

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE  
BOARD OF DIRECTORS OF  
CCP METROPOLITAN DISTRICT NO. 3  
HELD  
DECEMBER 11, 2023

A special meeting of the Board of Directors (“Board”) of the CCP Metropolitan District No. 3 (“District”) was convened on Monday, December 11, 2023, at 9:00 a.m. This District Board meeting was held via Zoom Videoconference. The meeting was open to the public.

**ATTENDANCE**

**Directors present and acting:**

Sarah Laverty, President  
Cameron R. Bertron, Treasurer  
Don Stage, Assistant Secretary  
Judy Duran, Assistant Secretary  
Joel Scott, Assistant Secretary

**Also present were:**

Ann Finn, District Manager, Public Alliance, LLC  
Jon Hoistad, Esq., McGeady Becher P.C.  
Margaret Henderson, CliftonLarsonAllen LLP

**ADMINISTRATIVE  
MATTERS**

**Disclosure of Potential Conflicts of Interest:** Attorney Hoistad noted a quorum was present and discussed the requirements of Colorado law 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 with regard to any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. It was noted by Attorney Hoistad that disclosures of potential conflicts of interest were filed with the Secretary of State by the statutory deadline.

**Agenda:** The Board reviewed the Agenda for the meeting.

Following discussion, upon motion duly made by Director Duran, seconded by Director Scott and, upon vote, unanimously carried, the Board approved the Agenda, as presented.

**Meeting Location:** The Board entered into discussions regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District’s Board meeting. Following discussion, upon motion duly made by Director Duran, seconded by Director Scott, and upon vote, unanimously carried, the Board determined to conduct this meeting via Zoom videoconference. The Board noted that notice of this meeting and Zoom

meeting information was duly posted on the District's website and the Board had not received any objections to the Zoom meeting or any requests that the meeting be changed by taxpaying electors within the District's boundaries.

**Appointment of Secretary:** The Board discussed the resignation of Geol Scheirman as Secretary and considered the appointment of Ann Finn as Secretary to the Board.

Following discussion and review, upon a motion duly made by Director Duran, seconded by Director Scott and, upon vote unanimously carried, the Board acknowledged the resignation of Geol Scheirman as Secretary and appointed Ann Finn as Secretary to the Board.

**August 4, 2023 Regular Meeting Minutes:** Following discussion and review, upon a motion duly made by Director Duran, seconded by Director Scott and, upon vote unanimously carried, the minutes of the August 4, 2023 Regular Meeting were approved.

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

**Meeting Resolution:** Attorney Hoistad presented for the Board's review and consideration Resolution No. 2023-12-01 Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices.

The Board discussed 2024 meeting dates, and scheduled regular meeting dates the 1<sup>st</sup> Friday in February, May, August and November, 2024 at 11:30 a.m. via Zoom.

Following discussion and review, upon a motion duly made by Director Duran, seconded by Director Bertron and, upon vote unanimously carried, the Board approved Resolution No. 2023-12-01 Establishing Regular Meeting Dates, Time, and Location, and Designating Location for Posting 24-Hour Notices.

**District Transparency Notice:** Attorney Hoistad discussed the special district transparency requirements of Section 32-1-809, C.R.S. with the Board. Following discussion, the Board directed the notice be posted on the District website, the Special District's Association ("SDA") website, and filed with the Division of Local Government.

**Insurance Matters:**

**Cyber Security and Increased Crime Coverage:** The Board entered into discussion regarding cyber security and increased crime coverage.

Following discussion, upon motion duly made by Director Duran, seconded by Director Bertron and, upon vote, unanimously carried, the Board approved an increase in cyber security and crime coverage of an additional \$100,000.

*Insurance Committee:* The Board entered into discussion regarding establishing an Insurance Committee to make final determinations regarding insurance. Following discussion, the Board determined an Insurance Committee is not necessary.

*Renewal of the District's Insurance SDA Membership for 2024:* The Board entered into discussion regarding the renewal of the District's insurance and SDA membership for 2024.

Following discussion, upon motion duly made by Director Duran, seconded by Director Bertron and, upon vote, unanimously carried, the Board authorized the renewal of the District's insurance and SDA membership for 2024.

**OPERATIONS AND MAINTENANCE**

**Manager's Report:** Ms. Finn reviewed the Manager's Report with the Board. The Board noted they were pleased with the irrigation report and the cost savings of \$15,183.12 associated with reduction in water usage.

**2023/2024 Snow Removal Agreement between the District and Brightview Landscape Services, Inc. ("Brightview"):** Following discussion, upon motion duly made by Director Duran, seconded by Director Stage and, upon vote, unanimously carried, the Board ratified approval of the 2023/2024 Snow Removal Agreement between the District and Brightview.

**Service Agreement for Landscape Services between the District and Brightview:** Following discussion, upon motion duly made by Director Duran, seconded by Director Scott and, upon vote, unanimously carried, the Board approved the Service Agreement for Landscape Services between the District and Brightview.

**Service Agreement for Pond Maintenance between the District and Brightview:** Following discussion, upon motion duly made by Director Duran, seconded by Director Scott and, upon vote, unanimously carried, the Board approved the Service Agreement for Pond Maintenance between the District and Brightview. The Board also noted any additional maintenance work on Pond A would need to be approved by Public Alliance, LLC.

**Proposal from Stormwater Asset Protection, LLC (SWAP) for Stormwater Observation, Maintenance Contracting, Inspection and Maintenance Manuals and Oversight Services:** The Board deferred discussion on the proposal from Stormwater Asset Protection, LLC (SWAP) for Stormwater Observation, Maintenance Contracting, Inspection

and Maintenance Manuals and Oversight Services. The Board determined an engineer would need to be engaged to assess Pond A and recommend any improvements or modifications that may be needed for functionality.

