

RECORD OF PROCEEDINGS

MINUTES OF A RECONVENED SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE HORSE CREEK METROPOLITAN DISTRICT HELD OCTOBER 27, 2021

A reconvened special meeting of the Board of Directors (the “Board”) of the Horse Creek Metropolitan District (the “District”) was convened on Tuesday, the 27th day of October, 2021, at 6:00 P.M. via Zoom. This District Board meeting was held and properly noticed to be held via Zoom. The meeting was open to the public via Zoom.

ATTENDANCE

Directors In Attendance Were:

Allison Provence
Richard Wild

Following discussion, upon motion duly made by Director Provence, seconded by Director Wild and, upon vote, unanimously carried, the absence of Director Young-Sun Yun was excused.

Also In Attendance Were:

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

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

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. Mr. Cohrs 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. No conflicts were disclosed.

ADMINISTRATIVE MATTERS

Agenda: The Board reviewed the proposed Agenda for the District’s reconvened special meeting.

Following discussion, upon motion duly made by Director Provence, 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 Board meeting. It was noted that due to concerns regarding the spread of the COVID-19 and the benefits to the control of the spread of the virus by limiting in-person contact, the District meeting was held and properly noticed to be held via Zoom, without any individuals (neither District representatives nor the general public) attending in person. The Board further noted that notice providing the Zoom 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.

Public Comment: There were no public comment.

FINANCIAL STATEMENTS

2022 Budget Hearing: The Board opened the Public Hearing to consider the proposed 2022 Budget and to discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2022 Budget 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. No public comments were received and the Public Hearing was closed.

Following discussion, the Board considered the adoption of Resolution No. 2021-10-03; Resolution to Adopt the 2022 Budget and Appropriate Sums of Money, and Resolution No. 2021-10-04; Resolution to Set Mill Levies (General Fund: 6.191 mills, Debt Service Fund: 18.593 mills; Total Mill Levy: 24.784 mills). Upon motion duly made by Director Wild, seconded by Director Provence and, upon vote, unanimously carried, the Board adopted the Resolution Resolution to Adopt the 2022 Budget and Appropriate Sums of Money, and the Resolution to Set Mill Levies. Copies of the adopted Resolutions are attached hereto 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.

Following discussion, upon motion duly made by Director Provence, seconded by Director Wild 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.

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OTHER BUSINESS

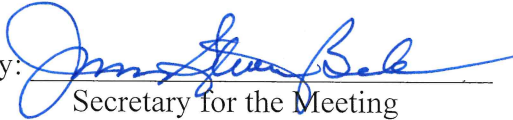
Engagement of District General Counsel: The Board discussed the engagement of District General Counsel and authorized the District Manager to obtain proposals related to same.

Appointment of Committee to Review Proposals: The Board discussed the appointment of a committee to review proposals and provide recommendation to the Board at the next meeting. Following discussion, the Board appointed Matt Cohrs to the committee. Mr. Cohrs confirmed he would obtain proposals for engagement of new General Counsel.

ADJOURNMENT

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

Respectfully submitted,

By: 
Secretary for the Meeting