

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE SILVER PEAKS EAST METROPOLITAN DISTRICT HELD DECEMBER 1, 2023

A special meeting of the Board of Directors (the "Board") of the Silver Peaks East Metropolitan District (the "District") was convened on Friday, the 1<sup>st</sup> day of December, 2023, at 11:00 a.m. this Board meeting was held by video/telephone conference with all participants attending via video/telephone conference. The meeting was open to the public.

#### ATTENDANCE

#### Directors In Attendance Were:

David B. Jack  
Jordan Honea

Following discussion, upon motion duly made by Director Jack seconded by Director Honea and, upon vote, unanimously carried, the absence of Director Lars Monson.

#### Also In Attendance Were:

Peggy Ripko; Special District Management Services, Inc.

Matt Ruhland; Cockrel Ela Glesne Greher & Ruhland, P.C.

Alex Fink; Clifton Larson Allen, LLP

#### 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 and to the Secretary of State. Ms. Ripko noted that a quorum was present and requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute. Attorney Ruhland noted that all Directors' Disclosure Statements had been filed.

#### 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 Jack, seconded by Director Honea and, upon vote, unanimously carried, the Agenda was approved, as presented.

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**Approval of Meeting Location:** 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.

Following discussion, upon motion duly made by Director Jack, seconded by Director Monson and, upon vote, unanimously carried, the Board determined that because there was not a suitable or convenient location within its boundaries, or within the County in which the District is located, or within twenty (20) miles from the District boundaries to conduct this meeting, it was determined to conduct the meeting at the above-stated location. The Board further noted that notice of the time, date and location was duly posted and that they have not received any objections to the location or any requests that the meeting place be changed by taxpaying electors within its boundaries.

**Appointment of Officers:** The Board entered into discussion regarding the appointment of officers.

Following discussion, upon motion duly made by Director Honea, seconded by Director Jack and, upon vote, unanimously carried, the following officers were appointed:

President	David B. Jack
Treasurer	Lars Monson
Secretary	Peggy Ripko
Assistant Secretary	Jordan Honea

**Minutes:** The Board reviewed the Minutes of the October 20, 2023 Special Meeting.

Following discussion, upon motion duly made by Director Honea, seconded by Director Jack and, upon vote, unanimously carried, the Minutes of the October 20, 2023 Special Meeting were approved.

**2024 Annual Administrative Resolution:** The Board reviewed Resolution No. 2023-12-01 2024 Annual Administrative Resolution.

Following discussion, upon motion duly made by Director Honea, seconded by Director Jack and, upon vote, unanimously carried, the Board adopted Resolution No. 2023-12-01 2024 Annual Administrative Resolution. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

**§32-1-809, C.R.S. Requirements and Direct Staff Regarding Compliance for 2024:** The Board discussed §32-1-809, C.R.S. and direct staff regarding compliance for 2024.

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### **Insurance Matters:**

*Cyber Security and Increased Crime Coverage:* The Board discussed the Cyber Security and Increased Crime Coverage.

*Insurance Committee:* The Board discussed establishing an Insurance Committee. No action was taken.

*Districts' Insurance and Special District Association Membership:* The Board discussed the renewal of the Districts' insurance and Special District Association ("SDA") membership for 2024.

Following discussion, upon motion duly made by Director Honea seconded by Director Jack and, upon vote, unanimously carried, the Board approved the renewal of the Districts' insurance coverage up, increase Crime coverage to \$100,00 and renewal of SDA membership for 2024.

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

### **FINANCIAL MATTERS**

**Claims:** The Board considered ratifying the approval of the payment of claims beginning July 19, 2023 to November 27, 2023, in the amount of \$(41,589.32).

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

**Unaudited Financial Statements:** Mr. Fink reviewed with the Board the unaudited financial statements through the period ending September 30, 2023 and schedule of Cash Position as of September 30, 2023, updated as of November 27, 2023.

Following discussion, upon motion duly made by Director Jack, seconded by Director Honea and, upon vote, unanimously carried, the Board accepted and approved unaudited financial statements through the period ending September 30, 2023 and schedule of Cash Position as of September 30, 2023, updated as of November 27, 2023, as presented.

**2023 Audit:** The Board discussed the engagement of Watson Coon Ryan, LLC to the complete the Application for Exemption from 2023 Audit.

Following discussion, upon motion duly made by Director Honea, seconded by Director Jack and, upon vote, unanimously carried, the Board approved the

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engagement of Watson Coon Ryan, LLC to the complete the Application for Exemption from 2023 Audit not to exceed \$6,300.

**2023 Budget Amendment Hearing:** The President opened the public hearing to consider a Resolution to Amend the 2023 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 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.

Following review and discussion, upon motion duly made by Director Honea, seconded by Director Jack and, upon vote, unanimously carried, the Board adopted Resolution No. 2023-12-02 to Amend the 2023 Budget. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

**2024 Budget Hearing:** The President opened the Public Hearing to consider the proposed 2024 Budget and to discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2024 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. Fink reviewed the estimated 2023 expenditures and the proposed 2024 expenditures.

No action was taken.

**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 Honea, seconded by Director Jack 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 the 2025 Budget:** The Board discussed the preparation of the 2025 Budget.

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Following discussion, upon motion duly made by Director Honea, seconded by Director Jack and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2025 Budget.

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### **LEGAL MATTERS**

**Access and Maintenance Easement Agreement:** The Board reviewed a Public Use Easement between the District and the Town of Lochbuie.

Following discussion, upon motion duly made by Director Jack, seconded by Director Honea and, upon vote, unanimously carried, the Board approved the Public Use Easement between the District and the Town of Lochbuie, subject to final review by District Counsel and Board Present.

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### **OTHER MATTERS**


There were no other matters to discuss at this time.

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### **ADJOURNMENT**

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

Respectfully submitted,

By:  \_\_\_\_\_  
Secretary for the Meeting