

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE COLUMBIA METROPOLITAN DISTRICT HELD NOVEMBER 28, 2022

A Regular Meeting of the Board of Directors of the Columbia Metropolitan District (referred to hereafter as the "Board") was convened on Wednesday, the 28<sup>th</sup> day of November, 2022, at 6:30 P.M. via Zoom Meeting. The meeting was open to the public.

#### ATTENDANCE

#### Directors In Attendance Were:

Rod Johnson  
Scott Jones  
Philip Yates

Following discussion, upon motion duly made by Director Yates, seconded by Director Jones and, upon vote, unanimously carried, the absences of Directors Ladd and Overton were excused.

#### Also In Attendance Were:

Steve Beck; Special District Management Services, Inc. ("SDMS")

#### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board discussed 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.

Mr. Beck noted that a quorum was present and requested that the Directors consider whether they had any new conflicts of interest which had not been previously disclosed. Mr. Beck also noted that there were no additional disclosures and incorporated those applicable disclosures made by the Board members prior to this meeting and in accordance with statute.

#### ADMINISTRATIVE MATTERS

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 Johnson, seconded by Director Yates and, upon vote, unanimously carried, the Agenda was approved, as presented.

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**Confirm Location of Meeting and Posting of Meeting Notices:** The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. The District Board meeting was held and properly noticed to be held via Zoom Meeting, without any individuals (neither District representatives nor the general public) attending in person. The Board further noted that notice providing the conference bridge information was duly posted and that they have not received any objections or any requests that the means of hosting the meeting be changed by taxpaying electors within the District's boundaries.

**Designation of 24-Hour Posting Location:** Following discussion, upon motion duly made by Director Johnson, seconded by Director Yates, 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 at: <https://columbiamd.colorado.gov/> or if posting on the website is unavailable, notice will be posted at the following physical location: at the swimming pool/recreation building at the Highlands swimming pool.

**Minutes:** The Board reviewed Minutes of the November 22, 2021 and February 23, 2022 Special Meetings and June 21, 2022 Work Session.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Yates and, upon vote, unanimously carried, the Minutes of the November 22, 2021 and February 23, 2022 Special Meetings and June 21, 2022 Work Session were approved, as presented.

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

Following discussion, upon motion duly made by Director Yates, seconded by Director Jones and, upon vote, unanimously carried, the Board accepted the resignation of David Solin as Secretary to the Board and appointed Steve Beck as Secretary to the Board.

**Resolution No. 2022-11-01 Establishing 2023 Regular Meeting Dates:** The Board entered into discussion regarding Resolution No. 2022-11-01; Resolution Establishing 2023 Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notice.

The Board determined to hold regular meetings in 2023 on March 6, 2023, June 5, 2023 and November 27, 2023 at 6:30 p.m. via teleconference.

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Following discussion, upon motion duly made by Director Johnson, seconded by Director Jones and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-11-01; Resolution Establishing 2023 Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notice. A copy of the Resolution is attached hereto and incorporated herein by this reference.

**§32-1-809, C.R.S. (Transparency Notice):** The Board entered into discussion regarding §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 information to the SDA website and District website.

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

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**FINANCIAL MATTERS**

**Claims:** The Board reviewed the payment of claims through the periods ending as follows:

Fund	Period Ending Nov. 30, 2021	Period Ending Dec. 31, 2021	Period Ending Jan. 31, 2022	Period Ending Feb. 28, 2022
General	\$ 18,577.21	\$ 4,835.76	\$ 108,205.44	\$ 7,924.40
<b>Total Claims</b>	<b>\$ 18,577.21</b>	<b>\$ 4,835.76</b>	<b>\$ 108,205.44</b>	<b>\$ 7,924.40</b>

Fund	Special Check Pool Liability & TCW January 6, 2022	Period Ending March 31, 2022	Period Ending April 30, 2022	Period Ending May 31, 2022
General	\$ 5,400.00	\$ 16,932.94	\$ 16,255.07	\$ 35,460.25
<b>Total Claims</b>	<b>\$ 5,400.00</b>	<b>\$ 16,932.94</b>	<b>\$ 16,255.07</b>	<b>\$ 35,460.25</b>

Fund	Period Ending June 30, 2022	Period Ending July 31, 2022	Period Ending Aug. 30 2022	Period Ending Sept. 30, 2022
General	\$ 15,352.78	\$ 19,408.54	\$ 12,230.95	\$ 11,322.29
<b>Total Claims</b>	<b>\$ 15,352.78</b>	<b>\$ 19,408.54</b>	<b>\$ 12,230.95</b>	<b>\$ 11,322.29</b>

Fund	Period Ending Oct. 31, 2022	Period Ending Nov. 30, 2022
General	\$ 9,508.11	\$ 31,821.81
<b>Total Claims</b>	<b>\$ 9,508.11</b>	<b>\$ 31,821.81</b>

Following review, upon motion duly made by Director Johnson, seconded by Director Jones and, upon vote, unanimously carried, the Board ratified approval of the payment of claims as presented.

