

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE JORDAN CROSSING METROPOLITAN DISTRICT HELD OCTOBER 12, 2021

A Special Meeting of the Board of Directors of the Jordan Crossing Metropolitan District (referred to hereafter as "Board") was convened on Tuesday, October 12, 2021, at 3:00 p.m. The District Board meeting was held by video and telephone conference. The meeting was open to the public.

#### ATTENDANCE

#### Directors In Attendance Were:

Thomas J. Brinkman II  
James E. Marshall  
M. Alberta Saran  
D. Shawn Creed (for a portion of the meeting)

The absence of Director Scott Marshall was excused.

#### Also In Attendance Were:

Ann Finn; Special District Management Services, Inc.

MaryAnn McGeady, Esq. (for a portion of the meeting) and Tim O'Connor, Esq. (for a portion of the meeting); McGeady Becher P.C.

Eric Weaver and Cheri Curtis; Marchetti & Weaver, LLC

#### 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.

It was noted that a quorum was present and Attorney McGeady requested members of the Board to disclose any potential conflicts of interest regarding 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. Ms. Finn noted that Directors' Disclosure Statements were filed for all Directors by the statutory deadline. No additional conflicts were disclosed at the meeting.

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### ADMINISTRATIVE MATTERS

**Agenda:** Ms. Finn distributed for the Board's review and approval a proposed agenda for the District's Special Meeting.

Following discussion, upon motion duly made by Director Saran, seconded by Director J. Marshall and, upon vote, unanimously carried, the agenda was approved as presented and excused the absence of Director Scott Marshall.

**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, the Board determined to hold the meeting via video and telephone conference. Ms. Finn reported that notice was duly posted and that no objections to the video and telephonic manner of the meeting were received from taxpaying electors within the District boundaries.

**June 8, 2021 Minutes:** The Board reviewed the minutes of the June 8, 2021 Special Meeting.

Following discussion, upon motion duly made by Director Saran, seconded by Director J. Marshall and, upon vote, unanimously carried, the minutes of the June 8, 2021 Special Meeting were approved, as presented.

**Resolution No. 2021-10-01; Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices:** Ms. Finn discussed with the Board Resolution No. 2021-11-01; Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices.

The Board determined to meet at 3:00 p.m. on June 7, 2022 and October 11, 2022 at the Colorado Escrow and Title, 10851 South Crossroads Drive, Suite B, Parker, Colorado 80134 as well as an option for meeting via teleconference.

Following discussion, upon motion duly made by Director Saran, seconded by Director Brinkman and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-10-01; Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices.

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

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Following discussion, upon motion duly made by Director J. Marshall, seconded by Director Brinkman and, upon vote, unanimously carried, the Board determined to post the required transparency notice information on the Special District Association's website and the District's website.

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

### **FINANCIAL MATTERS**

**Payment of Claims:** Mr. Weaver reviewed with the Board the payment of claims for the period ending June 1, 2021 through September 30, 2021 for the total amount of \$11,442.38.

Following discussion, upon motion duly made by Director Brinkman, seconded by Director Saran and, upon vote, unanimously carried, the Board ratified approved the payment of claims, as presented.

**Unaudited Financial Statements/Schedule of Cash Position:** Mr. Weaver reviewed with the Board the unaudited financial statements for the period ending August 31, 2021.

Following discussion, upon motion duly made by Director Brinkman, seconded by Director Saran and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending August 31, 2021, as presented.

**2021 Audit Preparation:** The Board reviewed a proposal from Dazzio & Associates, PC to perform the 2021 Audit.

Following discussion, upon motion duly made by Director Brinkman, seconded by Director Saran and, upon vote, unanimously carried, the Board approved the engagement of Dazzio & Associates, PC to perform the 2021 Audit, for an amount not to exceed \$4,600.

**Public Hearing on 2021 Budget Amendment:** The President opened the public hearing to consider a 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 or at this public hearing. No public comments were received and the President closed the public hearing.

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Following review, the Board determined that an amendment to the 2021 Budget was not necessary.

**Public Hearing on 2022 Budget:** The President opened the public hearing to consider approval of the proposed 2022 Budget and 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 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.

Mr. Weaver reviewed the estimated 2021 expenditures and the proposed 2022 expenditures with the Board.

Following discussion, the Board considered the adoption of Resolution No. 2021-10-02 to Adopt the 2022 Budget and Appropriate Sums of Money and Resolution No. 2021-10-03 to Set Mill Levies, (for the General Fund at 23.607 mills and the Debt Service Fund at 24.000 mills, for a total mill levy of 47.607 mills). Upon motion duly made by Director Brinkman, seconded by Director Saran and, upon vote, unanimously carried, the Resolutions were adopted 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, 2021, and further subject to confirmation of the mill levy calculations among staff, the District Accountant, and District Counsel. Ms. Finn was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Douglas County and the Division of Local Government, not later than December 15, 2021. Ms. Finn was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2022. 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 Colorado Constitution, Article X, Section 3:** The Board reviewed Resolution No. 2021-10-04, Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Colorado Constitution, Article X, Section 3.

Following discussion, upon motion duly made by Director Brinkman, seconded by Director J. Marshall and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-10-04, Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Colorado Constitution, Article X, Section 3. 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:** Ms. Finn discussed with the Board the DLG-70 Mill Levy Certification form.

Following discussion, upon motion duly made by Director J. Marshall, seconded by Director Brinkman 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 2023 Budget:** The Board discussed preparation of the 2023 Budget.

Following discussion, upon motion duly made by Director J. Marshall, seconded by Director Brinkman, and upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2023 Budget.

**Reimbursement of P&S Investments LLC for Funds Previously Advanced for Capital Improvements:** The Board discussed the reimbursement of P&S Investments LLC for funds previously advanced for capital improvements.

Following discussion, upon motion duly made by Director Brinkman, seconded by Director Saran and, upon vote, unanimously carried, the Board approved the reimbursement to P&S Investments LLC for funds previously advanced for capital improvements.

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### **LEGAL MATTERS**

**Resolution to Call the May 3, 2022 Regular Election:** The Board entered into discussion regarding the upcoming election and Resolution No. 2021-10-05 to Call the May 3, 2022 Regular Election.

Following discussion, upon motion duly made by Director Saran, seconded by Director Brinkman and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-10-05 to Call the May 3, 2022 regular Election and appointed Ann Finn as the Designated Election Official and authorized him to perform all tasks required for the May 3, 2022 Regular Election of the Board of Directors for the conduct of a mail ballot election. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

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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 Saran, seconded by Director Brinkman and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: *Ann Finn*  
Secretary for the Meeting