

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE ASPEN RESERVE METROPOLITAN DISTRICT HELD DECEMBER 6, 2022

A regular meeting of the Board of Directors of the Aspen Reserve Metropolitan District (referred to hereafter as the “Board”) was convened on Tuesday, December 6, 2022, at 6:30 p.m. This regular 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.

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**Directors In Attendance Were:**

Traci DelReal  
Karl Hoopes  
Beth Carmichael  
Micale Medina

**Also In Attendance Were:**

Peggy Ripko; Special District Management Services, Inc.  
Paula Williams, Esq. and Tim O’Connor, Esq.; McGeady Becher P.C.  
Melissa Buck; UMB Financial Services

**Members of the Public:**

Bobbi Tadwalt

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**BOND REFUNDING PRESENTATION** **Potential Refund of the District’s 2017A and 2017B Bonds:** Ms. Buck gave a presentation regarding potentially refunding the District’s Series 2017A and 2017B bonds. Following discussion, the Board deferred taking action on this item.

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**PUBLIC COMMENT** There were no public comments.

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**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. Ms. Ripko noted for the record that the Directors are District residents so 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.

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### **ADMINISTRATIVE MATTERS**

**Agenda:** Ms. Ripko distributed for the Board's review and approval a proposed agenda for the District's regular meeting.

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

**Confirmation of Meeting Location/Posting of Notice:** Ms. Ripko confirmed the presence of a quorum. The Board discussed the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meetings. Following discussion, and upon motion duly made by Director DelReal and seconded by Director Hoopes, 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.

**Resignation of David Solin as Secretary to the Board and Appointment of Peggy Ripko as Secretary to the Board:** The Board discussed the resignation of David Solin and considered the appointment of Peggy Ripko as Secretary to the Board.

Following discussion, upon motion duly made by Director DelReal, seconded by Director Hoopes, and upon vote unanimously carried, the Board accepted the resignation of David Solin as Secretary to the Board and appointed Peggy Ripko as Secretary to the Board.

**June 7, 2022 Special Meeting Minutes:** The Board reviewed the Minutes of the June 7, 2022 special meeting.

Following discussion, upon motion duly made by Director Hoopes, seconded by Director Medina, and upon vote unanimously carried, the Board approved the Minutes of the June 7, 2022 special meeting.

**Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices:** Ms. Ripko discussed with the Board Resolution No. 2022-12-01 Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices.

The Board determined to meet at 6:30 p.m. on June 6, 2023, and December 5, 2023, via Zoom.

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Following discussion, upon motion duly made by Director DelReal, seconded by Director Medina, and upon vote carried with Directors DelReal, Medina and Carmichael voting aye and Director Hoopes opposed, the Board adopted Resolution No. 2022-12-01 Establishing Regular Meeting Dates, Time and Location, and Designating Location 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 2023.

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.

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### **COVENANT CONTROL/ COMMUNITY MANAGEMENT MATTERS**

**Community Manager's Report**: Ms. Ripko discussed with the Board the Community Manager's Report. No action was taken by the Board.

**Proposal for 2022-2023 Snow Removal Services with Keesen Landscape Management, Inc.**: The Board reviewed a proposal for 2022-2023 Snow Removal Services with Keesen Landscape Management, Inc.

Following discussion, upon motion duly made by Director Hoopes, seconded by Director Carmichael, and upon vote unanimously carried, the Board ratified approval of the proposal for 2022-2023 Snow Removal Services with Keesen Landscape Management, Inc.

**Proposal for 2023 Landscape Maintenance Services with Keesen Landscape Management, Inc.**: The Board deferred discussion of this matter.

**Proposal from Keesen Landscape Management, Inc. for Top Dress Mulch**: Following discussion upon a motion duly made by Director DelReal, seconded by Director Hoopes, and upon vote unanimously carried, the Board approved the proposal from Keesen Landscape Management, Inc. for top dress mulch in the amount of \$12,700.

