

MINUTES OF A SPECIAL MEETING OF THE BOARD  
OF DIRECTORS

OF

HIGH PLAINS METROPOLITAN DISTRICT

Held: Wednesday, July 1, 2020, at 5:30 p.m. via  
Teleconference.

Due to Executive Orders issued by Governor Polis and Public Health Orders implementing the Executive Orders issued by the Colorado Department of Health and Environment (CDPHE), and the threat posed by the COVID-19 coronavirus, the meeting was held via teleconference.

Attendance

A special meeting of the Board of Directors of the High Plains 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:

Shawn McGoff  
Diane Kelly  
Josie O'Neill  
Maria Elena Daniels

Director Shadwell was absent. All absences are deemed excused unless otherwise noted in these minutes.

Also present were Clint C. Waldron, Esq. and Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; and Ben Houghton, CliftonLarsonAllen, LLC; District accountant.

Call to Order

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

Declaration of Quorum/Director  
Qualification/Reaffirmation of  
Disclosures

Mr. Waldron 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. Mr. Waldron 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 motion duly made and seconded, the Board unanimously approved the agenda as presented.

## Public Comment

None.

Executive Session - The Board intends to enter into executive session pursuant to C.R.S. §24-6-402(4)(b), conference with an attorney for the District for the purpose of receiving legal advice on specific legal questions related to a settlement agreement with Lennar Colorado, LLC regarding acceptance of park and right of way improvements and outstanding amounts owed under the Capital Reimbursement Agreement, and C.R.S. §24-6-402(4)(e) determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators related to said settlement agreement.

Upon motion of Director Kelly, seconded by Director McGoff, and upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 5:33 P.M. for the purpose of receiving legal advice pursuant to §24-6-402(4)(b), C.R.S., conference with an attorney for the District for the purpose of receiving legal advice on specific legal questions related to a settlement agreement with Lennar Colorado, LLC regarding acceptance of park and right of way improvements and outstanding amounts owed under the Capital Reimbursement Agreement, and § 24-6-402(4)(e), C.R.S., determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators related to said settlement agreement.

Pursuant to § 24-6-402(2)(d.5)(II)(B), C.R.S., no record was kept of the portion of the executive session that, in the opinion of the District's attorney, constituted privileged attorney-client communication pursuant to § 24-6-402(4)(b), C.R.S.

Also pursuant to § 24-6-402(4), C.R.S., the Board did not adopt any proposed policy, position, resolution, rule, regulation or take formal action during execution session.

The Board reconvened in regular session at 6:08 P.M.

## Other Business

The Board generally discussed covenant enforcement issues regarding 26980 E. Friend Place. Legal counsel noted they had received contact from all three homeowners, are reviewing the correspondence, and will work on a recommendation to the Board. The Board discussed that to the extent the issue involves a Board member, that Board member should not participate in the discussion due to conflicts of interest.

Director McGoff noted that the traffic control letter had been circulated to the Board.

Mr. Waldron informed the Board that the park is completed and the entryway project final walkthrough is scheduled for July 13, 2020.

Adjourn

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

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

*Jill Shadwell*  
Jill Shadwell (Aug 5, 2020 19:35 MDT)

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Secretary for the Meeting

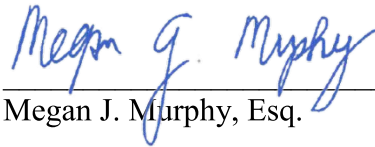
The foregoing minutes were approved by the Board of Directors on the 29th day of July, 2020.

**ATTORNEY STATEMENT  
REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION**

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing High Plains Metropolitan District, I attended the executive session meeting of High Plains Metropolitan District convened at 5:33p.m. and July 1, 2020 for the sole purpose of discussing receiving legal advice on specific legal questions related to a settlement agreement with Lennar Colorado, LLC regarding acceptance of park and right of way improvements and outstanding amounts owed under the Capital Reimbursement Agreement and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators related to said settlement agreement as authorized by C.R.S. §24-6-402(4)(b) and C.R.S. §24-6-402(4)(e). I further attest it is my opinion that all or a portion of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(b), C.R.S. or Section 24-6-402(2)(d.5)(II)(B), C.R.S.



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Clint C. Waldron, Esq.



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Megan J. Murphy, Esq.









# 2020-07-28 Execution Packet High Plains MD

Final Audit Report

2020-08-06

Created:	2020-08-04
By:	Dana Anderson (danderson@wbapc.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAWJp-hv-xqs8SUNS4qnPC7kDo6KCZNS_q

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