

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE ASPEN RESERVE METROPOLITAN DISTRICT HELD DECEMBER 1, 2021

A special meeting of the Board of Directors of the Aspen Reserve Metropolitan District (referred to hereafter as the “Board”) was convened on Wednesday, December 1, 2021, at 6:00 p.m. This District Special Meeting was held by Zoom without any individuals (neither District Representatives nor the general public) attending in person. The meeting was open to the public.

Directors In Attendance Were:

Kaarl Hoopes
Stephanie M. Smith
Traci DelReal
Sarah Mattice
Sean Smith

Also In Attendance Were:

David Solin; Special District Management Services, Inc
Paula Williams, Esq. and Tim O’Connor, Esq.; McGeady Becher P.C.

**DISCLOSURE OF
POTENTIAL
CONFLICTS OF
INTEREST**

Disclosure of Potential Conflicts of Interest: The Board 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. Attorney Williams requested that the Directors consider whether they had any conflicts of interest to disclose. Attorney Williams noted for the record that the Directors are District residents and there were no disclosures of potential conflicts of interest filed with the Secretary of State, and that there were no new disclosures made by the Directors present at the meeting.

**ADMINISTRATIVE
MATTERS**

Agenda: Mr. Solin distributed for the Board’s review and approval a proposed agenda for the District's special meeting.

Following discussion, upon motion duly made by Director Stephanie Smith, seconded by Director DelReal and, upon vote, unanimously carried, the agenda was approved, as amended.

Confirmation of Meeting Location/Posting of Notice: Mr. Solin confirmed the presence of a quorum.

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The Board discussed the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. Following discussion, and upon motion duly made by Director Stephanie Smith, seconded by Director DelReal, and upon vote unanimously carried, the Board determined to conduct the meeting via Zoom without any individuals (neither the District representatives nor the general public) attending in person. It was further noted that notice of the time, date and location/manner of meeting, and the meeting access information was duly posted and that no objections to the location or manner of meeting, nor any requests that the meeting place be changed by taxpaying electors within the District's boundaries were received.

June 9 2021 and October 18, 2021 Minutes: The Board reviewed the Minutes of the June 9, 2021 special meeting and the October 18, 2021 work session.

Following discussion, upon motion duly made by Director DelReal, seconded by Director Stephanie Smith and, upon vote, unanimously carried, the Board approved the Minutes of the June 9, 2021 special meeting and the October 18, 2021 work session.

Resolution No. 2021-12-01, Resolution Establishing Regular Meeting Dates, Times and Location and Designating Locations for Posting of 24-Hour Notice: Mr. Solin reviewed the business to be conducted in 2022 to meet the statutory compliance requirements. Following discussion, the Board determined to meet on June 7, 2022 and December 6, 2022 at 6:30 p.m. via telephone conference and Zoom.

Following discussion, upon motion duly made by Director DelReal, seconded by Director Stephanie Smith and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-12-01, Resolution Establishing 2022 Regular Meeting Dates, Times and Location and Designating Locations for Posting of 24-Hour Notices.

§32-1-809, C.R.S. Requirements (Transparency Notice): The Board discussed §32-1-809, C.R.S., reporting requirements and mode of eligible elector notification for 2022.

Following discussion, the Board determined to post the required transparency notice information on the Special District Association's website and the District's website and directed the District Manager to coordinate execution of same.

PUBLIC COMMENTS

Public Comments: There were no public comments.

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**COVENANT
CONTROL/
COMMUNITY
MANAGEMENT
MATTERS**

Service Agreement with Keesen Landscape Management, Inc. for 2021-2022 Snow Removal Services: Following discussion, upon motion duly made by Director Stephanie Smith, seconded by Director Hoopes and, upon vote, unanimously carried, the Board approved the Service Agreement between the District and Keesen Landscape Management, Inc. for 2021-2022 Snow Removal Services.

Service Agreement with Keesen Landscape Management, Inc. for 2022 Landscape Maintenance Services: Following discussion, upon motion duly made by Director Stephanie Smith, seconded by Director Hoopes and, upon vote, unanimously carried, the Board approved the Service Agreement for 2022 Landscape Maintenance services between the District and Keesen Landscape Management, Inc.

Proposal for Dead Plant Replacement from Brightview Landscape Services, Inc.: Mr. Solin reviewed with the Board a proposal from Brightview Landscape Services, Inc. for dead plant replacement. No action was taken.

Proposal for Native Area Bluegrass Replacement from Brightview Landscape Services, Inc.: Mr. Solin reviewed with the Board a proposal from Brightview Landscape Services, Inc. for native area bluegrass replacement. No action was taken.

Proposal for 2022 Monthly Prairie Dog Removal from Animal & Pest Control Specialists, Inc.: Following discussion, upon motion duly made by Director Hoopes, seconded by Director Mattice and, upon vote, unanimously carried, the Board approved the proposal from Animal & Pest Control Specialists, Inc. for 2022 monthly prairie dog removal.

Proposal for Monument Lighting from Brightview Landscape Services, Inc.: Mr. Solin reviewed with the Board a proposal from Brightview Landscape, Inc. for monument lighting. No action was taken.

