

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
INDY OAK TOD METROPOLITAN DISTRICT
(THE “DISTRICT”)
HELD
APRIL 22, 2024**

A Regular Meeting of the Board of Directors of the District (referred to hereafter as the “Board”) was convened on Monday, April 22, 2024, at 6:00 p.m. This District Board meeting was held by Zoom videoconference and teleconference. The meeting was open to the public via Zoom.

ATTENDANCE

Directors in Attendance Were:

Eric Knorr
Judson Connelly
Aaron Anderson
Alex Braico

Also In Attendance Were:

David Solin; Special District Management Services, Inc. (“SDMS”)

Suzanne Meintzer, Esq. and Eric Trout, Esq.; McGeady Becher P.C.

Diane Wheeler; Simmons & Wheeler, P.C.

Nahiri; Member of the Public (last name not known)

**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 Board members 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 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: Attorney Meintzer reviewed the proposed Agenda for the Special Meeting with the Board.

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

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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 Connelly, seconded by Director Anderson and, upon vote unanimously carried, the Board determined to conduct this meeting via Zoom videoconference and teleconference and encouraged public participation via Zoom. 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.

Meeting Minutes: The Board reviewed the Minutes of the December 12, 2024 Special Meeting and January 23, 2024 Special Meeting. Following review and discussion, upon motion duly made by Director Anderson, seconded by Director Knorr and, upon vote unanimously carried, the Board approved the Minutes.

Resignation of Director: The Board acknowledged the resignation of Director James Ward, effective April 22, 2024.

PUBLIC COMMENT There was no public comment.

FINANCIAL MATTERS

Payment of Claims: Ms. Wheeler reviewed the payment of claims in the amount of \$113,149.67. Following discussion, upon motion duly made by Director Knorr, seconded by Director Connelly and, upon vote unanimously carried, the Board approved the payment of claims in the amount of \$113,149.67.

2023 Audit: In lieu of presenting the Unaudited Financial Statements as of December 31, 2023, Ms. Wheeler reviewed the 2023 Audit with the Board. Following discussion, upon motion duly made by Director Knorr, seconded by Director Anderson and, upon vote unanimously carried, the Board approved the 2023 Audit, subject to final legal review, and authorized execution of the Representations Letter.

Public Hearing on Amendment to 2022 Budget: The public hearing to consider an amendment to the 2022 Budget was opened. It was noted that publication of Notice stating that the Board would consider amendment of the 2022 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation

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within the District. No written objections were received prior to the public hearing.

No public comments were received, and the public hearing was closed.

Following discussion, upon motion duly made by Director Knorr, seconded by Director Connelly and, upon vote unanimously carried, the Board adopted Resolution No. 2024-04-01 to Amend the 2022 Budget.

LEGAL MATTERS

Property Damage Update: Attorney Meintzer presented two damage claims to the Board, noting that one repair is anticipated to be completed in the next few months and the other repair has already been completed.

Executive Session: The Board determined that an executive session was not necessary.

Oak Street Tracts: Attorney Meintzer provided an update on the replat of Tracts A and C, noting that conveyance of Tract C to the District is still in progress. Following discussion, upon motion duly made by Director Knorr, seconded by Director Anderson and, upon motion unanimously carried, the Board approved the conveyance, subject to landscape walkthrough and receipt of the Special Warranty Deed from Century.

LANDSCAPE MATTERS

Oak Street Snow Removal: The Board discussed the snow removal for Oak Street during the property damage update earlier in the meeting.

It was further noted that any ice development in drainage areas should be reported to Ms. Ripko.

Oak Street Sitting Area Cleanup: Following discussion, upon a motion duly made by Director Knorr, seconded by Director Anderson and, upon motion unanimously carried, the Board approved a Change Order with Environmental Designs, Inc. not to exceed \$5,000, subject to the deed conveying Tract C from Century.

Mulch Issues: Following discussion, the Board determined to complete a walkthrough of areas where issues with mulch are occurring and will discuss further at a future meeting.

Other: The member of the public present inquired regarding lawn maintenance requirements for back yards. She was directed to check the

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District website for the community rules.

DIRECTOR MATTERS


Consolidated Mutual Water Company Invoices: The Board discussed the invoices during discussion of financial items above.

Other: Director Knorr noted that sewer bills have erroneously been sent to individual homeowners. Ms. Wheeler stated that she will coordinate with Ms. Ripko regarding this matter.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned.

Respectfully submitted,

By 
Secretary for the Meeting