

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF HYLAND VILLAGE METROPOLITAN DISTRICT HELD NOVEMBER 18, 2022

A Regular Meeting of the Board of Directors (referred to hereafter as “Board”) of the Hyland Village Metropolitan District (referred to hereafter as “District”) was convened on Friday, the 18th day of November, 2022, at 9:00 A.M. This District Board Meeting was held by video/telephonic means via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Robin Nelson
Patrice Eichen
James MacInnis

Also In Attendance Were:

Steve Beck, Larry Loftin, and James Ruthven; Special District Management Services, Inc. (“SDMS”)
Emily Murphy, Esq.; McGeady Becher P.C.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: Mr. Beck discussed with the Board the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State.

The members of the Board were requested to disclose any potential conflicts of interest regarding any matters scheduled for discussion at this meeting. Attorney Murphy noted that the Board consists of homeowners and there were no disclosures of potential conflicts filed with the Secretary of State nor any conflicts disclosed at the meeting.

ADMINISTRATIVE MATTER

Quorum: Mr. Beck confirmed a quorum was present.

Agenda: Mr. Beck 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 MacInnis, seconded by Director Eichen and, upon vote unanimously carried, the Agenda was approved.

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Meeting Location and Posting of Meeting Notice: 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, upon motion duly made by Director MacInnis, seconded by Director Eichen and, upon vote unanimously carried, the Board determined to conduct the meeting by video/telephonic means (via Zoom), and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and Zoom information for the meeting was duly posted, and that the District had not received any objections to the telephonic manner of the meeting, or any requests that the telephonic manner of the meeting be changed by taxpaying electors within the District boundaries. Mr. Beck confirmed that Notice was posted for this meeting in accordance with statutory requirement.

Designation of 24-hour Posting Location: Following discussion, upon motion duly made by Director MacInnis, seconded by Director Eichen and, upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted at least 24 hours prior to each meeting on the District's website, when established. Until such time the District's website is established, or if posting on the website is unavailable, notice will be posted within the boundaries of the District on the mailbox kiosk at the northwest corner of the intersection of W. 97th Place and N. Ames Street.

Resignation of Matt Cohrs as Secretary to the Board; Appointment of Steve Beck as Secretary to the Board of Directors of the District: The Board acknowledged the resignation of Matt Cohrs as Secretary to the Board.

Following discussion, upon a motion duly made by Director MacInnis, seconded by Director Eichen and, upon vote unanimously carried, the Board approved the appointment of Steve Beck as Secretary to the Board.

Results of the May 3, 2022 Regular Director Election: Mr. Beck discussed the results of the May 3, 2022 Election with the Board, noting that the election was canceled as there were not more candidates than seats available. Director MacInnis was deemed elected by acclamation to a 1-year term expiring May 2023 and Directors Eichen and Nelson were each deemed elected to a 3-year term until May 2025.

Board Vacancies: The Board discussed the vacancies on the Board of Directors, noting that there were no interested eligible electors at this time.

Appointment of Officers: Following discussion, upon motion duly made by Director MacInnis, seconded by Director Eichen and, upon vote, unanimously carried, the following slate of officers were appointed:

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President	Robin Nelson
Treasurer	Patrice Eichen
Secretary (non-elected)	Steve Beck
Assistant Secretary	James McInnis

November 19, 2021 Special Meeting Minutes: The Board reviewed the Minutes of the November 19, 2021 Special Meeting.

Following discussion, upon motion duly made by Director MacInnis, seconded by Director Eichen and, upon vote, unanimously carried, the Board approved the Minutes of the November 19, 2021 Special Meeting, as amended.

Resolution Establishing Regular Meeting Dates, Time, and Location, Establishing District Website, and Designating Location for Posting of 24-Hour Notices: The Board discussed the business to be conducted and the regular meeting dates for 2023.

Following discussion, upon motion duly made by Director Eichen, seconded by Director MacInnis, upon vote, unanimously carried, the Board adopted the Resolution Establishing Regular Meeting Dates, Time, and Location, Establishing District Website and Designating Location for Posting of 24-Hour Notices and determined to hold the 2023 regular meeting on November 17, 2023, at 9:00 a.m., via Zoom.

§32-1-809, C.R.S., Transparency Notice: Mr. Beck discussed with the Board the §32-1-809, C.R.S., reporting requirements and mode of eligible elector notification for 2023. The Board directed SDMS to post the notice on the District’s website, when established, and on the Special District Association (“SDA”) website.

