

MINUTES OF A JOINT REGULAR MEETING OF THE
BOARDS OF DIRECTORS

OF THE

CASTLEVIEW METROPOLITAN DISTRICT NOS. 1 & 2

Held: November 9, 2022, at 10:00 A.M.

ATTENDANCE

The meeting was held in accordance with the laws of the State of Colorado. The following directors were in attendance:

Tanya Alpert
Harvey Alpert
Brian Alpert

Also present were: Jennifer Gruber Tanaka, Esq., and Audrey G. Johnson, Esq., WHITE BEAR ANKELE TANAKA & WALDRON, Attorneys at Law, District general counsel; Kimberly Johanns, Simmons & Wheeler, District accountant.

**ADMINISTRATIVE
MATTERS**

Call to Order

The meeting was called to order.

Declaration of Quorum and
Confirmation of Director
Qualifications

Ms. Tanaka noted that a quorum for each of the Boards was present and that the directors had confirmed their qualification to serve.

Reaffirmation of
Disclosures of Potential or
Existing Conflicts of
Interest

Ms. Tanaka advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Tanaka reported that disclosures for those directors with 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. Ms. Tanaka noted that a quorum was present and inquired into whether members of the Board 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 Boards determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

Combined Meetings

The Districts are meeting in a combined Board meeting. Unless otherwise noted below, the matters set forth below shall be deemed

to be the actions of the Castleview Metropolitan District Nos. 1 and 2, collectively.

Excusal of Absences The Boards noted the absences of Mr. R. Alpert. Upon motion of Ms. Alpert, seconded by Mr. B. Alpert, the Boards unanimously excused his absence.

Approval of Agenda Ms. Tanaka presented the Boards with the agenda for the meeting. Upon motion of Ms. Alpert, seconded by Mr. B. Alpert, the Boards unanimously approved the agenda as amended.

PUBLIC COMMENT None.

CONSENT AGENDA The Board was presented with the consent agenda items. Upon motion of Mr. B. Alpert, seconded by Ms. Alpert, the Boards unanimously took the following actions:

- a. Approved the Minutes from the July 26, 2022, Special Meeting
- b. Ratified the Payment of Claims as of September 30, 2022 (\$12,978.56) (District No. 1) (\$12,660.33) (District No. 2)
- c. Approved the Payment of Claims as of November 9, 2022 (\$5,325.52) (District No. 1) (\$2,332.82) (District No. 2)
- d. Accepted the Financial Statements as of June 30, 2022 (District Nos. 1 & 2)
- e. Adopted Resolution No. 2022-11-01: 2023 Joint Annual Administrative Resolution
- f. Adopted Resolution No. 2022-11-02: Joint Resolution of Board of Directors Calling Regular May 2023 Election
- g. Approved the Proposal with Heatherly Creative for Website Maintenance in 2023
- h. Renewed the Consultant and Contractor Agreements for 2023:
 - i. WHITE BEAR ANKELE TANAKA & WALDRON for General Counsel Services
 - ii. Simmons & Wheeler, P.C., for Accounting Services
 - iii. LJA Engineering, Inc. for Cost Certification Services (District No. 2)

FINANCIAL MATTERS

Public Hearing on 2022 Budget Amendment and Adoption of Resolution No. 2022-11-03 Amending 2022 Budget (District No. 2) Mr. H. Alpert opened the public hearing on the 2022 budget amendment for District No. 2. Ms. Tanaka noted that the notice of public hearing was published in accordance with Colorado law and noted that no objections were received prior to the hearing. Ms. Johanns reviewed the proposed budget amendment with the Board.

There being no public comment, the public hearing was closed.

Upon motion of Mr. B. Alpert, seconded by Ms. Alpert, the Board unanimously approved the 2022 budget amendment and adopted Resolution No. 2022-11-03.

Public Hearings on 2023 Budgets and Adoption of Resolution No. 2022-11-04 (District No. 1) and Resolution No. 2022-11-05 (District No. 2): Adopting Budget, Certifying Mill Levy and Appropriating Funds Therefor

Mr. H. Alpert opened the public hearings on the 2023 budgets. Ms. Tanaka noted that the notices of public hearings were published in accordance with Colorado law and noted that no objections were received prior to the hearings. Ms. Johanns reviewed the proposed budgets with the Boards. There being no public comment, the public hearings were closed.

Upon motion of Mr. B. Alpert, seconded by Ms. Alpert, the Boards unanimously approved the 2023 budgets and adopted Resolutions Nos. 2022-11-04 (District No. 1) and Resolution No. 2022-11-05 (District No. 2): Adopting Budget, Imposing Mill Levy and Appropriating Funds.

Engagement of Auditor

Ms. Johanns presented the Boards with proposals from Haney & Company for the 2022 audits. Ms. Johanns noted that the proposals include preparation of the financial statements as well as performance of the audits which is unique from prior years. Ms. Johanns noted that it is the preference for Simmons & Wheeler to prepare the financial statements as have been done in the past with other projects due to the added time required if Haney were to prepare these. This would also result in lower fees overall for both legal and accounting.

Upon motion of Mr. B. Alpert, seconded by Ms. Alpert, the Boards unanimously approved the engagement of Haney & Company for the performance of the 2022 audits and directed Simmons & Wheeler to prepare the financial statements for the audits accordingly.

OTHER BUSINESS
Next Regular Meeting

The next meeting is scheduled for July 12, 2023, at 10:00 A.M.

ADJOURNMENT

There being no further business to come before the Boards, upon motion, second and unanimous vote, the meeting was adjourned.

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

Tanya Alpert

Secretary for the Districts