

## RECORD OF PROCEEDINGS

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### MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE PLAINS METROPOLITAN DISTRICT HELD MAY 21, 2020

The Regular meeting of the Board of Directors of the Plains Metropolitan District (referred to hereafter as "Board") was convened on Thursday, May 21, 2020 at 12:00 a.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 via Zoom were:

Kathy Christensen  
Scott Burrows  
Kathy Tourney  
Steve Langer

Also in Attendance were:

David B. Peak; District Manager  
Owen L. Oliver, Esq.; The Oliver Law Firm, P.C.  
John Watson, Esq.; Spencer Fane Law Firm, P.C.

Also in Attendance was:

Tom George, Esq.; Spencer Fane Law Firm, P.C.  
Rod Mickleberry

#### CALL TO ORDER

President Christensen called the Board meeting to order and confirmed a quorum.

#### ADMINISTRATION OF OATH OF OFFICE

District Counsel, Owen Oliver administered the Oath of Office to the three newly elected Board of Directors. The Directors are: Director Christensen, Director Burrows, and Director Langer. Mr. Oliver informed the newly elected Directors that they will need to sign the Oath of Office form and have it notarized and then returned to his office for filing with the Secretary of State of Colorado. The Board decided to leave the Officers the same.

#### APPROVAL OF AGENDA

This Regular Board Meeting was held via Zoom per CDC recommendations for physical distancing during the 2020 Pandemic. Following review and discussion, upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board approved the Agenda as presented.

#### APPROVAL OF MINUTES

Following review and discussion, upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board approved the Minutes of the March 19, 2020 Regular Board Meeting and ratified all Board actions taken as identified in the March 19, 2020 Meeting Minutes.

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### BOARD MATTERS

None

### COMMUNITY COMMENT

None

### FINANCIAL MATTERS

A. May 2020 Cash Position as of May 19, 2020 and the March 2020 Quarterly Financials

Mr. Peak reviewed the Cash Position Schedule as of May 19, 2020 and the March 2020 Quarterly Financials. After discussion, and upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board approved the May Cash Position Schedule and the March 2020 Quarterly Financials.

B. Ratify Claims for April 2020

After review, and upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board approved the April 2020 claims totaling \$105,610.71 for check numbers 1862-1875.

C. Review and Approve May 2020 Claims

After review, and upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board approved the May 2020 claims totaling \$12,906.41 for check numbers 1876-1888.

### ADMINISTRATIVE MATTERS

A. Update: Deer Creek Golf Course

Mr. Peak and several Board Members have been in communication with Stacy Hart, Owner of Deer Creek Golf Course regarding its sale. Based on the communication with Mr. Hart, there is insufficient information regarding the sale of the golf course.

B. Selection Process to Fill the Vacant Board of Director's Seat

Dr. Susan Kurtis has expressed an interest in filling the vacant Board of Director's seat. District Counsel, Mr. Oliver informed the Board of the process that needs to occur to fill the vacancy. Mr. Peak will publish a public notice in the District's official designated newspaper, The Canyon Courier asking interested parties to send a letter of interest to the Board for its consideration at the next Regular Meeting on Thursday, August 20, 2020.

C. Other

None

### LEGAL MATTERS

A. Resolution Concerning Engagement of Spencer Fane, LLP with Possible Conflicts of Interest with Cardel

Mr. Watson, District Special Legal Counsel briefed the Board regarding the Resolution. After discussion, and upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board approved the Resolution.

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B. Discussion Regarding of Engagement of Spencer Fane, LLP with Possible Conflicts of Interest with North American Realty Acquisition Corporation.

Mr. Watson, District Special Legal Counsel briefed the Board regarding the Conflicts of Interest with North American Realty Acquisition Corporation. After discussion, the Board directed Mr. Watson to prepare a Resolution regarding the possible Conflicts of Interest for its consideration at the Thursday, August 20, 2020 Board meeting.

C. Public Hearing of Petition for Exclusion with Cardel

Mr. Peak informed the Board that the Notice of Public Hearing of a Petition of Exclusion had been published in the Canyon Courier. Mr. Peak reviewed the highlights of his Summary Report regarding the Exclusion. A motion was made, and seconded to open the hearing at 12:43 p.m. There was extensive discussion regarding this Petition for Exclusion. A motion was made and seconded to close the Public Hearing at 12:55 p.m. After closing the Public Hearing, and upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board approved the Petition for Exclusion conditioned on the formation of a new District by Cardel called Deer Creek Villas Metropolitan District.

D. Other

None

**OTHER  
BUSINESS**

A. Confirm Quorum for the Next Regular Board Meeting - August 20, 2020, at 12 p.m. - KC & Associates, 10106 W. San Juan Way, Suite 210, Littleton, CO 80127.

B. Other

None

**ADJOURNMENT**

Upon a motion duly made, and seconded, and upon a vote, unanimously carried, the meeting was adjourned at approximately 1:00 p.m..

Respectfully submitted,

By David Peak  
Secretary for the Meeting