Following discussion, upon motion duly made by Director Scott, seconded by Director Duran and, upon vote, unanimously carried, the Board authorized Public Alliance, LLC to obtain a proposal from an engineer to assess Pond A.

**2024 Plant Health Care Services from Brightview:** Following discussion, upon motion duly made by Director Stage, seconded by Director Scott and, upon vote, unanimously carried, the Board approved the proposals for 2024 Plant Health Care Services from Brightview, for an amount not to exceed \$7,734.

**Proposals for Winter Watering from Brightview:** Following discussion, upon motion duly made by Director Scott, seconded by Director Duran and, upon vote, unanimously carried, the Board approved the proposals for Winter Watering from Brightview, for an amount not to exceed a total amount of \$3,800.

## **FINANCIAL MATTERS**

**Claims:** Ms. Henderson presented for the Board's review and consideration a list of the payment of claims for the period beginning July 27, 2023 through December 1, 2023.

Following discussion and review, upon a motion duly made by Director Bertron, seconded by Director Duran and, upon vote unanimously carried, the Board approved the payment of claims, for the amount of \$64,014.66.

**Unaudited Financial Statements:** Ms. Henderson presented for the Board's review and consideration the unaudited financial statements for the period ending September 30, 2023.

Following discussion and review, upon a motion duly made by Director Bertron, seconded by Director Scott and, upon vote unanimously carried, the unaudited financial statements for the period ending September 30, 2023 were accepted as presented.

**Refinancing District Debt:** The Board entered into discussed regarding timing for the proposed refinancing. It was noted that the Board will need to engage consultants at the May 3, 2024 Board Meeting.

**Public Hearing on Amendment to 2023 Budget:** Director Lavery opened the public hearing to consider the proposed 2023 Budget Amendment and to discuss related issues.

Ms. Finn noted that a Notice stating that the Board would consider amending the 2023 budget and the date, time, and place of the public hearing was

published pursuant to statute. No written objections were received prior to the public hearing.

There were no comments from the public in attendance and the public hearing was closed.

It was noted that an amendment was not necessary.

**Public Hearing on 2024 Budget:** Director Lavery opened the public hearing to consider the proposed 2024 Budget and to discuss related issues.

Ms. Finn noted that a Notice stating that the Board would consider adoption of the 2024 budget and the date, time, and place of the public hearing was published pursuant to statute. No written objections were received prior to the public hearing.

There were no comments from the public in attendance and the public hearing was closed.

Ms. Henderson presented for the Board's review and consideration the estimated 2023 expenditures and the proposed 2024 expenditures.

Following discussion, the Board considered adoption of Resolution No. 2023-12-02 to Adopt the 2024 Budget and Appropriate Sums of Money, and Resolution No. 2023-12-03 to Set Mill Levies (with 7.000 mills in the General Fund, and 24.000 mills in the Debt Service Fund, for a total mill levy of 31.000 mills), subject to Legislative changes and final assessed valuation from the County Assessor. Upon a motion duly made by Director Stage, seconded by Director Scott and, upon vote, unanimously carried, the Board adopted the Resolutions and authorized the execution of the Certification of Budget. The District Accountant was directed to transmit the Certification of Tax Levies to the Board of County Commissioners of Adams County not later than January 10, 2024. Ms. Finn was directed to transmit the Certification of Budget to the Division of Local Government no later than January 30, 2024.

**DLG-70 Mill Levy Certification Form:** Following discussion, upon motion duly made by Director Stage, seconded by Director Scott 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.

**2025 Budget Preparation:** Following discussion, upon motion duly made by Director Duran, seconded by Director Stage and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2025 Budget.

**2023 Audit:** The Board discussed statutory requirements for an audit.

Following review and discussion, upon a motion duly made by Director Duran, seconded by Director Stage and upon vote unanimously carried, the Board approved the engagement of Haynie & Company to prepare the 2023 Audit, for an amount not to exceed \$9,200.

**CliftonLarsonAllen LLP 2024 Statements of Work:** Ms. Henderson reviewed with the Board the 2024 Statements of Work from CliftonLarsonAllen LLP.

Following discussion, upon motion duly made by Director Duran, seconded by Director Scott and, upon vote, unanimously carried, the Board approved the 2024 Statements of Work from CliftonLarsonAllen LLP.

**LEGAL MATTERS**

**Change Order No. 1 to Service Agreement for District Management Services between CCP Metropolitan District No. 3 and Public Alliance LLC:** Ms. Finn reviewed with the Board Change Order No. 1 to Service Agreement for District Management Services between the District and Public Alliance LLC.

Following review, upon a motion duly made by Director Scott, seconded by Director Duran and, upon vote, unanimously carried, the Board approved Change Order No. 1 to Service Agreement for District Management Services between the District and Public Alliance LLC.

**Resolution 2023-12-04 Amending Policy on Colorado Open Records Act Requests:** Attorney Hoistad reviewed with the Board a Resolution of the 2023-12-04 Amending Policy on Colorado Open Records Act Requests.

Following review, upon a motion duly made by Director Scott, seconded by Director Duran and, upon vote, unanimously carried, the Board adopted the Resolution 2023-12-04 Amending Policy on Colorado Open Records Act Requests.


**OTHER BUSINESS**

**Annual Meeting Notice:** Following discussion, the Board acknowledged publication of the Annual Meeting Notice pursuant to the Service Plan.

**ADJOURNMENT**

There was no other business to come before the Board, and upon a motion duly made by Director Stage, seconded by Director Scott and, upon vote unanimously carried, the meeting was adjourned.

The foregoing record constitutes a true and correct copy of the Minutes of the above referenced meeting.

DocuSigned by:  
  
D8A7B76854324CB...  
Secretary