

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
ASH MEADOWS METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
NOVEMBER 12, 2021

A special meeting of the Board of Directors of the Ash Meadows Metropolitan District (referred to hereafter as the “Board”) was convened on Friday, November 12, 2021, at 2:30 p.m. This District Board meeting was held via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Grant Melbye, President
Melissa Melbye, Treasurer/ Secretary

Also, In Attendance Were:

Celeste Terrell and Alonso Duran Rodriguez; CliftonLarsonAllen (“CLA”) Elisabeth A. Cortese, Esq. and Suzanne M. Meintzer, Esq.; McGeady Becher P.C.

DISCLOSURE OF CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors 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 and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. No additional conflicts were disclosed at the meeting.

ADMINISTRATIVE MATTERS

Quorum, Confirmation of Meeting Location/Posting of Notice and Agenda: Ms. Terrell confirmed the presence of a quorum, meeting location and posting of the meeting notice. Following review, upon a motion duly made by Director Grant Melbye, seconded by Director Melissa Melbye and, upon vote, unanimously carried, the Board approved of the Agenda, as presented.

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, and upon motion duly made and seconded, and upon vote unanimously carried, the Board determined that this meeting will be held via Microsoft Teams without any individuals (neither District representatives nor the general public) attending in person. The Board further noted that the notice of the time, date, location, and attendance information for the meeting was duly posted and that no objections to the means of hosting the meeting were received from taxpaying electors within the District’s boundaries.

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Public Comment: There were no public comments.

Resolution No. 2021-11-01 Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices:

Following review, upon a motion duly made by Director Grant Melbye, seconded by Director Melissa Melbye and, upon vote, unanimously carried, the Board adopted the Resolution No. 2021-11-01 Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices, noting the 2022 Meeting dates will be the second Friday at 2:30 p.m. in the months of March, June, October, and November.

CONSENT AGENDA

The Board considered the following items under the Consent Agenda:

- **Minutes from the October 8, 2021 Special Board Meeting**
- **2022 Insurance Renewal and Membership in the Special District Association**

Following review, upon a motion duly made by Director Grant Melbye, seconded by Director Melissa Melbye and, upon vote, unanimously carried, the Board approved and adopted the Consent Agenda.

FINANCIAL MATTERS

Payment of Claims: Mr. Duran Rodriguez reviewed the previous and current claims with the Board. Following review, upon a motion duly made by Director Grant Melbye, seconded by Director Melissa Melbye and, upon vote, unanimously carried, the Board ratified the previous claims and approved the current claims as presented.

Unaudited Financial Statements and Cash Position Report: Mr. Duran Rodriguez reviewed the Unaudited Financial Statements and Cash Position Report with the Board. Following review, upon a motion duly made by Director Grant Melbye, seconded by Director Melissa Melbye and, upon vote, unanimously carried, the Board accepted the Unaudited Financial Statements and Cash Position Report as presented.

Public Hearing to Amend the 2021 Budget: The Board opened the public hearing to amend the 2021 Budget and to discuss related issues.

It was noted that Notice stating that the Board would consider adoption of the 2022 budget and the date, time and place of the public hearing was published pursuant to statute. No written objections were received prior to the public hearing.

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No public comments were received. The Board closed the public hearing.

Following discussion, it was determined that an amendment to the 2021 budget was not necessary.

Public Hearing on the Proposed 2022 Budget: The Board opened the public hearing to consider the proposed 2022 Budget and to discuss related issues.

It was noted that Notice stating that the Board would consider adoption of the 2022 budget and the date, time and place of the public hearing was published pursuant to statute. No written objections were received prior to the public hearing.

No public comments were received. The Board closed the public hearing.

Mr. Duran Rodriguez reviewed the draft 2022 Budget with the Board. He noted that landscape improvements had been lowered to \$5,000, with mills lowered to 94.629. Following review, upon a motion duly made by Director Grant Melbye, seconded by Director Melissa Melbye and, upon vote, unanimously carried, the Board approved the 2022 Budget and adopted the Resolution No. 2021-11-02 to adopt the 2022 Budget and Appropriate Sums of Money and Resolution No. 2021-11-03 to Set Mill Levies (94.629 mills in the General Fund, for a total of 94.629 mills). Following discussion, upon vote unanimously carried, the Board adopted the Resolutions and authorized execution of the Certification of Budget. The District Accountant was directed to transmit the Certification of Tax Levies to the Board of County Commissioners of Adams County not later than December 15, 2021. District Counsel was directed to transmit the Certification of Budget to the Division of Local Government no later than January 31, 2022.

Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan: Following review, upon a motion duly made by Director Grant Melbye, seconded by Director Melissa and, upon vote, unanimously carried, the Board adopted the Resolution No. 2021-11-04 Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan.

DLG-70 Certification of Tax Levies Form: Following review, upon a motion duly made by Director Grant Melbye, seconded by Director Melissa Melbye and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Certification of Tax Levies form for certification to the Board of County Commissioners and other interested parties.

Preparation of 2023 Budget: Following review, upon a motion duly made by

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Director Grant Melbye, seconded by Director Melissa Melbye and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2023 Budget.

Preparation of Application for Exemption from 2021 Audit: Following review, upon a motion duly made by Director Grant Melbye, seconded by Director Melissa Melbye and, upon vote, unanimously carried, the Board approved the District Accountant to prepare Application for Exemption from the 2021 Audit.

LEGAL MATTERS

Resolution 2021-11-05 Calling May 3, 2022 Election for Directors, and Appointing Designated Election Official (“DEO”): Attorney Cortese reviewed the Election Resolution with the Board. Following review and discussion, upon a motion duly made by Director Grant Melbye, seconded by Director Melissa Melbye and, upon vote, unanimously carried, the Board adopted the Resolution No. 2021-11-05 Calling a Regular Election for Directors on May 3, 2022, Appointing Lisa Jacoby as the DEO and Authorizing the DEO to perform all tasks required for the Conduct of Mail Ballot Election

Irrigation Meter and Water Use Agreement with the Ash Meadows Town Homes Association, Inc. (the “HOA”): Ms. Terrell noted that she contacted the HOA manager, and requested additional information related to the irrigation invoices. Attorney Cortese advised that the HOA had recently re-engaged counsel and that she would reach out to counsel for the HOA regarding the status.

Requirements of Section 32-1-809, C.R.S. (District Transparency Notice): Attorney Cortese reviewed the requirements with the Board. Following review, upon a motion duly made by Director Grant Melbye, seconded by Director Melissa Melbye and, upon vote, unanimously carried, the Board authorized CLA to prepare and post on the District’s website and the SDA website.

MANAGER MATTERS

Covenant Enforcement Update: Ms. Terrell provided an update to the Board regarding covenant enforcement and noted that she found the keys for the display box.

Master Service Agreement between the District and CliftonLarsonAllen LLP, and related statement(s) of work: Following review, upon a motion duly made by Director Grant Melbye, seconded by Director Melissa Melbye and, upon vote, unanimously carried, the Board approved the Master Service Agreement between the District and CliftonLarsonAllen LLP, and related statement(s) of work.

Other: Ms. Terrell announced she is expecting a baby and is due in April and would provide the Board with the contact information at CLA while she is on

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maternity leave. The Board noted they would like to schedule a landscape walk in early April.


OTHER BUSINESS

Other: None.

ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned at 3:11 p.m.

Respectfully submitted,

By  DocuSigned by:
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Secretary for the Meeting