

## **RECORD OF PROCEEDINGS**

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### **MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE PLAINS METROPOLITAN DISTRICT HELD NOVEMBER 21, 2024**

The Regular Meeting of the Board of Directors of the Plains Metropolitan District (referred to hereafter as the "Board") was convened on Thursday, November 21, 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

##### Also in Attendance were:

Leo Ahern, Deer Creek Village Resident  
Ron Dart, Deer Creek Village Resident  
Ken Lee, Deer Creek Village Resident  
Shannon Smith Johnson, Esq.; Icenogle Seaver Pogue, P.C.  
David B. Peak; District Manager

#### **CALL TO ORDER**

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

#### **DISCLOSURE MATTERS**

Ms. 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.

Director Burrows disclosed his provision of accounting and tax consulting services for Dallas Tourney, Inc, an owner of property within the District. Director Burrows also disclosed his directorship in Hogback Metropolitan District. This disclosure is associated with approval of items on the agenda that may affect his interests.

Director Langer disclosed his ownership interest in Briarwood Gardens Properties, LLC, an owner of property within the District. Director Langer also disclosed his directorship in Ken Caryl Office Park Association. This disclosure is associated with approval of items on the agenda that may affect his interests.

Director Christensen disclosed her ownership interest in certain real property located in the District. Director Christensen also disclosed her ownership interest and officership as President of KC & Associates, LLC. This disclosure is associated with approval of items on the agenda that may affect her interests.

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Director Pickard disclosed his ownership interest in certain real property located within the District. Director Pickard also disclosed his ownership interest in Pickard Law and his directorship in Ken-Caryl Office Park Association. This disclosure is associated with approval of items on the agenda that may affect his interests.

Director Tourney disclosed her ownership interest in certain real property located within the District. Director Tourney also disclosed her ownership interest and officership in Dallas W Tourney, Inc. Director Tourney disclosed her membership in Ken-Caryl Office Park Association. This disclosure is associated with approval of items on the agenda that may affect her interests.

### 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. Director Pickard was absent and excused.

### APPROVAL OF MINUTES

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 Minutes of the October 17, 2024 Regular Meeting.

### COMMUNITY COMMENT

Messrs. Dart, Ahern, and Lee expressed interest in the Open Space/Nature Park and District's plans surrounding the same.

### FINANCIAL MATTERS

A. Review and Approve September 2024 Unaudited Financials

Mr. Peak presented the Unaudited 2024 Quarterly Financials as of September 2024, and 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 Unaudited 2024 Quarterly Financials as of September 2024 as presented.

B. Review and Approve Cash Position as of November 15, 2024

Mr. Peak reviewed the Cash Position Schedule as of November 15, 2024. The Board accepted the November 15, 2024 Cash Position Schedule as presented.

C. Approve November 2024 Claims

After review, and upon a motion duly made, by Director Langer, and seconded by Director Burrows, and upon vote, unanimously carried, the Board approved the November 2024 claims totaling \$22,715.29 for check numbers 2414-2428. Check number 2426 to Director Pickard for \$92.35 was voided.

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### D. Proposed 2025 Budget

#### i. Public Hearing and Public Comment Period

Upon a motion duly made by Director Tourney, and seconded by Director Burrows, and upon vote, unanimously carried, the Board opened the public hearing on the 2025 proposed budget, consistent with published notice at 12:42 p.m. With no public comment received and upon a motion duly made by Director Tourney, and seconded by Director Langer, and upon vote, unanimously carried, the Board closed the public hearing at 12:43 p.m.

#### ii. Consider Approval of the Resolution Approving Proposed 2025 Budget, Certification of the Mill Levy, and Appropriation of Sums of Money

Mr. Peak reviewed the budget resolution for consideration of the proposed 2025 budget, appropriating funds therefor, and certification of a mill levy thereunder. After discussion, and upon a motion duly made by Director Burrows, and seconded by Director Langer, and upon vote unanimously carried, the Board approved the resolution adopting the 2025 budget, appropriating the funds to the approved budget, and certifying the mill levies as provided in the 2025 Budget Resolution.

## ADMINISTRATIVE MATTERS

### A. Board Summary of Executed Contracts within Manager Delegation

#### i. Fiore & Sons, Inc. to Demolish the Existing Wood Bridge Located Across the Massey Draw for \$5,780.

Mr. Peak informed the Board that Fiore & Sons, Inc. was prepared to demolish an existing wood bridge located across the Massey Draw for \$5,780. The Jefferson County Flood Administrator requested the removal of said bridge for the public's safety and flood control.

### B. Update on the Signage, Weed Mitigation and the Master Plan for the Plains Nature Park

Mr. Peak informed the Board that he is in the process of negotiating contracts for the Plains Nature Park's temporary closure signage, weed mitigation, and the Plains Nature Park's Master Plan for 2025.

### C. Consider Approval of the Forming an Ad hoc Committee (with 2 Board Member Volunteers) to Assist with the Plains Nature Park Master Plan

After a brief discussion with the Board, the Board agreed to form an Ad hoc committee comprised of two board members to volunteer in assisting with the planning and development of the Plains Nature Park Master Plan.

Directors Langer and Pickard volunteered to serve on this temporary ad hoc committee.

Director Tourney suggested that any Plains Nature Park Master Plan would include some sort of health stations located on some of the park's trails.

## BOARD MATTERS

### A. Other

None.

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### LEGAL MATTERS

- A. Review and Approve the Election Resolution for the Two Board Members in 2025.

Ms. Johnson reviewed the 2025 Regular Special District Election Resolution with the Board, including election questions related to House Bill 24-1001B. After discussion, and upon a motion duly made by Director Burrows, and seconded by Director Langer, and upon vote unanimously carried, the Board approved the 2025 Regular Special District Election Resolution.

- B. Review and Award Contract to Community Resource Services as Designated Election Officials for the 2025 Election

Ms. Johnson reviewed the Election Services Agreement with Community Resource Services of Colorado, LLC. After discussion, and upon a motion duly made by Director Burrows, and seconded by Director Langer, and upon vote unanimously carried, the Board approved the contract with Community Resource Services of Colorado, LLC to serve as designated election official for the District's regular election to be held on May 6, 2025.

- C. Consider Approval of the Amendment to the Declaration of Open Space Regarding Covenant and Easement and Use Restriction with the Ken Caryl Office Park Association

Ms. Johnson reviewed the highlights of the Amendment with the Board. After discussion, and upon a motion duly made by Director Burrows, and seconded by Director Christensen, and upon vote unanimously carried, the Board approved the Amendment to the Declaration of Open Space Regarding Covenant and Easement and Use Restriction with the Ken Caryl Office Park Association.

### OTHER BUSINESS

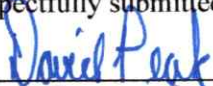
- A. Confirm Quorum for the next Special Board Meeting at KC & Associates, 10106 W. San Juan Way, Suite 210, Littleton, Colorado 80127, Thursday, January 16, 2025 at 12 p.m.

- B. Holiday Gathering at the Fort Restaurant, 19192 Highway 8, Morrison, Colorado, Thursday, December 5, 2024 at 5:30 p.m. There will be no official business conducted at this social gathering.

### ADJOURNMENT

Upon a motion duly made, by Director Burrows, and seconded by Director Langer, and upon vote, unanimously carried, the meeting was adjourned at approximately 1:16 p.m.

Respectfully submitted,

By   
Secretary for the Meeting