

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

HIGHPOINTE PARK METROPOLITAN DISTRICT

Held: Wednesday, November 2, 2022, at 2:00 P.M. via teleconference.

**ATTENDANCE**

The meeting was held in accordance with the laws of the State of Colorado. The following directors were in attendance:

AJ Beckman  
Lisa A. Johnson  
John Craig

Also present were: Trisha Harris, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Georgia Harland, Simmons & Wheeler, District Accountant; and Keith Christy, Armstrong HighPointe, LLC.

**ADMINISTRATIVE MATTERS**

Call to Order

The meeting was called to order at 2:02 p.m.

Declaration of Quorum and Confirmation of Director Qualifications

Ms. Harris noted that a quorum for the Board was present and that the directors had confirmed their qualification to serve.

Reaffirmation of Disclosures of Potential or Existing Conflicts of Interest

Ms. Harris advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Harris reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Ms. Harris noted that a quorum was present and inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Board determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda

Ms. Harris presented the Board with the agenda. Upon motion duly made and seconded, the Board unanimously approved the

agenda.

## **PUBLIC COMMENT**

There were no public comments.

## **CONSENT AGENDA**

Ms. Harris presented the Board with the consent agenda items. The Board determined to consider the approval of the 2023 Annual Administrative Resolution separately and removed it from the consent agenda. Upon a motion duly made and seconded, the Board unanimously took the following actions:

- a. Approval of Board Meeting Minutes from July 20, 2022 Regular Meeting
- b. Approval of 2023 Resolution Calling the May 2023 Election
- c. Ratification of 2021 Annual Report
- d. Consider Approval of Property and Liability Schedule and Limits

Ms. Harris presented the 2023 Annual Administrative Resolution. The Board engaged in general discussion regarding the officer positions. Following discussion, upon a motion duly made and seconded, the Board approved the 2023 Annual Administrative Resolution, subject to revision to reflect Director Beckman as President Director Craig as Secretary/Treasurer.

## **FINANCIAL MATTERS**

Consider Approval of Payables/Financials

Ms. Harland presented the payables and financials to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved payables and financials.

Conduct Public Hearing on 2023 Budget and Consider Adoption of Resolution Adopting 2023 Budget, Imposing Mill Levy and Appropriating Funds

Director Beckman opened the public hearing on the proposed 2023 Budget. Ms. Harris noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Ms. Harland reviewed the 2023 Budget with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the 2023 Budget Resolution, subject to revising the interest income in the Debt Service Fund to \$5,000, appropriating funds therefor and certifying 26.960 mills for the general fund, and 56.795 mills for the debt fund.

Approval of Auditor Engagement Letter

The Board engaged in a general discussion regarding the Auditor Engagement Letter. It was noted that Schilling &

Company has not yet provided the engagement letter for the 2022 audit. Following discussion, upon a motion duly made and seconded, the Board unanimously approved engaging Schilling & Company for the 2022 audit, at a cost not to exceed \$6,000.

## **LEGAL MATTERS**

Consider Approval of District Website Maintenance and Management with Heatherly Creative for Website Maintenance Services

Ms. Harris presented to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the District Website Maintenance and Management with Heatherly Creative for Website Maintenance Services.

## **DEVELOPER MATTERS**

Discuss Status of Owners' Association for Development

Ms. Harris presented to the Board and noted that the developer has engaged outside counsel to work on the declaration amendment to shift design review and covenant enforcement to the District and eliminate the need for an owners association. Matter deferred.

## **CONSULTANT MATTERS**

Consider Approval of 2023 Addendum to Independent Contractor Agreement with Armstrong HighPointe

Ms. Harris presented to the Board. Mr. Christy noted that the amounts for snow removal and trash removal are based on 2022's figures, but that Armstrong is having to source a new vendor for those services, so those amounts are subject to change. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the 2023 Addendum to Independent Contractor Agreement with Armstrong HighPointe subject to revision to the snow and trash removal amounts.

Consider Approval of 2023 Addendum to Independent Contractor Agreement with MMI Water Engineers

The Board engaged in a general discussion. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the 2023 Addendum to the Independent Contractor Agreement with MMI Water Engineers.

## **OTHER BUSINESS**

Director Resignation

Ms. Johnson announced her resignation from the Board of Directors.


Next Meeting

The next regular meeting is scheduled for July 19, 2023, at 2:00 PM.

## **ADJOURNMENT**

There being no further business to come before the Board, upon

motion, second and unanimous vote, the meeting was adjourned at 2:45 p.m.

  
John Craig (Jul 27, 2023 10:15 MDT)

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Secretary for the District