

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF COALTON METROPOLITAN DISTRICT AND SUBDISTRICT NO. 1 OF THE COALTON METROPOLITAN DISTRICT

HELD
April 27, 2022

The Board of Directors of Coalton Metropolitan District and the Board of Directors of Subdistrict No. 1 of the Coalton Metropolitan District held a special meeting, open to the public, via videoconference, at 2:00 p.m. Notice of the meeting has been posted on the District's website.

<u>ATTENDANCE</u>	<p><u>Directors in Attendance:</u> Kristopher Barnes Gary Rohr James O'Malley Karen Bennett Jack Rohr</p> <p><u>Also, in Attendance:</u> Alan Pogue, Esq., Deborah Early, Esq., Icenogle Seaver Pogue, P.C.; Brendan Campbell and Traci Kaminski, Pinnacle Consulting Group, Inc.; Scott Chomiak, KUH; Angela Elliott and Cathy Baldwin, Teleos Management Services.</p>
<u>CALL MEETING TO ORDER</u>	The meetings of the District and Subdistrict were called to order by Director Barnes at 2:06 p.m., noting that a quorum was present. Each of the Directors confirmed their qualifications to service on the Boards of the District and Subdistrict.
<u>MEETING NOTICE</u>	Ms. Elliott noted that Notice of the Special Board Meeting had been properly posted on the District and Subdistrict's joint website. The notice also included the agenda items.
<u>CONFLICT OF INTEREST DISCLOSURE</u>	Mr. Pogue noted that notices of potential conflicts of interest for all Board Members were filed with the Colorado Secretary of State's office and with the District's Board. Mr. Pogue advised the Boards that pursuant to Colorado law, certain disclosures by the Board Members might be required prior to taking official action at a meeting. The Boards reviewed the agenda for the meeting, following which each Board Member present confirmed the contents of the written disclosures previously made stating the fact and summary nature of any matters as required under Colorado law to permit official action to be taken at the meeting. Additionally, the Boards determined that the

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	<p>participation of the members present was necessary to obtain a quorum or otherwise enable the Boards to act.</p>
<u>AGENDA</u>	<p>The Boards considered the Agenda. Upon motion duly made by Director Gary Rohr, seconded by Director Bennett, and upon vote, unanimously carried, it was</p> <p style="text-align: center;">RESOLVED to approve the agenda, as presented.</p>
<u>PUBLIC COMMENT</u>	None
	Convene as the Board of Directors of the Coalton Metropolitan District
<u>MINUTES</u>	<p>The Board reviewed the minutes of the December 2, 2021 meeting. Upon motion duly made by Director Bennett, seconded by Director Gary Rohr, and upon vote, unanimously carried, it was</p> <p style="text-align: center;">RESOLVED to approve the minutes of the December 2, 2021 meeting.</p>
<u>LEGAL ITEMS</u>	<p><u>Consideration and Approval of Amended and Restated Improvement Acquisition and Reimbursement Agreement Between Coalton Metropolitan District and Rock Creek Development, Inc.:</u> Ms. Early reviewed with the Board the Agreement and answered questions. Upon motion duly made by Director Gary Rohr, seconded by Director O'Malley, and upon vote unanimously carried, it was</p> <p style="text-align: center;">RESOLVED to approve the Amended and Restated Improvement Acquisition and Reimbursement Agreement Between Coalton Metropolitan District and Rock Creek Development, Inc.</p> <p><u>Consideration and Approval of Intergovernmental Agreement between the District and Subdistrict No. 1 of Coalton Metropolitan District Concerning Allocation of Debt Authorization and Mill Levy:</u> Ms. Early reviewed with the Board the Agreement and answered questions. Upon motion duly made by Director O'Malley, seconded by Director Gary Rohr, and upon vote unanimously carried, it was</p> <p style="text-align: center;">RESOLVED to approve the Intergovernmental Agreement between the District and Subdistrict No. 1 of Coalton Metropolitan District Concerning Allocation of Debt Authorization and Mill Levy.</p>
<u>CLAIMS PRESENTED FOR PAYMENT</u>	<p>Mr. Campbell presented the Check Detail Report dated December 1, 2021 through April 20, 2022 detailing payments to be ratified in the amount of \$29,346.78. Upon motion duly made by Director Bennett, seconded by Director Gary Rohr, and upon vote, unanimously carried, it was</p>

