

MINUTES OF A JOINT SPECIAL MEETING OF THE  
BOARDS OF DIRECTORS

OF

FOREST TRACE METROPOLITAN DISTRICT NOS. 1 & 3

Held: Tuesday, March 5, 2024 at 6:30 p.m. at 6601 S. Wheatlands  
Parkway, Aurora, CO.

The meeting referenced above was called and held in accordance  
with the applicable statutes of the State of Colorado. The  
following directors were in attendance:

Kevin Payne  
Shane Simpson  
Richard Robbins

Directors Daniel Frank and Tracy Alford were absent and  
excused.

Also present were Clint C. Waldron, Esq., White Bear Ankele  
Tanaka & Waldron, District General Counsel; Diane Wheeler,  
Simmons & Wheeler, District Accountant; Kevin and Randy  
Cox, Cox Professional Landscape Services, LLC; and Shane  
Chisolm, Patrick Atkinson, and Patrick Dunda, Keesen  
Landscape Management, Inc.

**Call to Order/Declaration  
of Quorum**

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

**Director  
Qualifications/Conflicts of  
Interest/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 Boards at least 72 hours prior  
to the meeting, in accordance with Colorado law, and those  
disclosures were acknowledged by the Boards. Mr. Waldron  
inquired into whether members of the Boards 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 Boards to act.

**Joint Meetings**

The Boards of Directors of the Districts have determined to hold  
joint meetings of the Districts and to prepare joint minutes of  
action taken by the Districts in such meetings. Unless otherwise

noted herein, all official action reflected in these minutes is the action of each of the Districts. Where necessary, action taken by an individual District will be reflected in these minutes.

**Approval of Agenda** The Boards reviewed the proposed agenda. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the agenda as presented.

**Consider Appointment of Officers** Deferred.

**Public Comment** None.

**Consent Agenda** The Boards reviewed the items on the consent agenda. Mr. Waldron advised the Boards 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. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved, ratified and adopted;

- February 6, 2024 Special Meeting Minutes; and
- Claims

## **Legal Matters**

**Consider Engagement of Cockrel Ela Glesne Greher & Ruhland as Special Counsel to District No. 1 related to the Maintenance Agreement with District No. 2 (District No. 1)** Mr. Waldron reviewed the engagement letter with Cockrel Ela Glesne Greher and Ruhland with the Board of District No. 1. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 unanimously approved the engagement.

**Discuss the Governor's Office of Information Technology Adoption of Permanent Rules, 8 CCR 1501-11, Rules Establishing Technology Accessibility Standards** Mr. Waldron provided an update to the Boards.

**Other Legal Matters** None.

## District Operations

Discuss Landscape  
Maintenance Proposals and  
Consider Award of Contract

*Cox Professional Landscape Services, LLC* Mr. Kevin Cox and Mr. Randy Cox presented their proposal and company background information to the Boards. The Board engaged in discussion with Mr. Kevin Cox and Mr. Randy Cox.

*Keesen Landscape Management, Inc.* Mr. Chisolm, Mr. Atkinson, and Mr. Dunda presented their proposal and company overview to the Boards. The Board engaged in discussion with Mr. Chisolm, Mr. Atkinson, and Mr. Dunda.

Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the proposal from Cox Professional Landscape Services, LLC.

Discuss and Consider  
Engagement of Property  
Manager The Boards engaged in discussion regarding property management proposals. The Boards deferred the matter.

Other District Operations Mr. Waldron engaged in discussion with the Boards regarding board member insurance and additional insurance requirements.

## Financial Matters

Review Unaudited Financial Statements, Property Tax Statement and Schedule of Cash Position Ms. Wheeler reviewed the financial statements with the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved to reimburse District No. 1 from District No. 3 for costs related to erosion and a portion of legal costs for District No. 3.

Consider Approval of Engagement Letter with Hiratsuka & Associates, LLP to Prepare 2023 Audit (District No. 3) Ms. Wheeler previewed the engagement letter with Hiratsuka & Associates, LLP to prepare the 2023 audit with the Board of District No. 3. Following discussion, upon a motion duly made and seconded, the Board of District No. 3 unanimously approved the engagement.

**Adjourn** There being no further business to come before the Boards, and following discussion and upon motion duly made, seconded and unanimously carried, the Boards determined to adjourn the meeting at 8:35 p.m.

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

*Keivn Payne*  
Keivn Payne (Apr 21, 2024 21:34 MDT)

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Secretary for the Meeting

The foregoing minutes were approved on the 18<sup>th</sup> day of April, 2024.