

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE INDY OAK TOD METROPOLITAN DISTRICT (THE “DISTRICT”) HELD JANUARY 23, 2024

A Special Meeting of the Board of Directors of the District (referred to hereafter as the “Board”) was convened on Tuesday, January 23, 2024, at 4:00 p.m. This District Board meeting was held by Zoom videoconference and teleconference. The meeting was open to the public via Zoom.

Directors in Attendance Were:

Nicholas Coy
Aaron Anderson
Eric Knorr

Also In Attendance Were:

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

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

Members of the Public:

Alex Braico, Board Candidate
Judson Connelly, Board Candidate
James Ward, Board Candidate

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Ms. Ripko 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 Board members were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting. Ms. Ripko noted for the record that no Board members made any disclosures prior to this meeting as all Board members are residents of the District and no disclosures were made during the meeting.

ADMINISTRATIVE MATTERS

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

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Following discussion, upon motion duly made by Director Coy, seconded by Director Anderson and, upon vote, unanimously carried, the Board approved the Agenda.

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 Anderson, seconded by Director Knorr and, upon vote, unanimously carried, the Board determined to conduct this meeting in-person and via Zoom and encouraged public participation via Zoom. Ms. Ripko was present in person at the address listed above. The Board noted that notice of this meeting and the Zoom videoconference and teleconference access information 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 Anderson, seconded by Director Knorr, 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 within the boundaries of the District.

Resignation of Director: The Board acknowledged the resignation of Director Nicholas Coy, effective January 23, 2024.

Vacancies on the Board: The Board discussed the vacancies on the Board of Directors. Eligible electors, Alex Braico, Judson Connelly and James Ward, were nominated to serve on the Board.

Following discussion, upon motion duly made by Director Knorr, seconded by Director Anderson and, upon vote, unanimously carried, the Board appointed Alex Braico, Judson Connelly and James Ward to fill the vacancies on the Board.

Appointment of Officers: Following discussion, upon motion duly made by Director Phifer, seconded by Director Anderson and, upon vote, unanimously carried, the following slate of officers was appointed:

President
Treasurer

Eric Knorr
Judson Connelly

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Secretary (non-elected)
Assistant Secretary
Assistant Secretary
Assistant Secretary

Peggy Ripko
James Ward
Alex Braico
Aaron Anderson

PUBLIC COMMENT There was no public comment.

LEGAL MATTERS **Allegations of Property Damage:** Attorney Meintzer discussed with the Board the allegations of property damage to fencing and retaining walls in Pearson Grove.

Following discussion, upon motion duly made by Director Knorr, seconded by Director Anderson and, upon vote, unanimously carried, the Board approved the payment for property damage to fencing and retaining walls in Pearson Grove.

LANDSCAPE MATTERS **Snow Removal for Oak Street:** The Board discussed the snow removal for Oak Street.

Following discussion, upon motion duly made by Director Knorr, seconded by Director Anderson and, upon vote, unanimously carried, the Board approved keeping the snow removal locations the same.

Rescinding Approval of 2023 Maintenance Agreement with Environmental Designs, Inc.: The Board discussed rescinding approval of 2023 Maintenance Agreement with Environmental Designs, Inc., for winter services and dog station maintenance.

Following discussion, upon motion duly made by Director Knorr, seconded by Director Anderson and, upon vote, unanimously carried, the Board approved rescinding approval of 2023 Maintenance Agreement with Environmental Designs, Inc., for winter services and dog station maintenance.

Rescinding 2024 Landscape Maintenance Agreement with Environmental Designs, Inc.: The Board discussed rescinding 2024 Landscape Maintenance Agreement with Environmental Designs, Inc. for landscape services.

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Following discussion, upon motion duly made by Director Knorr, seconded by Director Anderson and, upon vote, unanimously carried, the Board approved rescinding approval of 2024 Maintenance Agreement with Environmental Designs, Inc.

Master Service Agreement with Environmental Designs, LLC: The Board discussed the Master Service Agreement with Environmental Designs, LLC for outdoor maintenance services (“the MSA”).

Following discussion, upon motion duly made by Director Knorr seconded by Director Anderson and, upon vote, unanimously carried, the Board approved the MSA with Environmental Designs, LLC for outdoor maintenance services.

MSA Task Order No. 1 for 2023-2024 Pearson Grove Snow Removal Services: The Board discussed MSA Task Order No. 1 for 2023-2024 Pearson Grove Snow Removal Services to be paid for on a time and material basis.

Following discussion, upon motion duly made by Director Knorr seconded by Director Anderson and, upon vote, unanimously carried, the Board approved MSA Task Order No. 1 for 2023-2024 Pearson Grove Snow Removal Services to be paid for on a time and material basis.

MSA Task Order No. 2 for 2023-2024 Oak Street Snow Removal Services: The Board discussed MSA Task Order No. 2 for 2023-2024 Oak Street Snow Removal Services to be paid for on a time and material basis.

Following discussion, upon motion duly made by Director Knorr seconded by Director Anderson and, upon vote, unanimously carried, the Board approved MSA Task Order No. 2 for 2023-2024 Oak Street Snow Removal Services to be paid for on a time and material basis.

MSA Task Order No. 3 for 2023-2024 Pearson Grove Winter Dog Station Maintenance Services: The Board discussed MSA Task Order No. 3 for 2023-2024 Pearson Grove Winter Dog Station Maintenances to be paid in four monthly installments of \$291.15, commencing in December 2023 and ending in March 2024, for a total amount of \$1,164.60.

Following discussion, upon motion duly made by Director Knorr seconded by Director Anderson and, upon vote, unanimously carried, the Board approved MSA Task Order No. 3 for 2023-2024 Pearson Grove Winter Dog Station Maintenances to be paid in four monthly installments

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of \$291.15, commencing in December 2023 and ending in March 2024, for a total amount of \$1,164.60.

MSA Task Order No. 4 for 2023-2024 Pearson Grove Landscape Services: The Board discussed MSA Task Order No. 4 for 2023-2024 Pearson Grove Landscape Services to be paid for in nine monthly installments of \$1,094.68, commencing in April 2024 and ending in December 2024, for a total amount of \$9,850.68.

Following discussion, upon motion duly made by Director Knorr seconded by Director Anderson and, upon vote, unanimously carried, the Board approved MSA Task Order No. 4 for 2023-2024 Pearson Grove Landscape Services to be paid for in nine monthly installments of \$1,094.68, commencing in April 2024 and ending in December 2024, for a total amount of \$9,850.68.

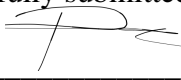
MSA Task Order No. 5 for 2023-2024 Oak Street Landscape Services: The Board discussed MSA Task Order No. 5 for 2024 Oak Street Landscaping Services eight monthly installments of \$2,421.59, commencing in April 2024 and ending in November 2024, for a total amount of \$19,372.72.

Following discussion, upon motion duly made by Director Knorr seconded by Director Anderson and, upon vote, unanimously carried, the Board approved MSA Task Order No. 5 for 2024 Oak Street Landscaping Services eight monthly installments of \$2,421.59, commencing in April 2024 and ending in November 2024, for a total amount of \$19,372.72.

ADJOURNMENT

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

Respectfully submitted,

By 
Secretary for the Meeting