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**Unaudited Financial Statements:** The Board discussed the unaudited financial statements and balance sheet, dated September 30, 2022.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Jones and, upon vote, unanimously carried, the Board accepted the unaudited financial statements and balance sheet, dated September 30, 2022.

**Application for Exemption from 2022 Audit:** The Board reviewed the 2022 Application for Exemption from Audit.

Following review and discussion, upon motion duly made by Director Johnson, seconded by Director Yates and, upon vote, unanimously carried, the Board approved the preparation, execution and filing of the Application for Exemption from Audit for 2022.

**2022 Budget Amendment Hearing:** The President opened the Public Hearing to consider an Amendment to the 2022 Budget and to 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 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 determined that an amendment to the 2022 Budget was not necessary.

**2023 Budget Hearing:** 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.

Mr. Beck reviewed the estimated 2022 expenditures and the proposed 2023 expenditures.

Following discussion, the Board considered adoption of Resolution No. 2022-11-02; Resolution to Adopt the 2023 Budget and Appropriate Sums of Money, and Resolution No. 2022-11-03; Resolution to Set Mill Levies (for the General Fund at 2.000 mills, Debt Service Fund at 0.000 mills and for Other Fund(s) at 0.000 mills, for a total mill levy of 2.000 mills). Upon motion duly made by Director Johnson, seconded by Director Jones and, upon vote, unanimously carried, the Resolutions

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were adopted, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2022. Mr. Beck was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Arapahoe County not later than December 15, 2022. Mr. Beck was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2023. Copies of the adopted Resolutions are attached hereto and incorporated herein by this reference.

**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 Jones, seconded by Director Johnson 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.

**2024 Budget Preparation:** The Board discussed the preparation of the 2024 Budget.

Following discussion, upon motion duly made by Director Yates, seconded by Director Johnson and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2024 Budget. The Board determined to hold the public hearing to consider adoption of the 2024 Budget on November 27, 2023 at 6:30 p.m. via Zoom.

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### **MAINTENANCE MATTERS AND IMPROVEMENTS**

#### **Landscape Maintenance Update:**

*Service Agreement between the District and Keesen Landscape Maintenance for 2023 Landscape Maintenance:* The Board reviewed a Service Agreement between the District and Keesen Landscape Maintenance for 2023 Landscape Maintenance.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Yates and, upon vote, unanimously carried, the Board approved the Service Agreement between the District and Keesen Landscape Maintenance for 2023 Landscape Maintenance.

*Work Order #91954 with Keesen Landscape Maintenance for the Removal of Tree in the Orchard Median:* The Board reviewed Work Order #91954 with Keesen Landscape Maintenance for the removal of tree in the Orchard median.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Jones and, upon vote, unanimously carried, the Board approved Work

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Order #91954 with Keesen Landscape Maintenance for the removal of tree in the Orchard median.

*Work Order #91955 with Keesen for Replacement of Tree in the Orchard Median:* The Board reviewed Work Order #91955 with Keesen for replacement of tree in the Orchard median.

Following discussion, upon motion duly made by Director Jones, seconded by Director Yates and, upon vote, unanimously carried, the Board approved Work Order #91955 with Keesen for replacement of tree in the Orchard median.

*Service Agreement between the District and Rocky Mountain Tree Care for Arborist Services for Deadwood Pruning:* The Board deferred discussion.

*Service Agreement with Spectrum Lighting, Inc. for Electrical and Lighting Services:* The Board deferred discussion.

**IREA lighting on Median at East Orchard and South Telluride:** Director Yates discussed with the Board the status of IREA lighting on median at East Orchard and South Telluride. He noted the LED lights were changes to bulbs that do not flash.

**Proposal from Keesen Landscape Maintenance for 2023 Summer Flowers:** The Board deferred discussion.

**Proposal from Keesen Landscape Maintenance for 2023 Fall Flowers:** The Board deferred discussion.

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### **LEGAL MATTERS**

**Election Resolution:** The Board reviewed Resolution No. 2022-11-04; 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 discussion, upon motion duly made by Director Yates, seconded by Director Jones and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-11-04; Resolution Calling a Regular Election for Directors on May 2, 2023 and designated Mr. Beck as DEO to perform all tasks required for the conduct of a mail ballot election.

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### ADJOURNMENT

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

Respectfully submitted,



By \_\_\_\_\_

Secretary for the Meeting