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	<p>RESOLVED to ratify the Check Detail Report dated December 1, 2021 through April 20, 2022 detailing payments to be ratified in the amount of \$29,346.78.</p>
<u>FINANCIAL REPORT</u>	<p>Mr. Campbell reviewed the December 31, 2020 through December 31, 2021 unaudited Financial Statement with the Board and answered questions. Upon motion duly made by Director Bennett, seconded by Director Gary Rohr, and upon vote, unanimously carried, it was</p> <p>RESOLVED to accept the December 31, 2020 through December 31, 2021 unaudited financials as presented.</p>
<u>AUDIT EXEMPTION RATIFICATION</u>	<p>Mr. Campbell reviewed the Exemption for Audit dated December 31, 2021 with the Board and answered questions. Upon motion duly made by Director Bennett, seconded by Director Gary Rohr, and upon vote, unanimously carried, it was</p> <p>RESOLVED to approve the Exemption for Audit dated December 31, 2021.</p>
<u>DISTRICT MANAGER ITEMS</u>	Nothing to report.
	Adjourn as the Board of Directors for the Coalton Metropolitan District and Convene as the Board of Directors for Subdistrict No. 1 of the Coalton Metropolitan District.
<u>MINUTES</u>	<p>The Board reviewed the minutes of the December 2, 2021 meeting. Upon motion duly made by Director Gary Rohr, seconded by Director Bennett, and upon vote, unanimously carried, it was</p> <p>RESOLVED to approve the minutes of the December 2, 2021 meeting.</p>
<u>LEGAL ITEMS</u>	<p><u>Consideration and Approval of Improvement Acquisition and Reimbursement Agreement Between Subdistrict and Superior Shores Townhomes, LLC:</u> Ms. Early reviewed with the Board the Agreement and answered questions. Upon motion duly made by Director Gary Rohr, seconded by Director O'Malley, and upon vote unanimously carried, it was</p> <p>RESOLVED to approve the Improvement Acquisition and Reimbursement Agreement Between Subdistrict and Superior Shores Townhomes, LLC.</p> <p><u>Consideration and Approval of Intergovernmental Agreement between Coalton Metropolitan District and the Subdistrict Concerning Allocation of Debt Authorization and Mill Levy:</u> Ms. Early reviewed with the Board the Agreement and answered questions. Upon motion</p>

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duly made by Director Gary Rohr, seconded by Director Bennett, and upon vote unanimously carried, it was

RESOLVED to approve the Intergovernmental Agreement between Coalton Metropolitan District and the Subdistrict Concerning Allocation of Debt Authorization and Mill Levy.

Consideration and Ratification of Capital Fee Resolution: Ms. Early reviewed with the Board the Ratification of the Capital Fee and answered questions. Upon motion duly made by Director Gary Rohr, seconded by Director O'Malley, and upon vote, unanimously carried, it was

RESOLVED to ratify the Capital Fee.

Consideration and Ratification of Grounds Maintenance Fee Resolution: Ms. Early reviewed with the Board the Ratification of Grounds Maintenance Fee and answered questions. Upon motion duly made by Director Gary Rohr, seconded by Director Bennett, and upon vote, unanimously carried, it was

RESOLVED to ratify the Grounds Maintenance Fee.

Consideration and Ratification of Utility Fee Resolution: Ms. Early reviewed with the Board the Ratification of Utility Fee and answered questions. Upon motion duly made by Director Bennett, seconded by Director Gary Rohr, and upon vote, unanimously carried, it was

RESOLVED to ratify the Utility Fee.

