

## **RECORD OF PROCEEDINGS**

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### **MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE PLAINS METROPOLITAN DISTRICT HELD JULY 20, 2017**

The regular meeting of the Board of Directors of the Plains Metropolitan District (referred to hereafter as "Board") was convened on Thursday, July 20, 2017 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 were:

Paul Motzkus  
Kathy Christensen  
Kathy Tourney  
Scott Burrows

Absent and excused was Director:

Robert Millwee

Also in Attendance were:

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

#### **CALL TO ORDER**

Director Motzkus called the Board meeting to order and confirmed a quorum.

#### **APPROVAL OF AGENDA**

Following review and discussion, upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board approved the July 20, 2017 Agenda as presented and excused Director Millwee's absence.

#### **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 May 18, 2017 Regular Board Meeting Minutes.

#### **COMMUNITY COMMENT**

None.

#### **FINANCIAL MATTERS**

##### **A. Review Cash Position and Trust Account**

Mr. Peak reviewed the Unaudited Financials as of June 30, 2017. Upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board approved the June 2017 Unaudited Financials as presented.

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B. Review and Consider Approval of Claims

- I. Upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board ratified approval of paying May 2017 claims totaling \$31,994.22 for check numbers 1443 through 1449.
- II. Upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board approved paying June 2017 claims totaling \$8,208.58 for check numbers 1501 through 1514. Check number 1507 for \$92.35 was voided.

C. Review and Approval of the 2016 Audit

After discussion, and upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board approved a letter to the State requesting an audit extension for the 2016 Audit.

D. Approve Payment to Ken Caryl Ranch Metropolitan District

Upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board approved a wire transfer made payable to Ken Caryl Ranch Metropolitan District in the amount of \$278,000 on or before August 1, 2017 as per the Stipulated Agreement.

E. Consider Making a Landscape Maintenance Contribution to the Mountain Gate I, II, and III Condominiums and the Ken Caryl Office Park Association

After discussion, and upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board approved to pay 50 percent of the budgeted amount for 2017 to Mountain Gate I, II, and III Condominiums and the Ken Caryl Office Park Association. The payments will be made as part of the July 2017 claims and payable in August 2017.

### LEGAL MATTERS

A. Executive Session to Receive Legal Advice Concerning Pending Litigation Pursuant to C.R.S. 24-6-402(4)(b)

Upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board entered Executive Session at 12:35 p.m..

Upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board closed Executive Session at 1:23 p.m..

B. Other

Mr. Watson reviewed the proposed purchase contract from Cardel Homes. After discussion, and upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board approved revising the purchase contract. Said revised contract to be prepared by legal counsel and subject to their final review and approval for submittal to Cardel Homes.

C. Update of the Submittal of the Amended and Restated Service Plan to Jefferson County

Mr. Watson gave a brief summary of the meeting that was held previously with the Jefferson County Planning Department. It was mutually agreed at that meeting with Mr. Peak,

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Mr. Oliver, Mr. Watson and County staff that due to the time lapse and changes that resulted from settling the lawsuit it was best for the Plains Metropolitan District to resubmit a Revised Amended and Restated Service plan to the County. The Board directed counsel and the Manager to resubmit the Revised and Restated Service plan once the 2-acre site sale is resolved.

### ADMINISTRATIVE MATTERS

A. Future Goals and Objects of Plains Metropolitan District

Mr. Peak discussed with the Board about developing further goals and objectives for the District. Mr. Peak felt that now that the lawsuit has been settled it is a good time to revisit the District's mission and establish new and obtainable goals and objects for the Plain Metropolitan District going forward.

### OTHER BUSINESS

A. Confirm Quorum for Next Board Meeting - August 17, 2017 at KC & Associates, 10106 W. San Juan Way, Suite 210, Littleton, CO 80127

The Board agreed to keep the Regular Board Meeting as scheduled for August 17, 2017 but may consider cancelling said meeting if there is insufficient business to consider.

### ADJOURNMENT

Upon a motion duly made, and seconded, and upon a vote, unanimously carried, the meeting was adjourned at approximately 1:45 p.m.

Respectfully submitted,

By David Peak  
Secretary for the Meeting