

# RECORD OF PROCEEDINGS

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## MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CROWFOOT VALLEY RANCH METROPOLITAN DISTRICT NO. 1 HELD DECEMBER 4, 2023

A Regular Meeting of the Board of Directors (the “**Board**”) of the Crowfoot Valley Ranch Metropolitan District No. 1 (the “**District**”) was convened on Monday, the 4<sup>th</sup> day of December 2023, at 1:00 p.m. via Zoom Meeting. The meeting was open to the public.

### ATTENDANCE

#### Directors In Attendance Were:

Chad Murphy  
Richard Cross  
Ryan D. Marsh

#### Director Absent Was:

Sean Logue

Following discussion, upon motion duly made by Director Murphy, seconded by Director Cross and, upon vote, unanimously carried, the absence of Director Logue was excused.

#### Also In Attendance Were:

Peggy Ripko; Special District Management Services, Inc. (“**SDMS**”)  
Matt Ruhland, Esq.; Cockrel Ela Glesne Greher & Ruhland  
Lindsay Delecki; Hines

### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosures 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 and to the Secretary of State.

Ms. Ripko 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. It was noted that all Directors’ Disclosure Statements have been filed.

## RECORD OF PROCEEDINGS

---

### ADMINISTRATIVE MATTERS

**Agenda:** The Board reviewed a proposed Agenda for the District's Regular Meeting.

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

**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. The Board noted that the meeting was held via Zoom Meeting.

**Vacancy on the Board:** The Board considered an appointment to fill a vacancy on the Board of Directors.

Following review and discussion, upon motion duly made by Director Murphy, seconded by Director Cross and, upon vote, unanimously carried, the Board appointed Christopher Crawford to the Board of Directors, for a term of office to expire in May, 2025.

### CONSENT AGENDA

The Board considered the following actions:

- ~~Recognize and consider approval of the minutes of the November 28, 2023 Regular Meeting.~~ ~~Appointment of Peg Ripstein as Secretary to the Board of Directors.~~
  - ~~Review and consider approval of the minutes of the June 5, 2023 Regular Meeting.~~
- Following review and discussion, upon motion duly made by Director Wilk, seconded by Directors Langley and Director Langley and, upon vote, unanimously carried, the Board approved the above Consent Agenda items/actions.

**Resolution No. 2023-12-01; Resolution Concerning 2024 Annual Administration Matters:** Attorney Ruhland reviewed with the Board Resolution No. 2023-12-01; Resolution Concerning 2024 Annual Administrative Matters.

Following discussion, upon motion duly made by Director Murphy, seconded by Director Cross and, upon vote, unanimously carried, the Board adopted Resolution No. 2023-12-01; Resolution Concerning 2024 Annual Administrative Matters. A copy of the adopted Resolution is attached to these Minutes and incorporated herein by this reference.

**RECORD OF PROCEEDINGS**

---

**Resolution No. 2023-12-02; Resolution Designating Meeting Location:**

Attorney Ruhland reviewed with the Board Resolution No. 2023-12-02: Resolution Designating Location of Regular and Special Meetings.

*2024 Regular Meetings:* Following discussion, the Board, determined to meet on June 3, 2024 and December 2, 2024 at 1:00 p.m. via Zoom.

Following discussion, upon motion duly made by Director Murphy, seconded by Director Cross and, upon vote, unanimously carried, the Board adopted Resolution No. 2023-12-02; Resolution Designating Location of Regular and Special Meetings. A copy of the adopted Resolution is attached to these Minutes and incorporated herein by this reference.

**PUBLIC COMMENT**

There were no public comments.

**FINANCIAL MATTERS**

**Payment of Claims:** The Board then considered ratification of approval of the payment of claims for the following periods:

Period ending June. 01, 2023	Period ending July. 01, 2023	Period ending Aug. 01, 2023	Period ending Sept. 01, 2023
\$ 23,079.91	\$ 17,703.38	\$ 16,461.33	\$ 53,680.11
\$ -0-	\$ -0-	\$ -0-	\$ -0-
\$ -0-	\$ -0-	\$ -0-	\$ 2,981.15
<b>\$ 23,079.91</b>	<b>\$ 17,703.38</b>	<b>\$ 16,461.33</b>	<b>\$ 56,661.26</b>

Period ending Oct. 01, 2023	Period ending Nov. 01, 2023
\$ 58,125.27	\$ 30,778.17
\$ -0-	\$ 6,000.00
\$ -0-	\$ 907.50
<b>\$ 58,125.27</b>	<b>\$ 37,685.67</b>

Following discussion, upon motion duly made by Director Murphy, seconded by Director Cross and, upon vote, unanimously carried, the Board ratified approval of the payment of claims, as presented.

**Unaudited Financials and Cash Position Schedule:** Ms. Ripko reviewed with the Board the unaudited financials through the period ending September 30, 2023 and cash position statement dated September 30, 2023 and updated November 27, 2023.

Following discussion, upon motion duly made by Director Murphy, seconded by Director Cross and, upon vote, unanimously carried, the Board accepted the

## RECORD OF PROCEEDINGS

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unaudited financials through the period ending September 30, 2023 and cash position statement dated September 30, 2023 and updated November 27, 2023.

