

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE INDY OAK TOD METROPOLITAN DISTRICT (THE “DISTRICT”) HELD MARCH 8, 2022

A Special Meeting of the Board of Directors of the Indy Oak TOD Metropolitan District (referred to hereafter as the “Board”) was convened on Tuesday, March 8, 2022, at 6:00 p.m. This District Board meeting was held by Zoom. The meeting was open to the public via Zoom.

Directors in Attendance Were:

Jonnye Phifer
Judson Connelly
John Heikes
Kristen Miller

Also, In Attendance Were:

Peggy Ripko, Special District Management Services, Inc. (“SDMS”)

Suzanne Meintzer, Esq.; McGeady Becher P.C.

Diane Wheeler; Simmons & Wheeler, P.C.

**DISCLOSURE OF
POTENTIAL
CONFLICTS OF
INTEREST**

Attorney Meintzer noted a quorum was present and discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State and to the Board. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting. Attorney Meintzer noted for the record that no disclosures were made by any members of the Board prior to this meeting as all Board members are residents of the District.

**ADMINISTRATIVE
MATTERS**

Agenda: Ms. Ripko reviewed the proposed Agenda for the District's Special Meeting with the Board.

Following discussion, upon motion duly made by Director Phifer, seconded by Director Miller and, upon vote, unanimously carried, the Board approved the Agenda, as presented and excused the absence of Director Gilmore.

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Meeting Location: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. Following discussion, upon motion duly made by Director Phifer, seconded by Director Miller and, upon vote, unanimously carried, the Board determined to conduct this meeting via teleconference and encouraged public participation via Zoom. The Board noted that notice of this meeting and teleconference number was duly posted and that it had not received any objections to the meeting or any requests that the meeting be changed by taxpaying electors within the District's boundaries.

Designation of 24-Hour Posting Location: Following discussion, upon motion duly made by Director Phifer, seconded by Director Miller, and upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted at least 24 hours prior to each meeting on the District's website at: <https://indyoaktodmd.colorado.gov/> or if posting on the website is unavailable, notice will be posted on a post within the Boundaries of the District.

Minutes: The Board reviewed the Minutes of the October 18, 2021 Special Meeting.

Following discussion, upon motion duly made by Director Phifer, seconded by Director Miller and, upon vote, unanimously carried, the Board approved the Minutes of the October 18, 2021 Special Meeting.

May 3, 2022 Regular Directors' Election: Ms. Ripko provided an update to the Board regarding the May 3, 2022 Regular Directors' Election. There are two (2) seats that will be up for election, and the DEO received three (3) self-nomination forms, so an election was triggered.

PUBLIC COMMENTS

There were no public comments.

FINANCIAL MATTERS

Claims: Ms. Wheeler discussed with the Board the payment of claims for the period ending March 5, 2022, in the amount of \$71,216.83.

Following discussion, upon motion duly made by Director Phifer, seconded by Director Miller and, upon vote, unanimously carried, the Board ratified approval of the payment of claims for the period ending March 5, 2022, in the amount of \$71,216.83.

Unaudited Financial Statements: The Board deferred discussion.

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2021 Audit: The Board entered into discussion regarding the requirements for an audit.

Following discussion, upon motion duly made by Director Phifer, seconded by Director Connelly and, upon vote, unanimously carried, the Board authorized an additional \$200 for Wipfli LLP to prepare 2021 audit, for a total cost of \$5,200.

LEGAL MATTERS

Intergovernmental Agreement for Oak Street Trail Connection Costs between the City of Lakewood and the District: There was no update at this time.

COVENANT ENFORCEMENT/ DESIGN REVIEW

Limited Amendment to Covenant and Restrictions of Oak Street Townhomes and Pearson Grove: The Board entered into discussion regarding the status of the Limited Amendment to Covenant and Restrictions of Oak Street Townhomes. Ms. Ripko noted that she is working with the District's covenant enforcement counsel, Altitude Community Law P.C., regarding coordination of same.

Parking Committee:

Two Motorcycle Parking Spaces at the Oak Street Townhomes: The Board entered into discussion regarding adding two motorcycle parking spaces at the Oak Street Townhomes in front of the property located at 1098 Oak Circle. It was noted the request was submitted to the City of Lakewood.

Architectural Review Committee: Ms. Ripko provided an update to the Board regarding the Architectural Review Committee.

Appeal from 1158 Oak Circle Regarding Extension of the Deck: The Board deferred this matter pending the limited covenant amendment.

Violation Reports: Ms. Ripko provided an update to the Board regarding the Violation Reports.

OPERATIONS AND MAINTENANCE MATTERS

Landscape Matters: Ms. Ripko provided an update.

Engagement of Wyatt's Towing for Towing Services: The Board entered into discussion regarding the engagement of Wyatt's Towing for towing services.

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Following discussion, upon motion duly made by Director Phifer, seconded by Director Miller and, upon vote, unanimously carried, the Board ratified approval of the engagement of Wyatt's Towing for towing services on an as needed basis.

Proposal from Environmental Designs, Inc. Snow Removal Services: The Board reviewed a proposal from Environmental Designs, Inc. snow removal services.

Following discussion, upon motion duly made by Director Phifer, seconded by Director Miller and, upon vote, unanimously carried, the Board ratified approval of the proposal from Environmental Designs, Inc. snow removal services.

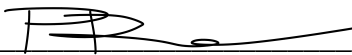
OTHER BUSINESS

There is no other business at this time.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made, seconded and upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By  _____
Secretary for the Meeting