Consideration and Approval of Resolution Regarding Public Use Rules: Mr. Pogue reviewed with the Board the Public Use Rules and answered questions. Upon motion duly made by Director Bennett, seconded by Director Gary Rohr, and upon vote unanimously carried, it was

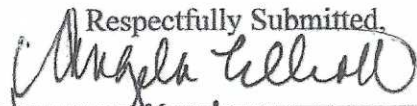
RESOLVED to approve the Public Use Rules.

Consideration and Acceptance of Future Conveyance of Tracts R1, R2, P1, P2, P3, P4, P5, P6 and P7 via Quitclaim Deed from Superior Shores Townhomes LLC: Ms. Early reviewed with the Board the Future Conveyance of Tracts R1, R2, P1, P2, P3, P4, P5, P6, and P7 via Quit claim Deed from Superior Shores Townhomes LLC and answered questions. Upon motion duly made by Director Gary Rohr,

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	<p>seconded by Director Bennett, and upon vote unanimously carried, it was</p> <p>RESOLVED to accept the Future Conveyance of Tracts R1, R2, P1, P2, P3, P4, P5, P6 and P7 via Quitclaim Deed from Superior Shores Townhomes LLC.</p> <p><u>Consideration and Approval of Temporary Construction Easement Granted to Superior Shores Townhomes, LLC:</u> Ms. Early reviewed with the Board the Easement Agreement and answered questions. Upon motion duly made by Director Barnes, seconded by Director O'Malley, and upon vote, unanimously carried, it was</p> <p>RESOLVED to approve the Temporary Construction Easement Granted to Superior Shores Townhomes, LLC.</p> <p><u>Consideration and Approval of Easement Agreement Granted to Subdistrict:</u> Mr. Pogue reviewed with the Board the Easement Agreement and answered questions. Upon motion duly made by Director Barnes, seconded by Director O'Malley, and upon vote, unanimously carried, it was</p> <p>RESOLVED to approve the Easement Agreement Granted to Subdistrict.</p>
<p><u>DISTRICT MANAGER ITEMS</u></p>	<p>Nothing to report.</p>
<p><u>ADJOURNMENT</u></p>	<p>There being no further business to come before the Board, the meetings adjourned at 2:55 p.m.</p>

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

Respectfully Submitted,


 Angela Elliott Recording Secretary

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MINUTES OF THE SPECIAL MEETING OF COALTON METROPOLITAN DISTRICT AND SUBDISTRICT NO. 1 OF THE COALTON METROPOLITAN DISTRICT

HELD
December 1, 2022

The Board of Directors of Coalton Metropolitan District and the Board of Directors of Subdistrict No. 1 of the Coalton Metropolitan District held a special meeting, open to the public, via videoconference, at 2:00 p.m. Notice of the meeting has been posted on the District's website.

<u>ATTENDANCE</u>	<p><u>Directors in Attendance:</u> Kristopher Barnes Gary Rohr (excused) Karen Bennett James O'Malley (excused) Jack Rohr</p> <p><u>Also, in Attendance:</u> Deborah Early and Alan Pogue, Esq. Icenogle Seaver Pogue, P.C.; Wendy McFarland and Jennifer Ondracek, Pinnacle Consulting Group, Inc.; Scott Chomiak, KUH; Angela Elliott, Evan Redmond, and Marlene Pappas, Teleos Management Group.</p>
<u>CALL MEETING TO ORDER</u>	The meetings of the District and Subdistrict were called to order by Director Barnes at 2:01 p.m., noting that a quorum was present. Each of the Directors confirmed their qualifications to service on the Boards of the District and Subdistrict.
<u>MEETING NOTICE</u>	Ms. Elliott noted that Notice of the Special Board Meeting had been properly posted on the District and Subdistrict's joint website. The notice for the budget hearing was also published November 16, 2022 in the Boulder Daily Camera.
<u>CONFLICT OF INTEREST DISCLOSURE</u>	Mr. Pogue noted that notices of potential conflicts of interest for all Board Members were filed with the Colorado Secretary of State's office and with the District's Board. Mr. Pogue advised the Boards that pursuant to Colorado law, certain disclosures by the Board Members might be required prior to taking official action at a meeting. The Boards reviewed the agenda for the meeting, following which each Board Member present confirmed the contents of the written disclosures previously made stating the fact and summary nature of any matters as required under Colorado law to permit official action to be taken at the meeting. Additionally, the Boards determined that the

