

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
HIDDEN POINTE METROPOLITAN DISTRICT (THE "DISTRICT")
HELD
OCTOBER 19, 2021

A special meeting of the Board of Directors of the Hidden Pointe Metropolitan District (referred to hereafter as the "Board") was convened on Tuesday, October 19, 2021, at 9:00 a.m. This District Board meeting was held via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Jeffrey Huff, President
Cheryl McDade, Treasurer
Kathleen DesRosiers, Assistant Secretary
Richard Schafer, Secretary

Also, In Attendance Were:

Denise Denslow, Stephanie Odewumi and Curtis Bourgooin;
CliftonLarsonAllen LLP ("CLA")
Russ Dykstra; Spencer Fane LLP
Dwight Wes Colburn; Resident

ADMINISTRATIVE MATTERS

Call to order and approval of agenda: Director Huff called the meeting to order at 9:02 a.m. Ms. Denslow introduced Ms. Odewumi to the Board prior to call to order. Director Huff proposed an additional agenda item under Director Matters to consider nomination and appointment of Wes Colburn to the vacant position on the Board. Following discussion, upon a motion duly made by Director McDade, seconded by Director DesRosiers and, upon vote, unanimously carried, the Board approved the agenda as amended.

Disclosures of potential conflicts of interest: It was noted that disclosures had been filed.

Quorum, location of meeting and posting of meeting notices: The Board confirmed a quorum, the location of the meeting and the posting of the meeting notice online.

Public comment: None.

Minutes from the October 20, 2020 special Board meeting: Following review, upon a motion duly made by Director McDade, seconded by Director Huff and, upon vote, unanimously carried, the Board approved the Minutes from

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the October 20, 2020 special Board meeting as presented.

FINANCIAL MATTERS

October 2020 through October 2021 Interim Claims totaling \$32,187.90:

Ms. Denslow reviewed the Interim Claims with the Board, noting that year-end Claims will be completed in the spring of 2022. She reviewed the Xcel and water rates, stating that the water rates were higher due to tree and median watering to establish new items. Director Schafer recommended that Ms. Denslow look into the cost for rain sensors and partner with the HOA on this project. It was noted that a cost estimate for the rain sensors would be presented at the next meeting. Following discussion, upon a motion duly made by Director McDade, seconded by Director DesRosiers and, upon vote, unanimously carried, the Board approved October 2020 through October 2021 Interim Claims totaling \$32,187.90 as presented.

Financial Statements for the period ending July 31, 2021: Mr. Bourgoquin reviewed the Financial Statements with the Board, noting that the District is currently at 100% for property tax collection. Discussion ensued regarding the use of the special revenue fund. Following discussion, upon a motion duly made by Director Huff, seconded by Director Schafer and, upon vote, unanimously carried, the Board accepted the Financial Statements for the period ending July 31, 2021 as presented.

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

Application for Exemption from 2020 Audit: Following discussion, upon a motion duly made by Director McDade, seconded by Director DesRosiers and, upon vote, unanimously carried, the Board ratified the Application for Exemption from 2020 Audit.

Other: None.

LEGAL MATTERS

Public hearing to consider amending the 2021 Budget; consider adopting 2022 Budget, Appropriate Sums of Money and Authorize the Certification of the Tax Levy: The Board opened the public hearing at 9:23 a.m. There were no public comments. The Board closed the public hearing at 9:24 a.m.

Resolution 2021-10-01 to Amend the 2021 Budget: It was noted that the current amount of \$10,572 in the General Fund for Special Projects will be increased to \$15,000. Following discussion, upon a motion duly made by Director Huff, seconded by Director McDade and, upon vote, unanimously carried, the Board adopted the Resolution 2021-10-01 to

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Amend the 2021 Budget as presented to increase the General Fund from \$10,572 to \$15,000.

Resolution 2021-10-02 to Adopt the 2022 Budget, Appropriate Sums of Money and Authorize the Certification of the Tax Levy: Director McDade informed the Board that she noted that there was not a Special Projects Fund included in the 2022 Budget. Director Huff discussed the need to add \$25,000 to the Budget for pond maintenance with the Board. Director Huff requested an additional \$10,000 in the Budget for the HOA contribution. Mr. Bourgouin stated that if the mill levy is left at 6.5, the District would still have an increase in taxes. Director McDade stated that she recommends leaving the taxes the same. Following discussion, upon a motion duly made by Director McDade, seconded by Director DesRosiers and, upon vote, unanimously carried, the Board approved the current mill levy at 6.5 for \$82,500 in generated taxes and the addition of the pond maintenance and HOA funds, and adopted Resolution 2021-10-02 to Adopt the 2022 Budget, Appropriate Sums of Money and Authorize the Certification of the Tax Levy as amended.