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### **FINANCIAL MATTERS**

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

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Fund	Period Ending June 30, 2022	Period Ending July 31, 2022	Period Ending Aug. 31, 2022	Period Ending Sept. 30, 2022
General	\$ 12,242.94	\$ 13,446.17	\$ 14,323.93	\$ 11,507.08
Debt	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-	\$ -0-	\$ -0-
<b>Total</b>	<b>\$ 12,242.94</b>	<b>\$ 13,446.17</b>	<b>\$ 14,323.93</b>	<b>\$ 11,507.08</b>

Fund	Period Ending Oct. 31, 2022	Period Ending Nov. 30, 2022
General	\$ 14,021.53	\$ 12,346.07
Debt	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-
<b>Total</b>	<b>\$ 14,021.53</b>	<b>\$ 12,346.07</b>

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

**Unaudited Financial Statements:** Ms. Ripko presented to the Board the unaudited financial statements and statement of cash position for the period ending September 30, 2022.

Following review, upon motion duly made by Director DelReal, seconded by Director Hoopes, and upon vote unanimously carried, the Board accepted the unaudited financial statements and schedule of cash position for the period ending September 30, 2022.

**2022 Audit Preparation:** The Board reviewed the engagement letter from Schilling & Company, Inc. to perform the 2022 Audit.

Following discussion, upon motion duly made by Director DelReal, seconded by Director Carmichael, and upon vote unanimously carried, the Board approved the engagement of Schilling & Company, Inc., to perform the 2022 Audit, for an amount not to exceed \$5,000.

**Public Hearing on 2022 Budget Amendment:** The President opened the public hearing to consider an amendment to the 2022 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 2022 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.

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Following discussion, it was noted that no amendment to the 2022 Budget was required.

**Public Hearing on 2023 Budget:** The President opened the public hearing to consider the proposed 2023 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2023 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. No public comments were received, and the public hearing was closed.

Ms. Ripko reviewed with the Board the estimated 2022 expenditures and the proposed 2023 expenditures.

Following discussion, the Board considered the adoption of Resolution No. 2022-12-02 to Adopt the 2023 Budget and Appropriate Sums of Money and Resolution No. 2022-12-03 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 DelReal, seconded by Director Medina, 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, 2022. Ms. Ripko was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Adams County, not later than December 15, 2023. Ms. Ripko was also authorized to transmit the Certification of Budget to the Division of Local Government no later than January 30, 2023. Copies of the adopted Resolutions are attached to these minutes and incorporated herein by this reference.

**Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the District's Service Plan:** The Board reviewed Resolution No. 2022-12-04; Resolution 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 Carmichael, and upon vote unanimously carried, the Board adopted Resolution No. 2022-12-04; Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the District's Service Plan. A copy of the adopted Resolution is attached to these minutes and incorporated herein by this reference.

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**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.

Following discussion, upon motion duly made by Director Hoopes, seconded by Director DelReal, 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 2024 Budget:** The Board discussed appointing the District Accountant to prepare the 2024 Budget and setting the date for a Public Hearing to adopt the 2024 Budget for December 5, 2023.

Following discussion, upon motion duly made by Director Hoopes, seconded by Director DelReal, and upon vote unanimously carried, the Board appointed the District Accountant to prepare the 2024 Budget and set the date for a Public Hearing to adopt the 2024 Budget for December 5, 2023.

### **LEGAL MATTERS**

**Resolution Calling the May 2, 2023 Regular Directors Election:** The Board discussed the upcoming election and Resolution No. 2022-12-05 Calling the May 2, 2023 Regular Directors Election.

Following discussion, upon motion duly made by Director Carmichael, seconded by Director Hoopes, and upon vote unanimously carried, the Board adopted Resolution No. 2022-12-05 Calling the May 2, 2023, Regular Directors Election and appointed Peggy Ripko as the Designated Election Official and authorized her 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.

### **OTHER BUSINESS**

There was no other business to discuss at this time.

### **ADJOURNMENT**

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

Respectfully submitted,


By: 

Secretary for the Meeting

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## Document History

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 VIEWED	<b>04 / 11 / 2023</b> 15:03:41 UTC	Viewed by Peggy Ripko (pripko@sdmsi.com) IP: 50.78.200.153
 SIGNED	<b>04 / 11 / 2023</b> 15:04:17 UTC	Signed by Peggy Ripko (pripko@sdmsi.com) IP: 50.78.200.153
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