District Website: Mr. Beck advised the Board on the status of the District’s website, noting the same is in the Statewide Internet Portal Authority queue. The Board directed Mr. Beck to find out and advise the Board when the website will be ready. The Board further noted that if the website will not be ready by December 10, 2022, Mr. Beck should provide the Board with alternative website hosting options.

FINANCIAL MATTERS

Payment of Claims: Mr. Beck presented to the Board the following claims to consider for ratification through the periods ending as follows:

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Fund	Period ending Jan. 31, 2022	Period ending April 30, 2022	Period ending July 31, 2022	Period ending Oct. 31, 2022
General	\$ 10,791.78	\$ 6,372.61	\$ 4,925.70	\$ 4,389.10
Debt Service	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total Claims:	\$ 10,791.78	\$ 6,372.61	\$ 4,925.70	\$ 4,389.10

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

Unaudited Financial Statements and Schedule of Cash Position through September 30, 2022: Mr. Beck presented to the Board the unaudited financial statements for the period ending September 30, 2022, and the Schedule of Cash Position as of September 30, 2022.

Following discussion, upon motion duly made by Director MacInnis, seconded by Director Nelson and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending September 30, 2022, and the Schedule of Cash Position as of September 30, 2022.

Application for Exemption from 2021 Audit: Following discussion, upon motion duly made by Director Eichen, seconded by Director Nelson and, upon vote, unanimously carried, the Board ratified approval of the 2021 Application for Exemption from Audit.

Inability to make Debt Service Payment pursuant to Section 32-1-903(3), C.R.S.: The Board discussed the District's inability to make the Debt Service payment pursuant to Section 32-1-903(3), C.R.S. It was acknowledged that the District is imposing the debt service mill levy in accordance with the District's bond documents.

2022 Application for Exemption from Audit: Following discussion, upon motion duly made by Director Eichen, seconded by Director Nelson and upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2022 Application for Exemption from Audit.

Public Hearing on 2022 Budget Amendment: The President opened the Public Hearing to consider the Resolution to Amend 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

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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, upon motion duly made by Director MacInnis, seconded by Director Eichen and upon vote, unanimously carried, the Board adopted the Resolution to Amend the 2022 Budget.

Public Hearing on 2023 Budget: The President opened the Public Hearing to consider the proposed 2023 Budget and to 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 location 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.

Following discussion, the Board considered adoption of the Resolution to Adopt the 2023 Budget and Appropriate Sums of Money, and the Resolution to Set Mill Levies (for the General Fund at 4.806 mills, the Debt Service Fund at 23.827 mills for a total mill levy of 28.633 mills). Upon motion duly by Director MacInnis, seconded by Director Eichen and upon vote, unanimously carried, the Resolutions were adopted as discussed, and execution of the Certification of Budget and Certification of Mill Levies was authorized. The Board authorized Mr. Beck to transmit the Certification of Mill Levies to the Board of County Commissioners of Jefferson County and the Division of Local Government by December 15, 2022. Copies of the adopted Resolutions are attached hereto and incorporated herein by this reference.

Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan: Following review and discussion, upon motion duly made by Director Nelson and seconded by Director MacInnis and, upon vote, unanimously carried, the Board adopted Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

DLG-70 Mill Levy Certification Form: Following discussion, upon motion duly made by Director MacInnis, seconded by Director Eichen 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.

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2024 Budget Preparation: Following discussion, upon motion duly made by Director MacInnis, seconded by Director Eichen and upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2024 Budget and directed that the 2024 Budget be the same as the 2023 adopted Budget unless a Board Member provides input to otherwise adjust those assumptions, and to set the date for a Public Hearing to adopt the 2024 Budget for November 17, 2023.

LEGAL MATTERS

Resolution Calling a Regular Election for Directors on May 2, 2023, appointing the Designated Election Official (“DEO”), and authorizing the DEO to perform all tasks required for the conduct of mail ballot election: Following review and discussion, upon motion duly made by Director MacInnis, seconded by Director Eichen and, upon vote, unanimously carried, the Board adopted the Resolution Calling a Regular Election for Directors on May 2, 2023, appointing Steve Beck as the DEO, and authorizing the DEO to perform all tasks required for the conduct of mail ballot election.


OTHER BUSINESS

Public Comment: None.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Eichen, seconded by Director Nelson and, upon vote unanimously carried, the meeting was adjourned at 10:30 a.m.

Respectfully submitted,

By  _____
Secretary for the Meeting