

MINUTES OF THE SPECIAL MEETING OF THE  
BOARD OF DIRECTORS OF

MOUNTAIN SHADOWS METROPOLITAN DISTRICT

Held: Tuesday, September 14, 2021, at 4:30 p.m. via  
teleconference

This meeting was held via teleconference.

**Attendance**

The special meeting of the Board of Directors of the Mountain Shadows Metropolitan District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following directors were in attendance:

Steve Roboff  
Kurt Haeger  
Tadd Overstreet  
Tom Lynch  
Toni Keiser

Also present: Trisha K. Harris, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Gigi Pangindian and Cass Aurich, CliftonLarsonAllen, LLP, District Accountant; Angie Sherman, MSI, LLC, District Manager; and members of the public.

**Call to Order**

It was noted that a quorum of the Board was present and the meeting was called to order.

**Conflict of Interest  
Disclosures**

Ms. Harris reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Ms. Harris inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

**Agenda**

The Board reviewed the proposed agenda. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda.

**Appointment of Officers**

No Action Taken

**Public Comment**

James Skinner addressed the Board regarding restructuring of the bonds, communal grass lands being overwatered, and the volume of large vehicles traveling on 87<sup>th</sup> Parkway to the King Soopers.

**Consent Agenda**

Ms. Harris reviewed the items on the consent agenda with the Board. Ms. Harris advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any director. No items were requested to be removed from the consent agenda. Following discussion, upon a motion duly made and seconded, the following item on the consent agenda was unanimously approved:

1. Minutes from the June 30, 2021 Special Meeting.

**Facilities Management**

District Management Update

Update Regarding Repair at  
Whisper Creek Park  
Playground Surface and  
Slide Replacement

Ms. Sherman provided an update to the Board regarding the repair at Whisper Creek Park playground surface and slide replacement. The slide was delivered to the City, but it is the incorrect slide and the City is working to get the correct slide.

Update Regarding Spring  
Tree Planting

Ms. Sherman presented the update regarding spring tree planting. The proposal presented was for \$40,450, for the replacement of 50 trees, but it was determined that the amount that could be replaced would be about 38. The Board approved up to \$42,000 for tree replacement, and directed Ms. Sherman and Ms. Keiser to work together in identifying those trees to be replaced.

Update Regarding Panorama  
Park Playground

Director Haeger presented an update regarding the Panorama Park playground. The original project was to replace a couple of trees, and put rock at the bottom of the trees. The Board previously approved a proposal from Vargas for this work but the bids came in higher than the amount previously authorized by the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously authorized up to \$10,000 for landscape enhancements to Panorama Park.

Discussion Regarding Pond  
Maintenance Plan (2021) and  
2022)

Ms. Sherman presented the plan. The Board approved Vargas Quote #2017430 for work to clean out the ponds. Going forward, the District will have Kendra from Vargas attend the next meeting to discuss options for maintaining the ponds going forward.

Discussion Regarding Vargas Maintenance Contract Extension  
Snow Removal  
2022 Maintenance

The Board discussed continuing with Vargas for snow removal and landscaping maintenance for the coming year, and approved extending the Vargas’ contract for another year, subject to additional mowing being included and with no more than a \$5,000 incremental cost increase.

Discussion Regarding Other Landscape Issues

Deferred

**Legal Matters**

Approval of Resolution Designating the Location of Regular and Special Meetings of the Board of Directors

Ms. Harris presented the Resolution Designating the Location of Regular and Special Meetings of the Board of Directors. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the Resolution Designating the Location of Regular and Special Meetings of the Board of Directors

**Financial Matters**

Financial Report/Claims Payable

Ms. Aurich presented the July 31, 2021 unaudited financial statements to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the unaudited financial statements.

Ms. Aurich presented the Board with claims in the amount of \$58,179.87. Following discussion, upon a motion duly made and seconded, the Board unanimously ratified the claims.

Discussion: Budget Status (budget to actual)

Ms. Pangindian discussed and presented a very preliminary 2022 budget. The Board is to review and provide any comments to Ms. Pangindian. No action taken.

Conduct Public Hearing on 2021 Budget Amendment

Director Roboff opened the public hearing on the 2021 Budget Amendment. Ms. Harris noted that the notice of public hearing was provided in accordance with Colorado Law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of a Resolution to Amend the 2021 Budget

Ms. Harris reviewed the Resolution Amending the 2021 Budget with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution

amending the General Fund to \$420,000.

Other Financial Matters      None.

**Other Business**                      None.

Adjournment                      There being no further business to come before the Board and following discussion and upon motion duly made, seconded and unanimously carried, the Board determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

*Tadd L Overstreet*  
Tadd L Overstreet (Nov 19, 2021 13:22 MST)

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Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 15<sup>th</sup> day of November, 2021.