**2023 Audit:** The Board discussed the engagement of Fiscal Focus Partners LLC to perform the 2023 Audit.

Following discussion, upon motion duly made by Director Murphy, seconded by Director Cross and, upon vote, unanimously carried, the Board approved the engagement of Fiscal Focus Partners LLC to perform the 2023 Audit, for an amount not to exceed \$6,700.

**2024 Budget:** The President opened the public hearing to consider the proposed 2024 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 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. Ripko reviewed the estimated 2023 revenues and expenditures and proposed 2024 revenues and expenditures.

Following discussion, the Board considered the adoption of Resolution No. 2023-12-03 to Adopt the 2024 Budget and Appropriate Sums of Money and Set Mill Levies (for the General Fund at 72.899 mills, Debt Service Funds at 0.000, and Other Funds (Fire Protection) at 0.000 mills, for a total mill levy of 72.899 mills).

Upon motion duly made by Director Murphy, seconded by Director Cross and, upon vote, unanimously carried, the Resolution was 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 and verification of Fire Protection mill levy. Ms. Ripko was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Douglas County on or before the statutory deadline. Ms. Ripko was also authorized to transmit the Certification of Budget, 2024 Budget, Certification of Mill Levies and Budget Resolution to the Division of Local Government not later than January 30, 2024. A copy of the adopted Resolution is 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

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Following discussion, upon motion duly made by Director Murphy, seconded by Director Cross 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.

**2025 Budget Preparation:** The Board discussed the preparation of the 2025 Budget. Following discussion, upon motion duly made by Director Murphy, seconded by Director Cross and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2025 Budget.

**2024 Scope of Work between the District and CliftonLarsonAllen LLP:** Mr. Wilson reviewed with the Board a 2024 Scope of Work (“SOW”) between the District and CliftonLarsonAllen LLP.

Following review and discussion, upon motion duly made by Director Murphy, seconded by Director Cross and, upon vote, unanimously carried, the Board approved the SOW between the District and CliftonLarsonAllen LLP.

### **LEGAL MATTERS**

There were no legal matters at this time.

### **CAPITAL IMPROVEMENTS**

**Engineer’s Report:** The Board reviewed the Engineer’s Report and Certification No. 4, dated November 1, 2023 in the amount of \$22,495,688.06.

Following review and discussion, upon motion duly made by Director Murphy, seconded by Director Cross and, upon vote, unanimously carried, the Board approved the Engineer’s Report and Certification No. 4, dated November 1, 2023 in the amount of \$22,495,688.06 and adopted the Resolution Regarding Cost Certification No. 4.

**Status of Future Capital Improvement Projects for 2023/2024:** There was no report at this time.

**Utility Underground Access Easement:** The Board reviewed the Utility Underground Access Easement.

Following review and discussion, upon motion duly made by Director Murphy, seconded by Director Cross and, upon vote, unanimously carried, the Board ratified approval of the Underground Access Easement.

## RECORD OF PROCEEDINGS

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### **OPERATIONS AND MAINTENANCE**

**Operation and Maintenance Services and Budget for 2023-2024:** Ms. Ripko updated the Board on the Operation and Maintenance Services and Budget for 2023/2024.

**Signage for Open Space Areas Concerning Firearms, Bow and Arrows and Paintball Guns:** The Board discussed the Signage for Open Space Areas Concerning Firearms, Bow and Arrows and Paintball Guns. The Board determined to not put up any signs. The Board directed Attorney Ruhland to draft a resolution regarding this to be sent out and posted on website and approved by a committee of Directors Murphy and Cross.

Following review and discussion, upon motion duly made by Director Murphy, seconded by Director Cross and, upon vote, unanimously carried, the Board appointed Directors Murphy and Cross to the Committee of Directors and adopted the Resolution.

**District Tracts:** The Board discussed the District Tracts. It was noted that the legal description and improvements are needed; Attorney Ruhland will draft conveyance documents.

Following review and discussion, upon motion duly made by Director Marsh, seconded by Director Cross and, upon vote, unanimously carried, the Board approved the District Tracts, subject to final review by a committee of Directors Murphy and Cross.

**Easement and Intergovernmental Agreement between Macanta and the District:** The Board discussed the Easement and Intergovernmental Agreement between Macanta and the District.

Following review and discussion, upon motion duly made by Director Murphy, seconded by Director Marsh and, upon vote, unanimously carried, the Board approved the Easement and Intergovernmental Agreement between Macanta and the District.

**HOA Manager to Approve Repairs:** The Board discussed authorizing the HOA Manager to approve repairs as needed. The Board approved Ms. Ripko to approve repairs up to \$2,500.00 and the Operations Committee to approve repairs up to \$10,000.

**Landscape RFP:** The Board determined a Landscape RFP was not needed.

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## RECORD OF PROCEEDINGS

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**OTHER BUSINESS** The Board acknowledged the New Rate Structure for Special District Management Services, Inc.  
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**ADJORNMENT** There being no further business to come before the Board at this time, upon motion duly made by Director Murphy, seconded by Director Marsh and, upon vote, unanimously carried, the meeting was adjourned.


Respectfully submitted,

By:   
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Secretary for the Meeting

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### Document History

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