

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
CHAPEL HEIGHTS METROPOLITAN DISTRICT
(THE "DISTRICT")
HELD
NOVEMBER 6, 2023

A regular meeting of the Board of Directors of the Chapel Heights Metropolitan District (referred to hereafter as the "Board") was convened on Monday, November 6, 2023, at 10:00 a.m. This District Board meeting was held via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were

James Byers, President
Rich Vorwaller, Secretary
Mick Schuhmacher, Treasurer

Also, In Attendance Were

Russell W. Dykstra, Esq.; Spencer Fane, LLP
Krista Baptist, Korben Heim and Seef Le Roux; CliftonLarsonAllen, LLP
("CLA")
Isaac Brandon and Erika Johnston; YMCA
Peter Christensen; Member of the Public

ADMINISTRATIVE MATTERS

Call to Order and Agenda: Director Byers called the meeting to order at 10:07 a.m.

Following review, upon a motion duly made by Director Vorwaller, seconded by Director Byers and, upon vote, unanimously carried, the Board approved the agenda, as presented.

Disclosure of Potential Conflicts of Interest: The Board 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 Dykstra that disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors, and no additional conflicts were disclosed at the meeting.

Quorum, Location of Meeting and Meeting Notices: A quorum was confirmed. This meeting was conducted via Microsoft Teams and public participation is encouraged via Microsoft Teams. The Board further noted that

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notice providing the time, date and video link information was duly posted and that no objections nor any requests that the means of hosting the meeting be changed, were received by taxpaying electors within the District's boundaries.

Public Comment: Mr. Christensen asked questions regarding resident involvement, communication and outreach.

Minutes from the October 2, 2023 Regular Board Meeting: Following review, upon a motion duly made by Director Byers, seconded by Director Vorwaller and, upon vote, unanimously carried, the Board approved the October 2, 2023 regular Board meeting minutes, as presented.

Resolution Regarding 2024 Annual Administrative Matters: The Board discussed the meeting schedule and determined to keep the meeting schedule the same. Following discussion, upon a motion duly made by Director Byers, seconded by Director Schuhmacher and, upon vote, unanimously carried, the Board adopted the Resolution Regarding 2024 Annual Administrative Matters.

FINANCIAL MATTERS

Current Claims and Previous Claims: Mr. Le Roux reviewed the current claims and previous claims with the Board. Following review and discussion, upon a motion duly made by Director Vorwaller, seconded by Director Byers and, upon vote, unanimously carried, the Board approved the current claims and ratified approval of the previous claims, as presented.

September 30, 2023 Unaudited Financial Statements: Mr. Le Roux reviewed the September 30, 2023 Unaudited Financial Statements with the Board. Following review, upon a motion duly made by Director Byers, seconded by Director Vorwaller and, upon vote, unanimously carried, the Board accepted the September 30, 2023 Unaudited Financial Statements, as presented.

Public Hearing to Consider Amendment of 2023 Budget and, if necessary, Adoption of Resolution to Amend 2023 Budget: Director Byers opened the public hearing to consider the amendment of the 2023 Budget at 10:23 a.m.

It was noted that publication of Notice stating that the Board would consider amendment 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 the public hearing.

No public comments were received. Mr. Le Roux presented the proposed 2023 Budget amendments to the Board. Director Byers closed the public hearing at 10:55 a.m.

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Following discussion, upon a motion duly made by Director Byers, seconded by Director Schuhmacher and, upon vote, unanimously carried, the Board adopted the Resolution to Amend the 2023 Budget.

Public Hearing on Proposed 2024 Budget and Resolution to Adopt the 2024 Budget and Appropriate Sums of Money and to Set Mill Levies: Director Byers opened the public hearing to consider the proposed 2024 Budget at 10:23 a.m.

It was noted that publication of Notice stating that the Board would consider the proposed 2024 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 the public hearing.

