

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

HIGHPOINTE PARK METROPOLITAN DISTRICT

Held: Thursday, November 30, 2023, 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  
John Craig  
Kate Milne Innes

Also present were: Erin K. Stutz, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Diane Wheeler, Simmons & Wheeler, District Accountant; Charlene Perhacs, Armstrong Development Properties, Inc.

**ADMINISTRATIVE MATTERS**

Call to Order

The meeting was called to order at 2:00 p.m.

Declaration of Quorum and Confirmation of Director Qualifications

Ms. Stutz 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. Stutz advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Stutz 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. Stutz 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 regarding 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. Stutz presented the Board with the agenda. Upon a motion duly made and seconded, the Board unanimously approved the

agenda.

**PUBLIC COMMENT**

There were no public comments.

**CONSENT AGENDA**

Ms. Stutz presented the Board with the consent agenda items. Upon a motion duly made and seconded, the Board unanimously took the following actions:

- a. Approval of Board Meeting Minutes from July 19, 2023, Regular Meeting
- b. Ratification of 2022 Annual Report
- c. Approval of Renewal of General Liability Schedule and Limits and Property Schedule and Consider Approval and Authorization to Bind Coverage
- d. Authorization of Renewal of Special District Association of Colorado Membership for 2024
- e. Approval of Workers' Compensation Coverage with Colorado Special Districts Property and Liability Pool

**LEGAL MATTERS**

Consider Adoption of 2024 Annual Administrative Resolution

Ms. Stutz presented the 2024 Annual Administrative Resolution to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

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

Ms. Stutz presented the Tenth Addendum to the Independent Contractor Agreement with Armstrong HighPointe to the Board. Ms. Perhacs noted they added the roundabout pavers to the addendum. Director Beckman asked about a reserve study and directed legal counsel to obtain proposals. Ms. Wheeler noted the District spent \$26,000 on the roundabout in 2020.

Following discussion, upon a motion duly made and seconded, the Board unanimously approved the addendum to the Independent Contractor Agreement with Armstrong HighPointe, subject to revisions to add the roundabout pavers in an amount not to exceed \$30,000.

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

Ms. Stutz presented the Sixth Addendum to the Independent Contractor Agreement with MMI Water Engineers to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the addendum.

Discussion of Storm Drainage Proposals

Ms. Stutz discussed the storm drainage proposals with the Board.

Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Mill Brothers proposal for

the detention pond dredging.

The Board engaged in a general discussion regarding the retaining wall repair.

## **FINANCIAL MATTERS**

Review of  
Payables/Financials

Ms. Wheeler presented the payables and financials to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously ratified the payables and accepted the financials.

Conduct Public Hearing on  
2023 Budget amendment (*if  
necessary*)

Not needed.

Consider Adoption of  
Resolution Amending  
2023 Budget

Not needed.

Conduct Public Hearing on  
2024 Budget

Director Craig opened the public hearing on the proposed 2024 Budget. Ms. Stutz noted that the notice of public hearing was provided in accordance with Colorado law. No written objections were received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of  
Resolution Adopting 2024  
Budget, Imposing Mill  
Levy and Appropriating  
Funds

Ms. Wheeler reviewed the 2024 Budget Resolution with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2024 Budget, appropriating funds therefor and certifying 22.649 mills for the general operating fund and 43.318 mills for the debt service fund as shown in the 2024 Budget, subject to receipt of final assessed valuation.

Consider Auditor  
Proposal/Engagement Letter  
for 2023 Audit

Ms. Wheeler presented the Auditor Engagement Letter for the 2023 Audit to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the engagement in an amount not to exceed \$5,700.


## **OTHER BUSINESS**

None.

## **ADJOURNMENT**

There being no further business to come before the Board and following discussion and upon motion duly made, seconded and unanimously carried, the Board determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

  
Kate Innes (Jul 18, 2024 11:38 MDT)

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Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 17<sup>th</sup> day of July 2024.