors, the Board returned from executive session.

No Board action was taken during or after the executive session.

F. Other

None.

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**OTHER
BUSINESS**

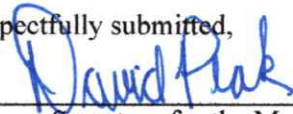
- A. A quorum was confirmed for the next regular board meeting - July 18, 2024 at 12 p.m. - KC & Associates, 10106 W. San Juan Way, Suite 210, Littleton, CO 80127.

ADJOURNMENT

Upon a motion duly made, by Director Tourney, and seconded by Director Langer, and upon vote, unanimously carried, the meeting was adjourned at approximately 1:32 p.m.

Respectfully submitted,

By



Secretary for the Meeting