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	<p>participation of the members present was necessary to obtain a quorum or otherwise enable the Boards to act.</p>
<u>AGENDA</u>	<p>The Boards considered the Agenda. Upon motion duly made by Director Bennett, seconded by Director J. Rohr, and upon vote, unanimously carried, it was</p> <p style="text-align: center;">RESOLVED to approve the agenda, as presented.</p>
<u>MOTION TO EXCUSE DIRECTORS G. ROHR AND J. O'MALLEY</u>	<p>The Board acknowledged and accepted the absence of Director G. Rohr and Director J. O'Malley.</p> <p style="text-align: center;">RESOLVED to excuse Gary Rohr and James O'Malley from the December 1, 2022 Meeting and Budget Hearing.</p>
<u>PUBLIC COMMENT</u>	<p>None</p>
	<p style="text-align: center;">Convene as the Board of Directors of the Coalton Metropolitan District</p>
<u>CONSENT AGENDA</u>	<p><u>April 27, 2022 Meeting Minutes:</u> Upon motion duly made by Director Bennett, seconded by Director K. Barnes and upon vote, unanimously carried, it was</p> <p style="text-align: center;">RESOLVED to approve the April 27, 2022, meeting minutes.</p> <p><u>2023 Annual Administrative Matters Resolution:</u> Mr. Pogue reviewed with the Board the 2023 Annual Administrative Matters Resolution and answered questions. Upon motion duly made by Director Barnes, seconded by Director Bennett, and upon vote, unanimously carried, it was</p> <p style="text-align: center;">RESOLVED to approve the 2023 Annual Administrative Matters Resolution.</p> <p><u>2023 Election Resolution:</u> Mr. Pogue reviewed with the Board the 2023 Election Resolution and answered questions. Upon motion duly made by Director Bennett, seconded by Director Barnes, and upon vote, unanimously carried it was</p> <p style="text-align: center;">RESOLVED to approve the 2023 Election Resolution.</p> <p><u>2023 Meeting Resolution:</u> Mr. Pogue reviewed with the Board the 2023 Meeting Resolution and answered questions. Upon motion duly made by Director O'Malley, seconded by Director G. Rohr, and upon vote, unanimously carried, it was</p> <p style="text-align: center;">RESOLVED to approved the 2023 Meeting Resolution.</p>

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<u>LEGAL MATTERS</u>	None.
<u>CLAIMS PRESENTED FOR PAYMENT</u>	<p>Ms. Ondracek presented the Check Detail Report dated November 23, 2022, claims from April 21, 2022 through November 23, 2022 detailing payments to be ratified in the amount of \$39,251.48. Upon motion duly made by Director Barnes, seconded by Director Bennett, and upon vote, unanimously carried, it was</p> <p style="text-align: center;">RESOLVED to ratify the Check Detail Report dated calendar year 2022 detailing payments to be ratified in the amount of \$39,251.28.</p>
<u>FINANCIAL REPORT</u>	<p>Ms. Ondracek reviewed the June 30, 2022, unaudited Financial Statement with the Board and answered questions. Upon motion duly made by Director Barnes, seconded by Director J. Rohr and upon vote, unanimously carried, it was</p> <p style="text-align: center;">RESOLVED to accept the June 30, 2022 unaudited financials as presented.</p>
<u>2023 PROPOSED BUDGET HEARING</u>	<p>Director Barnes opened the 2022 Budget Hearing for Coalton Metropolitan District. Ms. Ondracek reported that notice of the budgets had been published in the Boulder Daily Camera in accordance with State budget law. Ms. Ondracek reviewed the budget in detail and answered questions pertaining to the mill levy and estimated revenues and expenditures. The District's budgets by fund are as follows:</p> <p>General Fund Expenditures \$82,161 Mill levy is 50.000 mills.</p> <p>There being no public input, the public hearing portion of the budget was closed. Upon motion duly made by Director J. Rohr, seconded by Director Bennett, and upon vote, unanimously carried it was</p> <p style="text-align: center;">RESOLVED to approve the Resolution to Adopt the 2023 budget, set the mill levy, appropriated budgeted funds upon final certification of value being received by the County of Boulder on or before December 15, 2022, and approve all other documents related to the 2022 budget. The District Manager is authorized to make minor modifications that may be necessary following receipt of final assessed value.</p>
<u>DISTRICT MANAGER ITEMS</u>	<u>Renewal of Property and Liability Coverage Schedule and Limits, Workers Compensation Coverage and SDA Membership</u>

