

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE PARKER HOMESTEAD METROPOLITAN DISTRICT (THE “DISTRICT”) HELD OCTOBER 10, 2023

A special meeting of the Board of Directors of the Parker Homestead Metropolitan District (referred to hereafter as “**Board**”) was duly held on Tuesday, October 10, 2023, at 3:00 p.m. This District Board meeting was held via Zoom teleconference. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Thomas J. Brinkman II
Shelly Marshall
Lisa S. Brinkman

Also In Attendance Were:

Suzanne Meintzer, Esq., and Tim O’Connor, Esq.; 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.

Attorney Meintzer confirmed a quorum was present. Attorney Meintzer 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. Attorney Meintzer noted that conflict disclosure statements were filed for all Directors by the statutory deadline with the Secretary of State. No additional conflicts were disclosed at the meeting.

ADMINISTRATIVE MATTERS

Agenda: Following discussion, upon motion duly made by Director L. Brinkman, seconded by Director S. Marshall, and upon vote unanimously carried, the agenda was approved, as amended. The Board excused the absence of Director J. Marshall, and appointed Director T. Brinkman as acting president for the meeting.

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 and determined to hold this meeting in person at the location noted above. Attorney Meintzer confirmed that notice was duly posted

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and that no objections to the manner of meeting by taxpaying electors within the District boundaries were received.

July 28, 2023 Special Meeting Minutes: The Board reviewed the Minutes of the July 28, 2023 special meeting.

Following discussion, upon motion duly made by Director L. Brinkman, seconded by Director S. Marshall, and upon vote unanimously carried, the Minutes of the July 28, 2023 special meeting were approved.

Resolution No. 2023-10-01 Establishing 2024 Meeting Dates, Time, Location, and Designating 24-Hour Notice Posting Location: The Board discussed the business to be conducted in 2024 and determined to schedule regular meetings for June 5, 2024 at 2:30 p.m. and October 9, 2024 at 2:30 p.m., to be held virtually (via electronic means).

Following discussion, upon motion duly made by Director S. Marshall, seconded by Director T. Brinkman, and upon vote unanimously carried, the Board adopted Resolution No. 2023-10-01 Establishing 2024 Meeting Dates, Time, Location, and Designating 24-Hour Notice Posting Location.

2024 Insurance: Attorney Meintzer discussed the status of the District's insurance and presented information related to Cyber Security and Crime coverage.

Following discussion, upon motion duly made by Director S. Marshall, seconded by Director L. Brinkman, and upon vote unanimously carried, the Board approved additional crime coverage (increasing the crime coverage limit to \$100,000) for an annual premium of approximately \$460.00; and, authorized renewal of the District's insurance and Special District Association membership for 2024.

PUBLIC COMMENT There was no public comment.

FINANCIAL MATTERS

Payment of Claims: The Board considered ratifying the approval of the payment of claims for the period ending September 30, 2023, totaling \$249,139.31.

Following discussion, upon motion duly made by Director S. Marshall, seconded by Director T. Brinkman, and upon vote unanimously carried, the Board ratified approval of the payment for the period ending September 30, 2023, totaling \$249,139.31.

Unaudited Financial Statements: Ms. Curtis reviewed with the Board the unaudited financial statements through the period ending August 31, 2023.

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Following review and discussion, upon motion duly made by Director S. Marshall, seconded by Director T. Brinkman, and upon vote unanimously carried, the Board accepted the unaudited financial statements through the period ending August 31, 2023.

Developer Reimbursement: The Board discussed a potential reimbursement to Parker Homestead Investments, LLC (the “Developer”) under the Project Facilities Acquisition and Reimbursement Agreement (the “PFARA”). Following review and discussion, upon motion duly made by Director S. Marshall, seconded by Director T. Brinkman, and upon vote unanimously carried, and authorized a reimbursement payment of \$125,000 to the Developer under the PFARA.

Public Hearing on 2023 Budget Amendment: Director T. Brinkman opened the public hearing to consider the amendment to the 2023 Budget and to discuss related issues.

It was noted that Notice stating the Board would consider adoption of the 2023 amendment to the 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, and the public hearing was closed.

The Board determined that a 2023 Budget amendment was not necessary.

Public Hearing on 2024 Budget: Director T. Brinkman opened the public hearing to consider the proposed 2024 Budget and to discuss related issues.

It was noted that Notice stating that the Board would consider adoption of the 2024 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, and the public hearing was closed.

Following discussion, the Board considered the adoption of Resolution No. 2023-10-02 to Adopt the 2024 Budget and Appropriate Sums of Money and Resolution No. 2023-10-03 to Set Mill Levies. Upon motion duly made by Director S. Marshall, seconded by Director T. Brinkman, and upon vote unanimously carried, the Board adopted Resolution Nos. 2023-10-02 and 2023-10-03 and

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authorized execution of the Certification of Budget and Certification of Mill Levies as follows: 32.802 mills in General Fund, a temporary mill levy reduction in the General Fund of <13.462> mills, and 17.925 mills in Debt Service Fund, for a total mill levy of 37.265 mills, subject to receipt of final Certification of Assessed Valuation from the County. The District Accountant was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners. District Counsel was authorized to transmit the Certification of Budget to the Division of Local Government.

DLG-70 Mill Levy Certification: Following discussion, upon motion duly made by Director S. Marshall, seconded by Director T. Brinkman, and upon vote unanimously carried, the Board authorized the District Accountant to prepare, sign and file the DLG-70 Mill Levy Certification to the Board of County Commissioners and other interested parties.

2025 Budget Preparation: Following discussion, upon motion duly made by Director S. Marshall, seconded by Director T. Brinkman, and upon vote unanimously carried, the Board appointed the District Accountant to prepare the District's 2025 Budget.

2023 Audit Preparation: Following discussion, upon motion duly made by Director S. Marshall, seconded by Director T. Brinkman, and upon vote unanimously carried, the Board approved the engagement of Simmons & Wheeler, P.C. to perform the District's 2023 Audit, for an amount not to exceed \$5,000.

LEGAL MATTERS

Section 32-1-809, C.R.S. Requirements (Transparency Notice): Attorney Meintzer discussed the special district transparency requirements of Section 32-1-809, C.R.S. with the Board. Following discussion, the Board directed District Counsel to post the special district Transparency Notice on the Special District Association and the District websites.

Resolution No. 2023-10-04 Amending Policy on Colorado Open Records Act Requests ("CORA"): Due to newly enacted 2023 legislation, a change in the District's CORA policy was necessary. Following discussion, upon motion duly made by Director T. Brinkman, seconded by Director S. Marshall, and upon vote unanimously carried, the Board adopted Resolution No. 2023-10-04 Amending Policy on Colorado Open Records Act Requests.

OTHER MATTERS None.

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ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned.

Respectfully submitted,

By: *Lisa Jacoby*
Secretary for the Meeting