**FINANCIAL
MATTERS**

Payment of Claims: The Board considered ratifying the approval of claims as follows:

Fund	Period Ending June 22, 2021	Period Ending July 26, 2021	Period Ending Aug. 24, 2021	Period Ending Sept. 23, 2021
General	\$ 36,773.94	\$ 17,718.29	\$ 14,192.41	\$ 14,211.54
Debt	\$ 5,500.00	\$ -0-	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total	\$ 42,273.94	\$ 17,718.29	\$ 14,192.41	\$ 14,211.54

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Fund	Period Ending Oct. 26, 2021	Period Ending Nov.23, 2021
General	\$ 9,990.94	\$ 5,873.05
Debt	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-
Total	\$ 9,990.94	\$ 5,873.05

Following discussion, upon a motion duly made by Director Hoopes, seconded by Director Sean Smith, and upon vote, unanimously carried, the Board ratified approval of the payment of claims as presented.

Unaudited Financial Statements: Mr. Solin presented to the Board the unaudited financial statements and statement of cash position for the period ending September 30, 2021.

Following review, upon motion duly made by Director Hoopes, seconded by Director Sean Smith and, upon vote, unanimously carried, the Board accepted the unaudited financial statements and schedule of cash position for the period ending September 30, 2021.

2021 Audit Preparation: The Board reviewed the engagement letter from Schilling & Company, Inc. to perform the 2021 audit.

Following discussion, upon motion duly made by Director Mattice, seconded by Director Hoopes and, upon vote, unanimously carried, the Board approved the engagement of Schilling & Company, Inc., to perform the 2021 audit, for an amount not to exceed \$4,700.

Public Hearing on 2021 Budget Amendment: The President opened the public hearing to consider an amendment to the 2021 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2021 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. There were no comments from the public in attendance and the public hearing was closed.

Following discussion, it was noted that no amendment to the 2021 Budget was required.

Public Hearing on 2022 Budget: The President opened the public hearing to consider the proposed 2022 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2022 Budget and the date, time and place of the public hearing was

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made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing.

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

Mr. Solin reviewed with the Board the estimated 2021 expenditures and the proposed 2022 expenditures.

Following discussion, the Board considered the adoption of Resolution No. 2021-12-02 to Adopt the 2022 Budget and Appropriate Sums of Money and Resolution No. 2021-12-03 to Set Mill Levies, for the General Fund at 10.000 mills and the Debt Service Fund at 55.664 mills, for a total mill levy of 65.664 mills. Upon motion duly made by Director Hoopes, seconded by Director Sean Smith and, upon vote, unanimously carried, the Resolutions were adopted, as discussed subject to final assessed valuation, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of the final Certification of Assessed Valuation from the County on or before December 10, 2021. Mr. Solin was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Adams County, not later than December 15, 2022. Mr. Solin was also authorized to transmit the Certification of Budget to the Division of Local Government no later than January 30, 2022. Copies of the adopted Resolutions are attached to these minutes and incorporated herein by this reference.

Resolution No. 2021-12-04 Authorizing Adjustment of the District Mill Levy in Accordance with the District's Service Plan: Following discussion, upon motion duly made by Director Hoopes, seconded by Director Sean Smith and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-12-04 Authorizing Adjustment of the District Mill Levy in Accordance with the District's Service Plan. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference

Resolution No. 2021-12-05 Regarding the District's Operations and Maintenance Fee: The Board reviewed Resolution No. 2021-12-05 Regarding District Operations and Maintenance Fee.

Following discussion, upon motion duly made by Director Hoopes, seconded by Director Sean Smith and, upon vote, unanimously carried, the Board adopted revised Resolution No. 2021-12-05 Regarding District Operations and Maintenance Fee.

DLG-70 Mill Levy Certification Form: The Board considered authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

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Following discussion, upon motion duly made by Director Hoopes, seconded by Director Sean Smith and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

Preparation of 2023 Budget: The Board discussed appointing the District Accountant to prepare the 2023 Budget and setting the date for a Public Hearing to adopt the 2023 Budget for December 6, 2022.

Following discussion, upon motion duly made by Director Hoopes, seconded by Director Sean Smith and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2023 Budget and set the date for a Public Hearing to adopt the 2023 Budget for December 6, 2022.

Debt Refunding Options: The Board discussed forming a committee to review options for a possible refinancing of the District's debt.

Following discussion, upon motion duly made by Director Stephanie Smith, seconded by Director Hoopes and, upon vote, unanimously carried, the Board appointed Director Hoopes and Director Sean Smith as the Finance Committee to work with Mr. Solin and a Municipal Advisor to review debt refunding options.

LEGAL MATTERS

Resolution Calling the May 3, 2022 Regular Directors Election: The Board discussed the upcoming election and Resolution No. 2021-12-06 Calling the May 3, 2022 Regular Directors Election.

Following discussion, upon motion duly made by Director Sean Smith, seconded by Director Hoopes and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-12-06 Calling the May 3, 2022 Regular Directors Election and appointed David Solin as the Designated Election Official and authorized him to perform all tasks required for the conduct of a mail ballot election. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

Political Sign Covenants: Attorney Williams discussed with the Board recent Court actions related to covenant enforcement of political speech and the potential implications for the District. No further action was taken.

Access Easement for Fence Repairs: Attorney Williams discussed an access easement for fence repairs with the Board.

Following discussion, upon motion duly made by Director Sean Smith, seconded by Director Hoopes and, upon vote, unanimously carried, the Board approved the

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access easement, as amended to provide for a ten-day advance notice to Special District Management Services, Inc.

OTHER BUSINESS

Director Hoopes requested the status of enforcement of the exterior lighting covenants. Mr. Solin assured the Board that enforcement actions are in progress.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Hoopes, seconded by Director Sean Smith and, upon vote unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: _____



Secretary for the Meeting