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	<p>Ms. Elliott reviewed with the Board the Property and Liability Renewal. Upon motion duly made by Director Barnes, seconded by Director J. Rohr, and upon vote, unanimously carried, it was</p> <p style="text-align: center;">RESOLVED to approve the renewal of the Property and Liability Policy.</p> <p><u>2022 -2023 O&M Service Agreements:</u> Ms. Elliott reviewed with the Board the 2022 O&M Service Agreements. Upon motion duly made by Director Barnes, seconded by Director J. Rohr, and upon vote, unanimously carried, it was</p> <p style="text-align: center;">RESOLVED to approve the following Contracts/Agreements as presented:</p> <p style="padding-left: 40px;">i. C& C Landscape for snow removal</p>
	<p style="text-align: center;">Adjourn as the Board of Directors for the Coalton Metropolitan District and Convene as the Board of Directors for Subdistrict No. 1 of the Coalton Metropolitan District.</p>
<p><u>CONSENT AGENDA:</u></p>	<p>The Board reviewed the minutes of the April 27, 2022, meeting. Upon motion duly made by Director Barnes, seconded by Director Bennett, and upon vote, unanimously carried, it was</p> <p style="text-align: center;">RESOLVED to approve the minutes of the April 27, 2022, meeting.</p> <p><u>2023 Annual Administrative Matters Resolution:</u> Mr. Pogue reviewed with the Board the 2023 Annual Administrative Matters Resolution and answered questions. Upon motion duly made by Director Barnes, seconded by Director Bennett, and upon vote, unanimously carried, it was</p> <p style="text-align: center;">RESOLVED to approve the 2023 Annual Administrative Matters Resolution.</p> <p><u>2023 Meeting Resolution:</u> Mr. Pogue reviewed with the Board the 2023 Meeting Resolution and answered questions to change meeting dates to 1st Thursday of June and December at 2:00 pm. Upon motion duly made by Director G. Rohr, seconded by Director O'Malley, and upon vote, unanimously carried, it was</p> <p style="text-align: center;">RESOLVED to approve the 2023 Meeting Resolution as revised.</p>
<p><u>LEGAL ITEMS</u></p>	<p><u>Consideration and Approval of Resolution Accepting Phase One Landscape Improvements:</u> Ms. Early reviewed with the Board the</p>

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	<p>Phase One Landscape Improvements and requested more information describing the exact landscaping improvements. Upon motion duly made by Director J. Rohr, seconded by Director Bennett, and upon vote, unanimously carried, it was</p> <p>RESOLVED to accept Phase One Landscape Improvements subject to additional description.</p> <p><u>Consideration and Approval of First Amendment to 2022 Funding and Reimbursement Agreement between the District and Superior Shore Townhomes, LLC and in connection therewith authorizing the refunding of a Subordinate Note and Issuance of a new Subordinate Note:</u> Mr. Pogue reviewed with the Board the First Amendment to the 2022 Funding and Reimbursement Agreement between the District and Superior Shore Townhomes, LLC and in connection therewith authorizing the refunding of a Subordinate Note and Issuance of a new Subordinate Note. Upon motion duly made by Director Barnes, seconded by Director Bennett, and upon vote, unanimously carried, it was</p> <p>RESOLVED to approve the First Amendment to the 2022 Funding and Reimbursement Agreement between the District and Superior Shore Townhomes, LLC and in connection therewith authorizing the refunding of a Subordinate Note and Issuance of a new Subordinate Note.</p>
<p><u>FINANCIAL MATTERS</u></p> <p><u>FINANCIAL REPORT</u></p>	<p><u>Claims Presented for Payment.</u> Ms. Ondracek reviewed the June 30, 2022, unaudited Financial Statement with the Board and answered questions. Upon motion duly made by Director Barnes, seconded by Director J. Rohr and upon vote, unanimously carried, it was</p> <p>Ms. Ondracek reviewed the June 30, 2022, unaudited Financial Statement with the Board and answered questions. Upon motion duly made by Director Barnes, seconded by Director J. Rohr and upon vote, unanimously carried, it was</p> <p>RESOLVED to accept the June 30, 2022 unaudited financials as presented.</p>

