

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE CHIMNEY ROCK METROPOLITAN DISTRICT OCTOBER 18, 2021

A Special Meeting of the Board of Directors of the Chimney Rock Metropolitan District was duly held on Monday, the 18th day of October, 2021, at 10:00 A.M. Due to concerns regarding the spread of the coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board Meeting was held by conference call without any individuals (neither district representatives nor the general public) attending in person. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Telfer “Woody” Norman
Kenneth “Delmar” Rumph
Charles “Charlie” H. Haase
John “Marc” Rinehart
Charles “Chuck” Hansen

Also In Attendance Were:

David Solin; Special District Management Services, Inc.

Jeffrey E. Erb, Esq.; Seter & Vander Wall, P.C.

Darcy Beard, CPA; Accountant for the District

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosures of Potential Conflicts of Interest: Attorney Erb noted that disclosure of potential conflict of interest statements for Director Haase and Director Rumph were filed with the Secretary of State at least 72-hours in advance of the meeting. It was disclosed that Director Haase is also the President of, and a Director on, the Willowbrook Water & Sanitation District Board, and Director Rumph is Treasurer of, and a Director on, the Board of Directors of the Willow Springs North Master Homeowners’ Association. Mr. Solin noted for the record that there were no further new disclosures made by the Directors present at the meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting and in accordance with statutes.

ADMINISTRATIVE MATTERS Agenda: The meeting was called to order. Mr. Solin distributed for the Board’s review and approval, a proposed Agenda for the District’s Special Meeting.

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Following discussion, upon motion duly made by Director Haase, seconded by Director Rinehart and, upon vote, unanimously carried, the Agenda was approved, as amended.

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 Haase, seconded by Director Rinehart and, upon vote, unanimously carried, the Board determined that due to concerns regarding the spread of the Coronavirus (Covid-19) and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board Meeting would be held by teleconference and neither District Representatives nor the general public would attend in person. 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.

Minutes: The Board reviewed the Minutes of the June 9, 2021 Special Meeting.

Following discussion, upon motion duly made by Director Rumph, seconded by Director Norman and, upon vote, unanimously carried, the Minutes of the June 9, 2021, Special Meeting were approved, as presented.

2022 Annual Administrative Resolution: The Board reviewed the 2022 Annual Administrative Resolution.

Following discussion, upon motion duly made by Director Hansen, seconded by Director Haase and, upon vote, unanimously carried, the Board adopted the 2022 Annual Administrative Resolution, as presented.

FINANCIAL MATTERS

Claims: The Board reviewed and considered ratifying approval of the payment of claims for the period ending as follows:

Fund	Period Ending June 22, 2021	Period Ending July 15, 2021	Period Ending Aug. 27, 2021	Period Ending Sept. 21, 2021
General	\$ 1,354.30	\$ 5,696.39	\$ 5,300.35	\$ 520.01
Debt Service	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total Claims	\$ 1,354.30	\$ 5,696.39	\$ 5,300.35	\$ 520.01

Following discussion, upon motion duly made by Director Rumph, seconded by Director Rinehart, and upon vote, unanimously carried, the board ratified approval of the payment of claims, as presented.

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Financial Statements: Ms. Beard reviewed with the Board the unaudited financial statements of the District for the period ending August 31, 2021.

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

It was noted that Directors Rinehart and Haase would open a Colotrust Edge Account and Director Rumph would be the designated signer.

2021 Audit: The Board reviewed the proposal from Simmons & Wheeler, P.C. to perform the 2021 Audit.

Following discussion, upon motion duly made by Director Rumph, seconded by Director Haase, and upon vote, unanimously carried, the Board approved the engagement of Simmons & Wheeler, P.C. to perform the 2021 Audit, for an amount not to exceed \$4,500.

2021 Budget Amendment Hearing: The President opened the public hearing to consider a Resolution to Amend the 2021 Budget.

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 this public hearing. No public comments were received and the public hearing was closed.

The Board determined that an amendment to the 2021 Budget was not necessary.

2022 Budget Hearing: The President opened the Public Hearing to consider the proposed 2022 Budget and to 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 location of the Public Hearing was made in a newspaper having general circulation within the District. No written objections were received prior to the Public Hearing. No public comments were received and the Public Hearing was closed.

Ms. Beard reviewed the estimated year-end 2021 revenues and expenditures and the proposed 2022 estimated revenues and expenditures.

Following discussion, the Board considered adoption of Resolution No. 2021-10-02; Resolution to Adopt the 2022 Budget and Appropriate Sums of Money, and Resolution

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No. 2021-10-03; Resolution to Set Mill Levies for the General Fund at 8.970 mills, the Debt Service Fund at 17.750 mills, and other funds for abatement at 0.034 mills, for a total mill levy of 26.754 mills. Upon motion duly made by Director Rinehart, seconded by Director Hansen and, upon vote, unanimously carried, the Resolutions were adopted, as discussed, and execution of the Certification of Budget 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 Arapahoe County and the Division of Local Government 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 hereto 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.

Following discussion, upon motion duly made by Director Rinehart, seconded by Director Hansen 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 the preparation of the 2023 Budget.

Following discussion, upon motion duly made by Director Rinehart seconded by Director Hansen and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2023 Budget, and set the date for a Public Hearing to adopt the 2023 Budget on October 17, 2022 to be held at 10:00 a.m., via teleconference.

LEGAL MATTERS **Status of Tidrick Property Development:** It was noted that the development plans have all been withdrawn at the current time.

Status of Willowbrook Agreements: Attorney Erb provided an overview of all outstanding agreements with Willowbrook. Following discussion, the Board directed Attorney Erb to begin working with Willowbrook on a new agreement.

Resolution to Call the May 3, 2022 Regular Election: The Board discussed the upcoming election and Resolution No. 2021-10-04 to Call the May 3, 2022 Election.

Following discussion, upon motion duly made by Director Haase, seconded by Director Norman and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-

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10-04 to Call the May 3, 2022 Election and appointed David Solin 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.

OTHER MATTERS None.

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

Respectfully submitted,

By  _____
Secretary for the Meeting