

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF HYLAND VILLAGE METROPOLITAN DISTRICT HELD NOVEMBER 19, 2021

A Special 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 19th day of November, 2021, at 9:00 A.M. This District Board Meeting was held via Zoom without any individuals (neither District Representative nor the general public) attending in person. The meeting was open to the public via Zoom.

ATTENDANCE

Directors In Attendance Were:

Robin Nelson
Patrice Eichen

Following discussion, upon motion duly made by Director Eichen, seconded by Director Nelson and, upon vote, unanimously carried, the absence of Director James MacInnis was excused.

Also In Attendance Were:

Matt Cohrs and Jim Ruthven; Special District Management Services, Inc
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Elisabeth A. Cortese, Esq., and Emily Murphy, Esq.; McGeady Becher P.C.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Quorum: Mr. Cohrs confirmed a quorum was present.

Disclosure of Potential Conflicts of Interest: Mr. Cohrs 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 Cortese 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

Agenda: Mr. Cohrs distributed for the Board’s review and approval a proposed agenda for the District’s Special Meeting.

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Following discussion, upon motion duly made by Director Eichen, seconded by Director Nelson and, upon vote unanimously carried, the Agenda was approved, as presented.

Meeting Location: 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 Eichen, seconded by Director Nelson and, upon vote unanimously carried, the Board determined to conduct the meeting by video conference/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. Cohrs 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 Eichen, seconded by Director Nelson 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 within the boundaries of the District at least 24 hours prior to each meeting at the following location: On the mailbox kiosk at the northwest corner of the intersection of W 97th Place and N Ames Street.

Resignation of Judy Levshon as Secretary to the Board; Appointment of Matt Cohrs as Secretary to the Board of Directors of the District: The Board acknowledged the resignation of Judy Levshon as Secretary to the Board. Following discussion, upon a motion duly made by Director Eichen, seconded by Director Nelson and, upon vote unanimously carried, the Board approved the appointment of Matt Cohrs as Secretary to the Board.

Board Vacancies: The Board discussed the vacancies on the Board of Directors. Director Eichen will mention the vacancies at the next homeowners' association meeting. Attorney Cortese advised of the upcoming Director's election in May 2022. No further action was taken.

November 20, 2020 Special Meeting Minutes: The Board reviewed the Minutes of the November 20, 2020 Special Meeting.

Following discussion, upon motion duly made by Director Nelson, seconded by Director Eichen and, upon vote, unanimously carried, the Board approved the Minutes of the November 20, 2020 Special Meeting, as amended.

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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 2022.

Following discussion, upon motion duly made by Director Eichen, seconded by Director Nelson, upon vote, unanimously carried, 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 2022 meeting on November 18, 2022 at 9:00 a.m., via Zoom.

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

Following discussion, upon motion duly made by Director Eichen, seconded by Director Nelson, upon vote, unanimously carried, the Board authorized the staff to post the Transparency Notice on the Special District Association Website.

District Website: Mr. Cohrs advised the Board on the status of the District’s website in the Statewide Internet Portal Authority (“SIPA”) queue. Attorney Cortese discussed with the Board the option to engage Archipelago Web Inc. (“Archipelago”) if SIPA is unable to create the website by the statutory deadline. The Board directed Mr. Cohrs to provide the Board with the respective costs associated with SIPA and Archipelago and to follow-up if it appears that SIPA will not be able to create the District’s website by the statutory deadline.

FINANCIAL MATTERS

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

Fund	Period ending Jan. 31, 2021	Period ending April 30, 2021	Period ending July 30, 2021	Period ending Oct. 31, 2021
General	\$ 13,252.59	\$ 5,634.31	\$ 2,205.60	\$ 2,335.60
Debt Service	\$ -0-	\$ -0-	\$ 2,200.00	\$ -0-
Capital	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total Claims:	\$ 13,252.59	\$ 5,634.31	\$ 4,405.60	\$ 2,335.60

Following discussion, upon motion duly made by Director Eichen, seconded by Director Nelson 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, 2021: Mr. Ruthven presented to the Board the unaudited financial

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statements for the period ending September 30, 2021, and the Schedule of Cash Position as of September 30, 2021.

Following discussion, upon motion duly made by Director Nelson, seconded by Director Eichen and upon vote, unanimously carried, the Board accepted the unaudited financial statements and Schedule of Cash Position for the period ending September 30, 2021.

Application for Exemption from 2020 Audit: The Board reviewed the 2020 Application for Exemption from Audit.

Following discussion, upon motion duly made by Director Nelson, seconded by Director Eichen and upon vote, unanimously carried, the Board ratified approval of the 2020 Application for Exemption from Audit.

Debt Service Payment: 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.

2021 Application for Exemption from Audit: Following discussion, upon motion duly made by Director Nelson, seconded by Director Eichen and upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2021 Application for Exemption from Audit.

Public Hearing on 2021 Budget Amendment: The President opened the Public Hearing to consider the Resolution to Amend 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 review and discussion, the Board determined that a 2021 Budget Amendment was not necessary.

Public Hearing on 2022 Budget: The President opened the Public Hearing to consider the proposed 2022 Budget and to 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 location of the Public Hearing

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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 2022 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 23.026 mills, and Other Funds at 0.000 Mills for a total mill levy of 27.832 mills). Upon motion duly by Director Eichen, seconded by Director Nelson 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. Cohrs to transmit the Certification of Mill Levies to the Board of County Commissioners of Jefferson County and the Division of Local Government. 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: The Board reviewed the Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan.

Following discussion, upon motion duly made by Director Nelson and seconded by Director Eichen 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 Nelson, 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.

2023 Budget Preparation: 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.

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 2023 Budget and directed that the 2023 Budget be the same as the 2022 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 2023 Budget for November 18, 2022. The Board determined that the Public Hearing will be held via Zoom and encouraged public participation via video or telephone.

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LEGAL MATTERS

District's Limited Tax General Obligation Variable Rate Bonds Series 2008:

Attorney Cortese discussed with the Board the potential options for refinancing the District's Limited Tax General Obligation Variable Rate Bonds Series 2008. The Board asked that this matter be removed from future Agendas.

Resolution Calling a Regular Election for Directors on May 3, 2022, appointing the Designated Election Official ("DEO"), and authorizing the DEO to perform all tasks required for the conduct of mail ballot election:

The Board considered the adoption of the Resolution Calling a Regular Election for Directors on May 3, 2022, appointing the Designated Election Official ("DEO"), and authorizing the DEO to perform all tasks required for the conduct of mail ballot election. The Board also discussed the need for ballot issues and/or questions.

Following consideration, upon motion duly made by Director Nelson, seconded by Director Eichen and, upon vote, unanimously carried, the Board adopted the Resolution Calling a Regular Election for Directors on May 3, 2022, appointing Matt Cohrs as the Designated Election Official ("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, the meeting was adjourned.

Respectfully submitted,

By _____
Secretary for the Meeting