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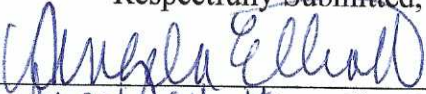
<p><u>2022 AMENDED BUDGET HEARING</u></p>	<p>Director Barnes opened the 2022 Amended Budget Hearing for Subdistrict No. 1 of the Coalton Metropolitan District. Ms. Ondracek reported that notice of the budget had been published in the Boulder Daily Camera in accordance with State budget law. Ms. Ondracek reviewed the proposed amended budgets and answered questions. It was determined there was no need to amend the 2022 budget</p> <p>There being no public input, the public hearing portion of the budget was closed. Upon motion duly made by Director Barnes, seconded by Director J. Rohr.</p> <p>RESOLVED no amendment to the 2022 General Fund Budget for Subdistrict No. 1 of the Coalton Metropolitan District, and appropriated budgeted funds.</p>
<p><u>2023 PROPOSED BUDGET HEARING</u></p>	<p>Director Barnes opened the 2023 Budget Hearing for Subdistrict No. 1 of the Coalton Metropolitan District. Ms. Ondracek reported that notice of the budget had been published in the Boulder Daily Camera in accordance with State budget law. Ms. Ondracek reviewed the budget in detail and answered questions pertaining to the mill levy and estimated revenues and expenditures. The District's budget by fund are as follows:</p> <p>General Fund Expenditures \$85,392 Mill levy is 19.000 mills.</p> <p>There being no public input, the public hearing portion of the budget was closed. Upon motion duly made by Director J. Rohr, seconded by Director Bennett, and upon vote, unanimously carried, it was</p> <p>RESOLVED to approve the Resolution to Adopt the 2023 budget, set the mill levy, appropriate budgeted funds upon final certification of value being received by the County of Boulder on or before December 15, 2022, and approve all other documents related to the 2023 budget. The District Manager is authorized to make minor modifications that may be necessary following receipt of final assessed value.</p>
<p><u>DISTRICT MANAGER ITEMS</u></p>	<p><u>Consider Approval of Property and Liability Coverage Schedule and Limits, Workers Compensation Coverage and enter into Intergovernmental Agreement by and between Colorado Special District Pool Insurance and the Subdistrict No. 1 of the Coalton Metropolitan District.</u></p>

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	<p>Ms. Elliott reviewed with the Board the Property and Liability Schedule and the Intergovernmental Agreement. Upon motion duly made by Director Barnes, seconded by Director J. Rohr, and upon vote, unanimously carried, it was</p> <p>RESOLVED to approve the Intergovernmental Agreement with Colorado Special Districts Pool and the Property and Liability Policy.</p> <p><u>2023 O&M Service Agreements:</u> Ms. Elliott reviewed with the Board the 2023 O&M Service Agreements. Upon motion duly made by Director Barnes, seconded by Director J. Rohr, and upon vote, unanimously carried, it was</p> <p>RESOLVED to approve the following Contracts/Agreements as presented:</p> <ul style="list-style-type: none">i. C& C Landscape for snow removalii. Davey Tree contract
<u>ADJOURNMENT</u>	There being no further business to come before the Board, the meetings adjourned at 2:51 p.m.

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

Respectfully Submitted,



Angela Elliott Recording Secretary