

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE HIGHLINE CROSSING METROPOLITAN DISTRICT HELD NOVEMBER 21, 2022

A special meeting of the Board of Directors of the Highline Crossing Metropolitan District (referred to hereafter as the “Board”) was convened on Monday, November 21, 2022 at 6:00 p.m. This District Board meeting was held by conference call without any individuals (neither District representatives nor the general public) attending in person. The meeting was open to the public.

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**Directors In Attendance Were:**

Daniel Payotelis  
Bryan O’Sullivan

**Also In Attendance Was:**

Peggy Ripko; Special District Management Services, Inc.  
Paula Williams, Esq. and Timothy O’Connor, Esq.; McGeady Becher P.C.

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**PUBLIC  
COMMENTS**

There were no public comments.

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**DISCLOSURE OF  
POTENTIAL  
CONFLICTS OF  
INTEREST**

**Disclosure of Potential Conflicts of Interest:** Ms. Ripko noted a quorum was present and discussed the requirements under Colorado Statute to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest regarding any matters scheduled for discussion at this meeting. It was noted that all Directors are residents of the District and no conflicts of interest were filed, nor were any additional conflicts disclosed.

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**ADMINISTRATIVE  
MATTERS**

**Agenda:** Ms. Ripko distributed for the Board’s review and approval, a proposed Agenda for the District's special meeting.

Following discussion, upon motion duly made by Director Payotellis, seconded by Director O’Sullivan and, upon vote, unanimously carried, the Agenda was approved, as presented.

**Meeting Location and Posting of Notice:** The Board discussed the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. Following discussion, the Board determined to conduct the meeting by

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conference call. The Board further noted that notice of this meeting and the conference call access was duly posted and that it had not received any objections to the format of the meeting or any requests that the meeting format be changed by taxpaying electors within the District's boundaries.

**July 6, 2022 Special Meeting Minutes:** The Board reviewed the Minutes of the July 6, 2022 Special Meeting.

Following discussion, upon motion duly made by Director Payotelis, seconded by Director O'Sullivan and, upon vote, unanimously carried, the Minutes of the July 6, 2022 Special Meeting were approved.

**Resignation of David Solin as Secretary to the Board:** The Board discussed and acknowledged the resignation of David Solin as Secretary to the Board and considered the appointment of Peggy Ripko as Secretary to the Board.

Following discussion, upon motion duly made by Director Payotelis, seconded by Director O'Sullivan and, upon vote, unanimously carried, the Board appointed Peggy Ripko as Secretary to the Board.

**Resolution No. 2022-11-01 Establishing Regular 2023 Meeting Dates, Time and Location and Designating Location for Posting of 24-Hour Notices:** The Board discussed Resolution No. 2022-11-01 Establishing Regular 2023 Meeting Dates, Time and Location and Designating Location for Posting of 24-Hour Notices.

Ms. Ripko reviewed the business to be conducted in 2023 to meet the statutory compliance requirements. The Board determined to meet on June 19, 2023 and November 20, 2023 at 6:00 p.m., via Zoom.

Following discussion, upon a motion duly made by Director Payotelis, seconded by Director O'Sullivan and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-11-01 Establishing Regular 2023 Meeting Dates, Time and Location and Designating Location for Posting of 24-Hour Notices.

**§32-1-809, C.R.S. Reporting Requirements (Transparency Notice):** The Board discussed §32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2023.

Following discussion, the Board determined to post the required transparency notice information on the Special District Association's website and the District website.

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**COVENANT  
CONTROL/  
COMMUNITY**

**Community Manager's Report:** Ms. Ripko gave an update regarding community management in the District.

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### MANAGEMENT

**Proposal from CDI Environmental Contractor for 2022-2023 Snow Removal Services:** The Board discussed a proposal from CDI Environmental Contractor for 2022-2023 snow removal services.

Following discussion, upon motion duly made by Director Payotelis, seconded by Director O’Sullivan, and, upon vote, unanimously carried, the Board approved the proposal from CDI Environmental Contractor for 2022-2023 snow removal services.

### FINANCIAL MATTERS

**Payment of Claims:** The Board considered ratifying the approval of the payment of claims as follows:

Fund	Period Ending July 3, 2022	Period Ending Aug. 31, 2022	Period Ending Sept. 30, 2022	Period Ending Oct. 31, 2022
General	\$ 19,343.42	\$ 12,091.02	\$ 40,158.20	\$ 16,016.77
Debt	\$ 5,500.00	\$ -0-	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-	\$ -0-	\$ -0-
<b>Total</b>	<b>\$ 24,843.42</b>	<b>\$ 12,091.02</b>	<b>\$ 40,158.20</b>	<b>\$ 16,016.77</b>

Following discussion, upon a motion duly made by Director Payotelis, seconded by Director O’Sullivan and, upon vote, unanimously carried, the Board ratified the payment of claims as presented.

