

## **RECORD OF PROCEEDINGS**

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### **MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE PLAINS METROPOLITAN DISTRICT HELD AUGUST 18, 2022**

The Regular meeting of the Board of Directors of the Plains Metropolitan District (referred to hereafter as "Board") was convened late on Thursday, August 18, 2022 at 12:27 p.m. at KC & Associates, 10106 W. San Juan Way, Suite 210, Littleton, Colorado 80127. The meeting was held in person and open to the public.

#### **ATTENDANCE**

##### Directors in Attendance were:

Kathy Christensen  
Scott Burrows  
Kathy Tourney (absent)  
Steve Langer

##### Also in Attendance were:

Joe Pickard; Guest  
David B. Peak; District Manager  
Owen L. Oliver, Esq.; The Oliver Law Firm, P.C.

#### **CALL TO ORDER**

President Christensen called the Board meeting to order and confirmed a quorum. Director Tourney was absent and excused by the Board.

#### **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, and seconded, and upon vote, unanimously carried, the Board approved the Agenda.

#### **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 19, 2022 Regular Board Meeting.

#### **COMMUNITY COMMENT**

President Christensen introduced Mr. Joe Pickard who is interested in filling the vacant Metropolitan District Board seat. Mr. Pickard gave a brief summary of his involvement in the Ken Caryl Office Park as a business owner and his service on the Ken Caryl Office Park Association Board.

#### **FINANCIAL MATTERS**

##### **A. Review and Accept June 2022 Unaudited Financials**

Mr. Peak presented the June 2022 Unaudited Financials and after review, and upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board approved the June 2022 Unaudited Financials as presented.

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B. Ratify June and July 2022 Claims

After review, and upon a motion duly made, and seconded, and upon vote, unanimously carried, the Board approved the June 2022 claims totaling \$112,867.58 for check numbers 2122-2127 and July 2022 claims totaling \$63,438.94 for check numbers 2128-2138.

C. Cash Position as of August 16, 2022

Mr. Peak reviewed the Cash Position Schedule as of August 16, 2022. The Board accepted the August 16, 2022 Cash Position Schedule as presented.

D. Review and Approve August 2022 Received Claims

After review, and upon a motion duly made, and seconded, and upon a vote, unanimously carried, the Board approved the August 2022 claims totaling \$7,541.60 for check numbers 2139-2146.

E. 2021 Audit Update

Mr. Peak reported that the 2021 Audit is due by the end of September 2022 and it will be completed and filed with the State by this time.

F. 2023 Budget

Mr. Peak reported that it is still too earlier to receive the preliminary Assessed Value for 2022 for the District.

G. 2023 Draft Budget Preparation

The Board appointed Mr. Peak, the District's Manager and John Simmons, the District's Accountant to prepare a Draft 2023 budget for presentation to the Board at the October 20, 2022 Board Meeting.

H. Other

None

### ADMINISTRATIVE MATTERS

A. Review and Ratify Arbor Work on Chatfield Avenue

Mr. Peak presented the Arbor Work work order for ratification on Chatfield Avenue for approximately \$7,700 plus traffic control for a range of \$400-\$1500 dependent upon the complexity of the traffic control services. The price includes any necessary permits and traffic control services. After review and upon a motion duly made, and seconded, and upon a vote, unanimously carried, the Board ratified the work order.

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B. Review and Approve Fall 2022 Flower Proposal from Keesen Landscape

Mr. Peak gave a brief description of the work to be performed for the 2022 Fall flowers by Keesen Landscape on identified medians within the District. After review, and upon a motion duly made, and seconded, and upon a vote, unanimously carried, the Board approved the proposal for fall flowers from Keesen Landscape for \$3,611.40.

C. Other

None

### BOARD MATTERS

A. Other

None

### LEGAL MATTERS

A. Retirement of Owen Oliver

Mr. Oliver gave notice of his retirement to the Board as the District's Legal Counsel as of December 2, 2022

B. Future Legal Counsel Recommendation

Mr. Oliver informed the Board that he and the District's Manager, Mr. Peak interviewed a potential legal counselor from Icenogle Seaver and Pogue, Ms. Shannon Smith Johnson. Ms. Smith Johnson is an attorney who specializes in Colorado Special District law and has extensive experience in providing legal counsel to Colorado's Special Districts. Both Mr. Oliver and Mr. Peak recommend Ms. Smith Johnson as the District's future legal counsel to replace Mr. Oliver. The Board asked that Ms. Smith Johnson attend the District's October 2022 board meeting for possible consideration and future contracting with the Plains Metropolitan District for legal counsel.

C. Other

The Board directed Mr. Oliver to examine the Colorado State Retention Policy for Special District's and report his findings to the Board at the October 2022 meeting.

### OTHER BUSINESS

A. Confirm Quorum for the Next Regular Board Meeting In-Person - October 20, 2022 at 12 p.m. - KC & Associates, 10106 W. San Juan Way, Suite 210, Littleton, CO 80127.

B. Other

None

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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