

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
WILDGRASS AT ROCKRIMMON METROPOLITAN DISTRICT
(THE "DISTRICT")
HELD
NOVEMBER 11, 2021

A special meeting of the Board of Directors of the Wildgrass at Rockrimmon Metropolitan District (referred to hereafter as the "Board") was convened on Thursday, November 11, 2020, at 10:00 a.m. This District Board meeting was held via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Mike Fenton, President
Sarah Darneal, Secretary
Susan Gonzales, Treasurer
Jeff Mattson, Assistant Secretary

Also, In Attendance Were:

Elisabeth A. Cortese, Esq.; McGeady Becher P.C.
Josh Miller, Krista Baptist, Carrie Bartow, Adam Mounce; CliftonLarsonAllen LLP
Karen Brandenburg, Greg Mitchell, Susan Mitchell; Residents

ADMINISTRATIVE MATTERS

Call to Order and Approve Agenda: On November 11, 2021 Director Fenton called the meeting to order at 10:02 a.m. Following discussion upon a motion duly made by Director Fenton, seconded by Director Gonzales and, upon vote, unanimously carried, the Board approved the agenda.

Declaration of Quorum/Disclosure Items: The Board noted a quorum was present and discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Secretary of State. The members of the Board were requested 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 Statute. No additional disclosures were made. Attorney Cortese noted that disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors.

Meeting Location and Posting of Notices: Mr. Miller noted the meeting location and notice posting.

Community Comments:

Ms. Brandenburg and Mr. Mitchell voiced concerns regarding landscaping

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items, electronic fee payments, and District debt.

Minutes from the November 12, 2020 and November 16, 2020 Special Boards Meetings: Following review, upon a motion duly made by Director Fenton, seconded by Director Darneal and, upon vote, unanimously carried, the Board approved the minutes from the November 12, 2020 special meeting, as continued to November 16, 2020.

Master Service Agreement with CliftonLarsonAllen, LLP: Following review and discussion, upon a motion duly made by Director Fenton, seconded by Director Mattson and, upon vote, unanimously carried, the Board approved the Master Service Agreement with CliftonLarsonAllen, LLP.

Resolution No. 2021-11-06 Establishing Regular Meeting Dates, Time and Location, and Designating the Location for Posting the 24 Hour Meeting Notice: Ms. Cortese reviewed the resolution with the Board. Following discussion upon a motion duly made by Director Fenton, seconded by Director Gonzales and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-11-06 Establishing Regular Meeting Dates, Time and Location, and Designating the Location for Posting the 24 Hour Meeting Notice.

District Insurance: Mr. Miller reviewed the 2022 Insurance Renewal, Insurance Schedules, and renewal of Membership in the Special District Association with the Board. Following discussion upon a motion duly made by Director Fenton, seconded by Director Gonzales and, upon vote, unanimously carried, the Board approved the 2022 Insurance Renewal, Insurance Schedules, and renewal of Membership in the Special District Association.

FINANCIAL MATTERS

Financial Statements: Ms. Bartow reviewed the financial statement and cash position report with the Board. Following discussion, upon a motion duly made by Director Fenton, seconded by Director Gonzales and, upon vote, unanimously carried, the Board approved the September 30, 2021 Unaudited Financial Statements.

Payment of Claims: Ms. Bartow reviewed the previous and current claims with the Board. Following discussion, upon a motion duly made by Director Fenton, seconded by Director Gonzales and, upon vote, unanimously carried, the Board ratified claims in the amount of \$116,473.29 and approved claims in the amount of \$26,311.62.

Resolution 2021-11-05 Regarding the Imposition of District Fees: Ms. Cortese presented the Resolution Regarding the Imposition of District Fees to the Board. Following discussion, upon motion duly made by Director Gonzales, seconded by Director Fenton and, upon vote, unanimously carried, the Board adopted Resolution 2021-11-05 Amending and Restating the Imposition of

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District Fees, including an increase of \$5.00 per month to help offset landscaping costs.

2022 Fee Schedule: Following discussion, upon a motion duly made by Director Fenton, seconded by Director [REDACTED] and, upon vote, unanimously carried, the Board approved the 2022 Fee Schedule.

Public Hearing on Amendment of the 2021 Budget: Director Fenton opened the public hearing to consider amending the 2021 budget at 11:05 a.m.

It was noted that publication of Notice stating that the Board would consider amendment of the 2021 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 the public hearing

Ms. Bartow presented the Amendment of the 2021 Budget to the Board.

Public comments were made by Greg Mitchell and Karen Brandenburg regarding the water meter responsibility and costs, as well as planting costs and other miscellaneous landscaping concerns.

Director Fenton closed the public hearing at 11:17 a.m.

Following discussion, upon motion duly made by Director Fenton, seconded by Director Gonzales, and upon vote unanimously carried, the Board adopted Resolution No. 2021-11-07 to Amend the 2021 Budget

Public Hearing on 2022 Budget: Director Fenton opened the public hearing to consider adopting the 2022 budget at 11:05 a.m.

It was noted that Notice stating that the Board would consider adoption of the 2022 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.

Ms. Bartow presented the Proposed 2022 Budget to the Board.

Public comments were made by Greg Mitchell and Karen Brandenburg regarding the water meter responsibility and costs, as well as planting costs and other miscellaneous landscaping concerns.

Director Fenton closed the public hearing at 11:17 a.m.

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Following discussion, upon a motion duly made by Director Fenton, seconded by Director Gonzales and, upon vote, unanimously carried, the Board approved the 2022 budget.