No public comments were received. Mr. Le Roux reviewed the 2024 Budget with the Board. Discussion followed regarding landscaping, utilities, snow removal, the YMCA community center budget and District fees.

Following discussion, Director Byers closed the public hearing at 10:55 a.m.

Upon a motion duly made by Director Byers, seconded by Director Schuhmacher and, upon vote, unanimously carried, the Board approved the 2024 Budget and adopted the Resolution to Adopt the 2024 Budget and Appropriate Sums of Money and Set Mill Levies.

District Accountant to Prepare DLG-70 Certification of Tax Levies Form for Certification to the Board of County Commissioners and other interested parties: Following discussion, upon a motion duly made by Director Byers, seconded by Director Vorwaller and, upon vote, unanimously carried, the Board authorized the District accountant to prepare the DLG-70 Certification of Tax Levies form for certification to the Board of County Commissioners and other interested parties.

2024 Fee Schedule for Billing Services: Following discussion, upon a motion duly made by Director Vorwaller, seconded by Director Byers and, upon vote, unanimously carried, the Board approved the 2024 Fee Schedule for billing services.

Statutory Requirement for an Audit and District Accountant to Prepare Application for Exemption from Audit for 2023: Mr. Le Roux discussed the need for a 2023 Audit. The Board directed Mr. Le Roux to solicit engagement letters and circulate to the Board for review.

LEGAL MATTERS

None.

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MANAGER MATTERS

Covenant Enforcement Update: Ms. Baptist provided a Covenant Enforcement update to the Board. No action was taken.

Community Center Operations Update: Mr. Brandon provided an update to the Board regarding Community Center operations. No action was taken.

Community Center Facility Rental Agreement: Ms. Baptist reviewed the agreement with the Board. The Board discussed the fees and policy. CLA and Spencer Fane strongly recommended prohibiting alcohol. The Board determined to include a 3% credit card fee to cover the remittance fee from the YMCA to the District.

Following discussion, upon a motion duly made by Director Byers, seconded by Director Vorwaller and, upon vote, unanimously carried, the Board approved the Community Center Facility Rental Agreement, subject to discussed amendments and final legal review.

Director Schuhmacher left the meeting at 11:04 a.m.

Electrical Repairs at the Chapel Heights Community Center: Following discussion, upon a motion duly made by Director Byers, seconded by Director Vorwaller and, upon vote, unanimously carried, the Board approved the electrical repairs at the Chapel Heights Community Center, as presented.

CliftonLarsonAllen LLP Master Services Agreement and Statement(s) of Work for 2024: Following review and discussion, upon a motion duly made by Director Vorwaller, seconded by Director Byers and, upon vote, unanimously carried, the Board approved the CLA Master Services Agreement and statements of work for 2024.

2024 Insurance Renewal: Mr. Heim reviewed the insurance renewals with the Board. Following discussion, upon a motion duly made by Director Byers, seconded by Director Vorwaller and, upon vote, unanimously carried, the Board approved the 2024 insurance renewals, pending final legal review.

Worker's Compensation: Mr. Heim recommended the Board include the worker's compensation policy and receive a discount on the Property and Liability Policy. Following discussion, upon a motion duly made by Director Byers, seconded by Director Vorwaller and, upon vote, unanimously carried, the Board approved the Worker's Compensation Resolution excluding Worker's Compensation.

Renewing Membership in the Special District Association for 2024: Following discussion, upon a motion duly made by Director Byers, seconded by Director Vorwaller and, upon vote, unanimously carried, the Board approved

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the SDA membership renewal for 2024.

OTHER BUSINESS

Quorum for Regular Meeting on December 4, 2023 at 10:00 a.m.: A quorum was confirmed for regular meeting on December 4, 2023 at 10:00 a.m.

ADJOURNMENT

There being no further business to come before the Board at this time, Director Byers adjourned the meeting at 11:22 a.m.

Respectfully submitted,

DocuSigned by:
By Rich Vorwaller
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Secretary of the Board