

# RECORD OF PROCEEDINGS

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## MINUTES OF THE REGULAR MEETING OF

THE LAKES AT CENTERRA METROPOLITAN DISTRICT NO. 3

HELD

July 28, 2022

The Board of Directors of The Lakes at Centerra Metropolitan District No. 3 held a Regular meeting, open to the public, via MS Teams on Thursday, July 28, 2022 at 12:00 p.m.

### ATTENDANCE

#### Directors in Attendance:

Kim Perry, President & Chairperson  
Tim DePeder, Vice President/Asst. Secretary  
Josh Kane, Secretary/Treasurer  
Karl Sutton, Asst. Treasurer

#### Also in Attendance:

Alan Pogue; Icenogle Seaver Pogue, P.C.  
Brendan Campbell, Irene Buenavista, Andrew Kunkel, Kieyesia Conaway, Casey Milligan, Nic Ortiz, Sarah Bromley, and Bryan Newby; Pinnacle Consulting Group, Inc.  
Jim Niemczyk; McWhinney  
Johnathan Jacobson; Cohere  
John Cutler; John Cutler & Associates, LLC  
Susan Draut, Abby Kirkbride, Sam Salazar, Gary Dreith, Todd Carnes, Ralph Mathes, James Laferriere; Members of the Public

### CALL TO ORDER

The Regular Meeting of the Board of Directors of The Lakes at Centerra Metropolitan District No. 3 was called to order at 12:04 p.m. by Director Perry, noting that a quorum was present for the Board. Each of the Directors confirmed their qualifications to serve on the Board. Mr. Kunkel confirmed that prior to the meeting each of the Directors had been notified of the meeting.

### CONFLICTS OF INTEREST DISCLOSURE

Mr. Pogue noted that notices of potential conflicts of interest for Board Members employed by McWhinney Real Estate Services, Inc., were filed with the Colorado Secretary of State's Office, disclosing that potential conflicts of interest may exist, as some Board Members are employees of McWhinney Real Estate Services, Inc. which is associated with the primary landowner and developer of land within the District. Mr. Pogue advised the Board that pursuant to Colorado law, certain

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disclosures by the Board Members might be required prior to taking official action at a meeting. The Board reviewed the agenda for the meeting, following which each Board Member present confirmed the contents of the written disclosures previously made stating the fact and summary nature of any matters as required under Colorado law to permit official action to be taken at the meeting. Additionally, the Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

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### AGENDA

The Board considered the agenda. Upon a motion duly made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously

**RESOLVED** to approve the agenda, as presented.

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### APPOINTMENTS TO FILL BOARD VACANCY

Mr. Pogue addressed the Board and members of the public and provided an overview of the process for appointing interested candidates to the Board noting there is one interested candidate to fill one vacancy on the Board of District No. 3. Following discussion, upon motion duly made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously

**RESOLVED** to appoint Abby Kirkbride to the Board of Directors.

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### ELECTION OF OFFICERS

The Board discussed the election of Officers. Following review and discussion, upon motion duly made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously

**RESOLVED** to elect the following slate of Officers: Kim Perry, President and Chairperson; Tim DePeder, Vice President and Assistant Secretary; Josh Kane, Secretary and Treasurer; Karl Sutton, Assistant Treasurer; Abby Kirkbride, Assistant Secretary.

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### ADMINISTRATIVE ITEMS

2021 Application for Exemption from Audit: Ms. Buenavista presented and reviewed the 2021 Application for Exemption from Audit. Following review and discussion, upon motion duly made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously

**RESOLVED** to ratify the 2021 Application for Exemption from Audit as presented.

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Meeting Minutes: The Board reviewed the meeting minutes from the April 28, 2022 Regular Meeting. Upon a motion duly made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously

**RESOLVED** to approve the April 28, 2022 Regular meeting minutes, as presented.

PUBLIC COMMENT

There were no comments made by members of the public.

FINANCIAL ITEMS

Finance Managers Report: Ms. Buenavista presented the Finance Managers Report and answered questions.

LEGAL ITEMS

There were no Legal Items to be presented.

DIRECTORS ITEMS

There were no items from the Directors to be presented.


OTHER ITEMS

There were no other items to be presented.

ADJOURNMENT

There being no further items to bring before the Board, the meeting was adjourned at 12:53 p.m.

Respectfully submitted,

  
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Kieyesia Conaway  
Recording Secretary for the Meeting