Upon motion duly made by Director Fenton, seconded by Director Gonzales, and upon vote unanimously carried, the Board approved the 2022 Budget, as discussed, and considered adoption of Resolution No. 2022-11-01 to Adopt the 2022 Budget and Appropriate Sums of Money and Resolution No. 2022-11-02 to Set Mill Levies (11.132 mills in the General Fund and 33.398 mills in the Debt Service Fund, for a total mill levy of 44.530 mills.) Following discussion, upon vote unanimously carried, the Board adopted the Resolutions and authorized execution of the Certification of Budget. The District Accountant was directed to transmit the Certification of Tax Levies to the Board of County Commissioners of El Paso County not later than December 15, 2021. District Counsel was directed to transmit the Certification of Budget to the Division of Local Government no later than January 30, 2022.

DLG-70 Mill Levy Certification Form: Following discussion, upon a motion duly made by Director Fenton, seconded by Director Gonzales and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Certification of Tax Levies from Certification to the Board of County Commissioners and other Interested Parties.

Resolution 2021-11-03 Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan: Ms. Cortese presented the Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan to the Board. Following discussion, upon a motion duly made by Director Fenton, seconded by Director Gonzales and, upon vote, unanimously carried, the Board adopted Resolution 2021-11-03 Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan.

2023 Budget: Following discussion, upon a motion duly made by Director Fenton, seconded by Director Gonzales and, upon vote, unanimously carried, the Board approved the Appointment of District Accountant to prepare 2023 Budget.

Engagement of BiggsKofford to Prepare and File the 2020 Audit: Following discussion, upon a motion duly made by Director Fenton, seconded by Director Gonzales and, upon vote, unanimously carried, the Board ratified the engagement of Biggs Kofford & Co., P.C. (“BiggsKofford”) to prepare and file the 2020 audit.

Engagement of BiggsKofford to Prepare and File the 2021 Audit: Following discussion, upon a motion duly made by Director Fenton, seconded by Director

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Gonzales and, upon vote, unanimously carried, the Board approved the engagement of BiggsKofford to prepare and file the 2021 audit.

LEGAL MATTERS

Third Amendment to Operation Funding Agreement by and between the District and Century at Wildgrass, LLC: Ms. Cortese presented the Third Amendment to Operation Funding Agreement to the Board. Following discussion, upon a motion duly made by Director Fenton, seconded by Director Gonzales and, upon vote, unanimously carried, the Board approved the Third Amendment to Operation Funding Agreement by and between the District and Century at Wildgrass, LLC.

May 3, 2022 Regular Director Election: Ms. Cortese discussed the May 3, 2022 Regular Director Election to the Board.

Resolution No. 2021-11-04 Calling a Regular Election for Directors: Following discussion, upon a motion duly made by Director Gonzales, seconded by Director Fenton and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-11-04 Calling a Regular Election for Directors on May 3, 2022, appointing Lisa Jacoby as Designated Election Official (“DEO”) and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election.

Section 32-1-809, C.R.S (District Transparency Notice): Ms. Cortese discussed requirements of Section 32-1-809, C.R.S (District Transparency Notice) with the Board. Following discussion, upon a motion duly made by Director Fenton, seconded by Director Gonzales and, upon vote, unanimously carried, the Board approved the posting of the 2022 transparency notice to the SDA and the District website.

Tract Conveyance from Century at Wildgrass, LLC and Acceptance by the District: Ms. Cortese discussed the Status of Tract Conveyance from Century at Wildgrass, LLC and acceptance by the District with the Board. It was noted that the tract is not yet ready to convey, and that landscaping and electrical issues would need to be handled prior to conveyance. The Board would like to verify work in Spring of 2022. No further action was taken at this time.

MANAGER MATTERS

Manager’s Report: Ms. Baptist provided updates to the Board.

Change Order No. 1 to the Service Agreement for Snow Removal Services with Timberline Landscaping Inc.: Mr. Miller discussed Change Order No. 1 to the Service Agreement for Snow Removal Services with Timberline Landscaping Inc. with the Board. Following discussion, upon a motion duly made by Director Fenton, seconded by Director Gonzales and, upon vote,

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unanimously carried, the Board approved Change Order No. 1 to the Service Agreement for Snow Removal Services with Timberline Landscaping Inc.

Change Order No. 1 to the Service Agreement for Landscaping Maintenance with Timberline Landscaping Inc.: Following discussion, upon a motion duly made by Director Fenton, seconded by Director Gonzales and, upon vote, unanimously carried, the Board approved Change Order No. 1 to the Service Agreement for Landscape Maintenance with Timberline Landscaping Inc.

OTHER BUSINESS

Other: None.

ADJOURNMENT

There being no further business to come before the Board at this time, Director Fenton adjourned the meeting was adjourned at 11:51 a.m.

Respectfully submitted,

By *Greg Mitchell*
Greg Mitchell (Nov 19, 2022 10:05 MST)
Secretary

Signed Minutes 11-11-21 (00975038-3)

Final Audit Report

2022-11-19

Created:	2022-11-18
By:	Adam Noel (adam.n@wsdistricts.co)
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"Signed Minutes 11-11-21 (00975038-3)" History

-  Document created by Adam Noel (adam.n@wsdistricts.co)
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-  Document emailed to mitchellclan4@comcast.net for signature
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-  Email viewed by mitchellclan4@comcast.net
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-  Signer mitchellclan4@comcast.net entered name at signing as Greg Mitchell
2022-11-19 - 5:05:03 PM GMT
-  Document e-signed by Greg Mitchell (mitchellclan4@comcast.net)
Signature Date: 2022-11-19 - 5:05:05 PM GMT - Time Source: server
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