Requirements of Section 32-1-809, C.R.S. and direct staff regarding compliance for 2022 (District Transparency Notice): The Board discussed the 2022 Transparency Notice requirements and directed CLA regarding compliance. No action was taken.

Resolution 2021-10-03 Calling a Regular Election for Directors on May 3, 2022, appointing the DEO and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election: Following discussion, upon a motion duly made by Director Huff, seconded by Director Schafer and, upon vote, unanimously carried, the Board adopted Resolution 2021-10-03 Calling a Regular Election for Directors on May 3, 2022, appointing the DEO and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election as presented.

Easement agreement with Hidden Pointe HOA regarding maintenance: Attorney Dykstra stated that the District should not expend funds on properties that it does not own legal title to, as it may go against the operating rules of the District set forth in the Service Plan. Attorney Dykstra stated that he could draft a blanket easement that would provide authority to the District over these areas. Director Huff stated that he felt this easement was unnecessary, as the Service Plan already allows this authority. It was confirmed that the Service Plan allows this authority. It was noted that Attorney Dykstra did not provide any additional authority. Director Huff recommended that the District proceed with the prior direction given to CLA regarding paying the contractors for the pond work, not the HOA directly. It was noted that Director Huff would work on a

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memorandum intended for the HOA regarding invoice processing and send it to the Board.

Other: None.

LANDSCAPE UPDATE

Other: The Board discussed the pond and the related items to be taken care of in 2022, which are budgeted for completion. The Board also discussed the park and updates they will be making to the area.

MANAGER MATTERS

2022 Annual Administrative Resolution 2021-10-04: Director DesRosiers informed the Board that she is interested in running for a Board seat again. It was noted that as long as no other candidates are interested, the remaining Board will run in the 2022 election. Following discussion, upon a motion duly made by Director Huff, seconded by Director McDade and, upon vote, unanimously carried, the Board adopted the 2022 Annual Administrative Resolution 2021-10-04 as presented.

Directors' Exclusion from Worker's Compensation Coverage Resolution 2021-10-05: Following review, upon a motion duly made by Director Huff, seconded by Director Schafer and, upon vote, unanimously carried, the Board adopted Directors' Exclusion from Worker's Compensation Coverage Resolution 2021-10-05 as presented.

CliftonLarsonAllen LLP master service agreement and related statement(s) of work: Director McDade reviewed the master service agreement with the Board and noted the not-to-exceed amount is excluded. Director Huff noted that the agreement does not include many changes from the previous contract with CLA. Following discussion, upon a motion duly made by Director McDade, seconded by Director Huff and, upon vote, unanimously carried, the Board approved CliftonLarsonAllen LLP master service agreement and related statements of work as presented.

2022 insurance renewal. Consider adoption of documents needed to obtain or maintain insurance coverage through the Colorado Special Districts Property and Liability Pool or T. Charles and authorize membership in the Special District Association: Director Huff reviewed the insurance renewal process with the Board. Following discussion, upon a motion duly made by Director McDade, seconded by Director Schafer and, upon vote, unanimously carried, the Board approved the renewal of 2022 insurance.

Other: None.

DIRECTOR MATTERS

Resignation of Greg Martin: Director Huff thanked Mr. Martin for his time served on the Board. He stated that Mr. Martin moved out of Colorado and submitted his resignation, and that Mr. Colburn expressed interest in filling the

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new vacant position. Mr. Colburn introduced himself to the Board and explained his credentials.

Other: Upon a motion duly made by Director Huff, seconded by Director DesRosiers and, upon vote, unanimously carried, the Board nominated and appointed Mr. Colburn to the vacant Board position as Assistant Secretary with a term expiring in May 2022.


OTHER BUSINESS

Quorum for the next meeting: The Board discussed the next meeting date, noting that there are projects coming up and they would like to meet before the election in May. The Board determined to hold their next Board meeting on Tuesday, March 15, 2022 at 9:00 a.m. via Microsoft Teams.

ADJOURNMENT

Upon a motion duly made by Director Huff, seconded by Director DesRosiers and, upon vote, unanimously carried, the Board adjourned the meeting at 10:25 a.m.

Respectfully submitted,

DocuSigned by:

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Secretary for the Meeting