

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE GREAT WESTERN PARK METROPOLITAN DISTRICT NO. 3 HELD NOVEMBER 23, 2021

A Special Meeting of the Board of Directors of the Great Western Park Metropolitan District No. 3 (referred to hereafter as "Board") was convened on Tuesday, the 23rd day of November, 2021, at 9:00 a.m. This District Board meeting was held by Zoom video/telephone conference. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Gregg A. Bradbury
Jeffrey L. Nading
Charles Church McKay
Steve Nading

Following discussion, upon motion duly made by Director Bradbury, seconded by Director Steve Nading and, upon vote, unanimously carried, the absence of Director Brandon Dooling was excused.

Also In Attendance Were:

David Solin; Special District Management Services, Inc.

Megan Becher, Esq.; McGeady Becher P.C.

Joy Tatton; Simmons & Wheeler, P.C.

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. Solin 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 Becher noted that the Directors' Disclosure Statements for all of the Directors have been filed, and no additional conflicts were disclosed at the meeting.

RECORD OF PROCEEDINGS

ADMINISTRATIVE MATTERS

Agenda: The Board reviewed the proposed Agenda for the District's Special Meeting.

Following discussion, upon motion duly made by Director Bradbury, seconded by Director Steve Nading and, upon vote, unanimously carried, the Agenda was approved, as presented.

Location/Manner of Meeting: 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 Board determined that the meeting would be held by video/telephonic means, and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted and that the District had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District boundaries.

Designation of 24-hour Posting Location: Following discussion, upon motion duly made by Director McKay, seconded by Director Steve Nading 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 within the boundaries of the District at least 24 hours prior to each meeting at the following location: northwest corner of Skyestone Parkway and Simms Street.

Minutes: The Board reviewed the Minutes of the November 17, 2020 Special Meeting.

Following discussion, upon motion duly made by Director Jeff Nading, seconded by Director Bradbury and, upon vote, unanimously carried, the Minutes of the November 17, 2020 Special Meeting were approved.

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

Mr. Solin reviewed the business to be conducted in 2022 to meet the statutory compliance requirements. The Board, determined to meet on June 28, 2022, and November 22, 2022 at 9:00 a.m. via Zoom.

Following review, upon motion duly made by Director McKay, seconded by Director Steve Nading and, upon vote, unanimously carried, the Board adopted Resolution

RECORD OF PROCEEDINGS

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

Section 32-1-809, C.R.S. Reporting Requirements, Mode of Eligible Elector Notification for 2022: The Board discussed Section 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 transparency notice information on the Special District Association's website.

PUBLIC COMMENT There were no public comments.

FINANCIAL MATTERS

Payment of Claims: The Board reviewed and considered the approval of the payment of claims for Check Nos. 1343-1346, in the amount of \$2,119.21, Check Nos. 1347-1350, in the amount of \$2,840.10 and Check Nos. 1351-1384, in the amount of \$78,211.45.

Following review and consideration, upon motion duly made by Director Bradbury, seconded by Director Jeff Nading and, upon vote, unanimously carried, the Board approved the payment of claims, as presented.

Bill.com: The Board acknowledged the conversion of accounts payable processing through Bill.com.

Unaudited Financial Statements/Schedule of Cash Position: Ms. Tatton reviewed with the Board the unaudited financial statements for the period ending September 30, 2021.

Following review, upon motion duly made by Director Steve Nading, seconded by Director Bradbury and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending September 30, 2021, as presented.

Engagement of Wipfli LLP for preparation of 2021 Audit: The Board discussed the engagement of Wipfli LLP for preparation of the 2021 Audit in the amount of \$4,650.00.

Following review and discussion, upon motion duly made by Director Steve Nading, seconded by Director McKay and, upon vote, unanimously carried, the Board approved the engagement of Wipfli LLP for preparation of the 2021 Audit, in the amount of \$4,650.00.

RECORD OF PROCEEDINGS

2021 Budget Amendment Hearing: The President opened the public hearing to consider an amendment to the 2021 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider an amendment to 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 this public hearing. There were no comments from the public in attendance and the public hearing was closed.

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

2022 Budget: The President opened the public hearing to consider 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.

Ms. Tatton reviewed the estimated 2021 expenditures and the proposed 2022 expenditures.

Following discussion, the Board considered the adoption of Resolution No. 2021-11-02; Resolution to Adopt the 2022 Budget and Appropriate Sums of Money, and Resolution No. 2021-11-03; Resolution to Set Mill Levies (for the General Fund at 7.475 mills, the Debt Service Fund at 50.000 mills, for a total mill levy of 57.475 mills). Upon motion duly made by Director Bradbury, seconded by Director McKay and, upon vote, unanimously carried, the Resolutions 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, 2021. Mr. Solin was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of the City and County of Broomfield not later than December 15, 2021. Mr. Solin 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.

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.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Bradbury, seconded by Director McKay 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.

Appointment of District Accountant to Prepare the 2023 Budget and Set the Date of the Budget Hearing: The Board considered the appointment of the District Accountant to prepare the 2023 Budget.

Following discussion, upon motion duly made by Director Bradbury, seconded by Director McKay and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2023 Budget and set the date for the public hearing for the November 22, 2022 Board meeting.

LEGAL MATTERS

Resolution No. 2021-11-04; Resolution Calling a Regular Election for Directors on May 3, 2022, appointing the Designated Election Official (“DEO”), and authorizing the DEO to perform all tasks required for the conduct of mail ballot election: The Board considered the adoption of Resolution No. 2021-11-04; Resolution Calling a Regular Election for Directors on May 3, 2022, appointing the Designated Election Official (“DEO”), and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election. The Board also discussed the need for ballot issues and/or questions.

Following consideration, upon motion duly made by Director Jeff Nading, seconded by Director Bradbury and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-11-04; Resolution Calling a Regular Election for Directors on May 3, 2022, appointing David Solin as DEO, and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election.

Eighth Amendment to 2013 Operation Funding Agreement between the District and Great Western Park, LLC: The Board reviewed and considered the approval of the Eighth Amendment to 2013 Operation Funding Agreement between the District and Great Western Park, LLC.

Following consideration, upon motion duly made by Director Bradbury, seconded by Director Steve Nading and, upon vote, unanimously carried, the Board approved the Eighth Amendment to 2013 Operation Funding Agreement between the District and Great Western Park, LLC.

Second Amendment to Resolution No. 2013-11-04 Regarding Colorado Open Records Act Requests: The Board reviewed the Second Amendment to Resolution No. 2013-11-04 Regarding Colorado Open Records Act.

RECORD OF PROCEEDINGS

Following review, upon motion duly made by Director Jeff Nading, seconded by Director McKay, and, upon vote, unanimously carried, the Board adopted the Second Amendment to Resolution No. 2013-11-04 Regarding Colorado Open Records Act.

OTHER BUSINESS

There were no other matters to discuss at this time.

ADJOURNMENT

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

Respectfully submitted,

By: 
Secretary for the Meeting