

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE HORSE CREEK METROPOLITAN DISTRICT HELD MAY 10, 2022

A regular meeting of the Board of Directors (the “Board”) of the Horse Creek Metropolitan District (the “District”) was convened on Tuesday, the 10<sup>th</sup> day of May, 2022, at 6:00 P.M. This District Board meeting was held via Zoom. The meeting was open to the public.

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#### ATTENDANCE

#### Directors In Attendance Were:

Young-Sun Yun  
Allison Provence  
Richard Wild  
Ray Bockness

#### Also In Attendance Were:

Matt Cohrs; Special District Management Services, Inc. (“SDMS”)

MaryAnn M. McGeady, Esq. and Tim O’Connor, Esq.; McGeady Becher P.C.

Dawn Schilling; Schilling & Company, Inc.

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#### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or breaches of fiduciary duty to the Board of Directors and the Secretary of State. Attorney McGeady noted that a quorum was present and requested that members of the Board disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated those applicable disclosures made by the Board members prior to this meeting in accordance with statute. Director Bockness is currently on the Horse Creek Homeowners Association.

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#### ADMINISTRATIVE MATTERS

**Agenda:** The Board reviewed the proposed Agenda for the District’s regular meeting.

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

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**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 special meeting. It was noted that the District meeting was held and properly noticed to be held via video/teleconference, without any individuals (neither District representatives nor the general public) attending in person. The Board further noted that notice providing the video/teleconference information was duly posted and that they have not received any objections or any requests that the means of hosting the meeting be changed by taxpaying electors within the District's boundaries.

**Designation of 24-Hour Posting Location:** Following discussion, upon motion duly made by Director Yun, seconded by Director Wild, and upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted within the boundaries of the District at least 24 hours prior to each meeting at the following location: Northeast corner of Hess Road and Chambers Road.

**Results of May 3, 2022 Regular Election:** Mr. Cohrs discussed with the Board the results of the May 3, 2022 Regular Election for Directors ("Election"). It was noted the election had been cancelled, as allowed under the statute, as there were not more candidates than seats available. Directors Bockness and Wild were each deemed elected to three-year terms ending in 2025.

**Appointment of Officers:** The Board entered into discussion regarding the appointment of officers.

Following discussion, upon motion duly made by Director Yun, seconded by Director Provence and, upon vote, unanimously carried, the following officers were appointed:

President	Young-Sun Yun
Treasurer	Allison Provence
Secretary	Matt Cohrs
Assistant Secretary	Richard Wild
Assistant Secretary	Ray Bockness

**Minutes:** The Board reviewed the Minutes of the October 12, 2021 special meeting and the October 27, 2021 reconvened special meeting.

Following discussion, upon motion duly made by Director Wild, seconded by Director Provence and, upon vote, unanimously carried, the Minutes of the October 12, 2021 special meeting and the October 27, 2021 reconvened special meeting were approved, as presented.

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**Public Comment:** There was no public comment.

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### **FINANCIAL STATEMENTS**

**Claims:** The Board considered ratifying the payment of claims for the periods ending as follows:

	Period ending Nov. 17, 2021	Period ending Dec. 15, 2021	Period ending Jan. 18, 2022
General Fund	\$ 3,819.34	\$ 3,927.18	\$ 1,601.00
Debt Service Fund	\$ 300.00	\$ -0-	\$ -0-
Capital Fund	\$ -0-	\$ -0-	\$ -0-
<b>Total</b>	<b>\$ 4,119.34</b>	<b>\$ 3,927.18</b>	<b>\$ 1,601.00</b>

	Period ending Feb. 8, 2022	Period ending March 9, 2022	Period ending April 8, 2022
General Fund	\$ 1,421.46	\$ 2,490.66	\$ 1,535.41
Debt Service Fund	\$ -0-	\$ -0-	\$ -0-
Capital Fund	\$ -0-	\$ -0-	\$ -0-
<b>Total</b>	<b>\$ 1,421.46</b>	<b>\$ 2,490.66</b>	<b>\$ 1,535.41</b>

Following discussion, upon motion duly made by Director Provence, seconded by Director Wild and, upon vote, unanimously carried, the payment of the claims were ratified, as presented.

**Unaudited Financial Statements:** Mr. Cohrs presented the unaudited financial statements for the period ending March 31, 2022 and cash position statement dated March 31, 2022.

Following discussion, upon motion duly made by Director Yun, seconded by Director Provence and, upon vote, unanimously carried, the unaudited financial statements the period ending March 31, 2022 and cash position statement dated March 31, 2022, were accepted.

**2021 Budget Amendment Hearing:** The President opened the Public Hearing to consider the Resolution to Amend the 2021 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2021 Budget Amendment and the date, time and location 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.

Following discussion, upon motion duly made by Director Yun, seconded by Director Wild and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-05-01 to amend the 2021 Budget. A copy of the adopted Resolution is attached to these Minutes and incorporated herein by the reference.

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**2021 Audit:** Ms. Schilling reviewed the 2021 Audit with the Board.

Following discussion, upon motion duly made by Director Provence, seconded by Director Wild and, upon vote, unanimously carried, the Board approved the 2021 Audited Financial Statements and authorized execution of the Representation Letter.

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### **LEGAL MATTERS**

**Engagement of Cockrel Ela Glesne Greher & Ruhland, P.C.:** The Board considered the engagement of Cockrel Ela Glesne Greher & Ruhland, P.C. as the District's General Counsel.

Following discussion, upon motion duly made by Director Wild, seconded by Director Yun and, upon vote, unanimously carried, the Board approved the engagement of Cockrel Ela Glesne Greher & Ruhland, P.C. as the District's General Counsel.

**Resignation of McGeady Becher P.C.:** The Board considered the resignation of McGeady Becher P.C. as the District General Counsel.

Following discussion, upon motion duly made by Director Wild, seconded by Director Provence and, upon vote, unanimously carried, the Board acknowledged the resignation of McGeady Becher P.C. as the District's General Counsel.

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### **OTHER BUSINESS**


None.

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### **ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made by Director Wild, seconded by Director Yun and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By:   
Secretary for the Meeting