**Unaudited Financial Statements:** Ms. Ripko presented to the Board the unaudited financial statements and statement of cash position for the period ending September 30, 2022.

Following review, upon motion duly made by Director Payotelis, seconded by Director O’Sullivan and, upon vote, unanimously carried, the Board accepted the unaudited financial statements and schedule of cash position for the period ending September 30, 2022.

**2022 Audit Preparation:** The Board reviewed the engagement letter from Schilling & Company, Inc., to perform the 2022 Audit.

Following discussion, upon a motion duly made by Director Payotelis, seconded by Director O’Sullivan and, upon vote, unanimously carried, the Board approved the engagement of Schilling & Company, Inc. to perform the 2022 Audit, in an amount not to exceed \$5,170.

**Public Hearing on 2022 Budget Amendment:** The President opened the public hearing to consider a Resolution to Amend the 2022 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider

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adoption of a Resolution to Amend the 2022 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 this public hearing. No public comments were received and the public hearing was closed.

Following discussion, the Board determined that a 2022 Budget Amendment was not needed.

**Public Hearing on 2023 Budget:** The President opened the public hearing to consider the proposed 2023 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2023 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 this public hearing. No public comments were received and the public hearing was closed.

Ms. Ripko and the Board reviewed the estimated 2022 expenditures and the proposed 2023 expenditures.

Following discussion, the Board considered the adoption of Resolution No. 2022-11-02; Resolution to Adopt the 2022 Budget and Appropriate Sums of Money and Resolution No. 2022-11-03; Resolution to Set Mill Levies (for the General Fund at 18.000 mills and the Debt Service Fund at 57.266 mills, and ARI levy at 1.146 mills, for a total mill levy of 76.412 mills). Upon motion duly made by Director Payotelis, seconded by Director O'Sullivan and, upon vote, unanimously carried, the Resolutions were adopted, as discussed subject to final assessed valuation, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of the final Certification of Assessed Valuation from the County on or before December 10, 2022. Ms. Ripko was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Arapahoe County, not later than December 15, 2022. Ms. Ripko was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 31, 2023. Copies of the adopted Resolutions are attached to these minutes 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 Payotelis seconded by Director O'Sullivan and, upon vote, unanimously carried, the Board authorized the

District Accountant to prepare and sign the DLG-70 Mill Levy Certification form

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for certification to the Board of County Commissioners and other interested parties.

**Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the District Service Plan:** The Board reviewed Resolution No. 2022-11-04, Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the District Service Plan. The Board determined to defer this item.

**2024 Budget Preparation:** The Board discussed appointing the District Accountant to prepare the 2024 Budget and setting the date for the Public Hearing to adopt the 2024 Budget for November 20, 2023.

Following discussion, upon motion duly made by Director Payotelis seconded by Director O’Sullivan and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2024 Budget and set the date for the Public Hearing to adopt the 2024 Budget for November 20, 2023.

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**LEGAL MATTERS** **Resolution Calling May 2, 2023 Director Election:** The Board discussed the May 2, 2023 election.

Following discussion, upon a motion duly made by Director Payotelis, seconded by Director O’Sullivan, and upon vote unanimously carried, the Board adopted a Resolution Calling a May 2, 2023 Directors’ Election which appointed Peggy Ripko as the Designated Election Official (“DEO”), and authorized her to perform all tasks required for the May 2, 2023 Regular Election of the Board of Directors for the conduct of a mail ballot election.

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**OTHER BUSINESS** **Acknowledge Resignation of Doug Secord from the Board of Directors:** Following discussion, upon motion duly made by Director Payotelis, seconded by Director O’Sullivan, and, upon vote, unanimously carried, the Board acknowledged the resignation of Director Doug Secord from the Board of Directors, effective at the end of the November 15, 2021 meeting.

**Appointment of Officers:** Following discussion, upon motion duly made by Director Payotelis, seconded by Director O’Sullivan, and upon vote unanimously carried, the following slate of officers were appointed for the District:

President:	Daniel Payotelis
Treasurer:	Brian O’Sullivan
Secretary:	Vacant
Assistant Secretaries:	Vacant

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**ADJOURNMENT** There being no further business to come before the Board at this time, upon

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motion duly made by Director O'Sullivan, seconded by Director Payotelis and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By:   
Secretary for the Meeting