

MINUTES OF A REGULAR JOINT MEETING OF THE  
BOARDS OF DIRECTORS

OF

COLLIERS HILL METROPOLITAN DISTRICT NOS. 2 AND 3

Held: October 14, 2022 at 10:00 A.M. held via Zoom  
Teleconference

Attendance/Qualification

A meeting of the Boards of Directors of Colliers Hill Metropolitan District Nos. 2 and 3 was held as shown above and in accordance with the applicable statutes of the State of Colorado. The following Directors, having confirmed their qualification to serve on the Boards, were in attendance:

Jerry Richmond  
Kurtis Williams  
Aaron Clutter  
John Bryant (District No. 2)

*Also present for the District: K. Sean Allen, Esq., White, Bear, Ankele, Tanaka & Waldron, Attorneys at Law, District general counsel; and Cathy Hamilton, Simmons & Wheeler, P.C., District accountant.*

Declaration of Quorum

Director Richmond noted that a quorum of the Boards was present and called the meeting to order.

Disclosure Matters

Mr. Allen advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Allen reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Mr. Allen inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

Joint Meeting

The Boards of Directors of the Districts have determined to hold a joint meeting and to prepare joint minutes of actions taken by the Districts in such meetings. Unless otherwise noted herein, all official action reflected in these minutes shall be deemed to be the

action of both Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

Approval of Agenda

The Directors reviewed the agenda. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the agenda as presented.

Approval of Minutes –  
September 9, 2022

The Boards reviewed the September 9, 2022 meeting minutes. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the minutes.

**JR**  
**Engineering/Construction**  
**Report**

Contractor and Construction  
Contract Awards

Director Clutter reviewed Filing 4G neighborhood park and irrigation project bid package with the Board of District No. 3. Following discussion, upon a motion duly made and seconded, the Board of District No. 3 awarded the project/contract to Colorado Design Scapes.

Public Improvement  
Construction Status

Director Clutter noted that new traffic signal installation is ongoing, and they are continuing with the landscaping.

District No. 3 Community  
Center Status

Director Clutter noted that the building permit fee has been paid to the Town. He also informed the Board of District No. 3 that grading is scheduled to start soon with building completion expected mid-summer 2023. Mr. Allen noted that the community center will need to added to the District’s property insurance once it is completed.

**General Matters**

Consider Adoption of 2023  
Annual Administrative  
Resolution

Mr. Allen presented the 2023 Annual Administrative Resolution to the Boards for consideration. Following discussion, upon a motion duly made and seconded, the Boards unanimously adopted the resolution.

Discuss and Consider  
Approval of Property and  
Liability Schedule and  
Limits

The Boards reviewed the current general liability schedule and limits. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the general liability schedule and authorized legal counsel to bind coverage.

Mr. Allen noted that tract ownership will need to be verified and then property added to the Districts’ insurance property schedule accordingly. Director Clutter will look into tract ownership.

Discuss District  
Website Creation Status and

The Boards engaged in general discussion regarding the District

Invoice (SIPA site under construction)

website creation status and invoice. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the invoice.

Consider Approval of Resolution Calling May 2, 2023 Director Election

Mr. Allen presented the Resolution Calling the May 2, 2023 Director Election to the Boards for consideration. Following discussion, upon a motion duly made and seconded, the Boards unanimously adopted the resolution.

Director Resignation/Appointment

Director Richmond informed the Boards that this is his last meeting, and he will resign by end of the month. The Boards thanked him for serving as a Director.

The Boards engaged in general discussion regarding the appointment of Matt Jenkins. Following discussion, upon a motion duly made and seconded, the Boards unanimously appointed Matt Jenkins.

### **Financial Matters**

Financial Statements

Ms. Hamilton presented the June 30, 2022 financial statements to the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the financials.

Payables; Project Fund Requisition, Construction Contract Change Orders

Ms. Hamilton presented the payables for District Nos. 2 & 3. Following discussion, upon a motion duly made and seconded, the Boards unanimously accepted the payables.

The Boards engaged in general discussion regarding the United Power invoice and collections notices.

The Board of District No. 3 reviewed Requisition No. 22. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the requisition except for the United Power portion.

Public Hearing on 2022 Budget Amendment

Director Richmond opened the public hearing on the 2022 Budget Amendment. Mr. Allen noted that the notice of public hearing was provided in accordance with Colorado Law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of Resolution Amending 2022 Budget

Ms. Hamilton reviewed the proposed 2022 Budget amendment with the Board of District No. 2. Following discussion, upon a motion duly made and seconded, the Board of District No. 2 unanimously adopted the resolution amending the Capital Fund to \$40,000,000.

Public Hearing on 2023  
Budget

Director Richmond opened the public hearing on the proposed 2023 Budget. Mr. Allen noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of  
Resolution Approving  
2023 Budget

Ms. Hamilton reviewed the 2023 with the Board of District No. 2. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2023 Budget, appropriating funds therefor and certifying the mill levy.

Public Hearing on 2023  
Budget

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Consider Adoption of  
Resolution Approving  
2023 Budget

Ms. Hamilton reviewed the 2023 Budget with the Board of District No. 3. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2023 Budget, appropriating funds therefor and certifying the mill levy.

District No. 3 Project Fund  
Balance

The Board of District No. 3 engaged in general discussion regarding the project fund balance.

Town of Erie  
Reimbursement of  
Approximately \$2,000,000  
with Deposit to Project  
Fund

It was noted that the Town of Erie approved its \$2,000,000 reimbursement to the District No. 3 project fund and the Town needs to instruct UMB Bank to release the funds to the District.

### **Other Business**

Landscape Map; Tract  
Ownership and Conveyance  
to Districts; HOA/District  
Landscape Maintenance  
Agreement

None.

Housing Construction Status  
Report

None.

Public Comment

None.

Adjourn

There being no further business to come before the Boards, and upon motion duly made, seconded and unanimously carried, the

Boards determined to adjourn the meeting. The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting.

Approved by the Boards of Directors on November 11, 2022.

*Aaron Clutter*

Aaron Clutter (Mar 27, 2023 10:13 MDT)

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Secretary