

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
LAKE OF THE ROCKIES METROPOLITAN DISTRICT
(THE "DISTRICT")
HELD
NOVEMBER 8, 2022

A special meeting of the Board of Directors of the Lake of the Rockies Metropolitan District (referred to hereafter as the "Board") was convened on Tuesday, November 8, 2022, at 6:00 p.m. This District Board meeting was held at 300 CO-105, Monument, Colorado 80132 and via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Eddie Jones, President
Tia Mayer, Secretary via Microsoft Teams
Jay Kappel, Treasurer
Dale Huffman, Assistant Secretary
Jennifer Adams, Assistant Secretary

Also, In Attendance Were:

Krista Baptist, Korben Heim, Mallorie Hansen and Seef Le Roux;
CliftonLarsonAllen LLP ("CLA")
Suzanne Meintzer, Esq.; McGeady Becher P.C.
Lauren McGraw, Shaunna Jones, Patty Wells and Deidre Schroeder;
Members of the Public

ADMINISTRATIVE MATTERS

Disclosures of Potential Conflicts of Interest: Director Jones called the meeting to order at 6:00 p.m.

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 Meintzer 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 Posting of Meeting Notices, Agenda: A quorum of the Board was confirmed. The Board discussed the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board

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

The Board discussed amending the agenda to move the landscaping proposals and the detention pond item up so that they could be addressed first. Following discussion, upon motion duly made by Director Mayer, seconded by Director Huffman and, upon vote, unanimously carried, the Board approved the agenda, as amended.

Public Comment: Patty Wells, member of the public, inquired about the results of the Declaration Amendments. The Board stated there are no official results yet. CLA and legal will coordinate to finalize the Declaration Amendments.

Minutes from the August 9, 2022 Special Board Meeting: Following review, upon a motion duly made by Director Jones, seconded by Director Adams and, upon vote, unanimously carried, the Board approved the minutes from the August 9, 2022 special Board meeting, as presented.

Business to be Conducted in 2023 and Location (Virtual and/or Physical) of Meetings. Regular Meeting Dates and Resolution No. 2022-11-01 Establishing Regular Meeting Dates, Time, and Location and Location for Posting of 24-Hour Notices: The Board discussed meeting dates, time, and location and location for posting of the 24-hour notice. The Board agreed to hold three regular Board meetings in 2023 to be held on the second Tuesday of February, June, and November at 6:00 p.m. at the Chamber Community Room, 166 2nd St, Monument CO 80132. The 24-hour notices will be posted on the District website or on the mailboxes within the District, if the website is unavailable.

Following discussion, upon a motion duly made by Director Jones, seconded by Director Adams and, upon vote, unanimously carried, the Board adopted the Resolution No. 2022-11-01 Establishing Regular Meeting Dates, Time and Location and Location for Posting of 24-Hour Notices, as amended.

Section 32-1-809, C.R.C. and Compliance for 2023 (District Transparency Notice): Attorney Meintzer reviewed the requirements of Section 32-1-808, C.R.S with the Board. No action was taken.

Renewal of District's Insurance and Special District Association Membership for 2023. Documents Needed to Obtain or Maintain

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Insurance Coverage through the Colorado Special Districts Property and Liability Pool and T. Charles Wilson Risk Management and Membership in the Special District Association: Ms. Baptist reviewed the insurance documents with the Board. Discussion ensued regarding rate changes and the property schedule.

Following review and discussion, upon a motion duly made by Director Jones, seconded by Director Kappel and, upon vote, unanimously carried, the Board authorized the renewal of District's insurance and Special District Association membership for 2023.

Other: None.

FINANCIAL MATTERS

Unaudited Financial Statements and Cash Position Report as of September 30, 2022: Ms. Hansen reviewed the Unaudited Financial Statements and Cash Position Report as of September 30, 2022 with the Board. Following review, upon motion duly made by Director Jones, seconded by Director Adams and, upon vote, unanimously carried, the Board accepted the September 30, 2022 Unaudited Financial Statements and Cash Position Report, as presented.

Previous Claims and Current Claims: Ms. Hansen reviewed the previous and current claims with the Board. Following review and discussion, upon motion duly made by Director Kappel, seconded by Director Adams and, upon vote, unanimously carried, the Board ratified approval of the previous claims and approved the current claims, as presented.

Public Hearing to Consider Amendment of the 2022 Budget. Resolution to Amend the 2022 Budget: An amendment to the 2022 budget was not needed.

Public Hearing on the Proposed 2023 Budget and Resolution No. 2022-11-02 to Adopt the 2023 Budget and Appropriate Sums of Money and Resolution No. 2022-11-03 to Set Mill Levies: Ms. Hansen reviewed the 2023 Budget with the Board. The Board discussed debt repayment and bond refinancing. The Board opened the public hearing.

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

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Following review, upon a motion duly made by Director Jones, seconded by Director Kappel and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-11-02 to adopt the 2023 Budget and Appropriate Sums of Money and Resolution No. 2022-11-03 to Set Mill Levies.

District Accountant to Prepare and Board Member to Sign, the DLG-70 Certification of Tax Levies Form (“Certification”). District Accountant to File the Certification with the Board of County Commissioners and Other Interested Parties: Ms. Hansen reviewed the Certification with the Board. Upon a motion duly made by Director Jones, seconded by Director Huffman and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare the DLG-70 Certification of Tax Levies Form and appointed Director Jones to sign the DLG-70 Certification of Tax Levies Form.

Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan: Attorney Meintzer reviewed the Resolution Authorizing Adjustment of the District Mill Levy with the Board. Following review, upon a motion duly made by Director Jones, seconded by Director Kappel and, upon vote, unanimously carried, the Board adopted the Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan.

Statutory Requirements for an Audit. Engagement Letter of Outside Accountant to Perform the 2022 Audit: Ms. Hansen reviewed the requirements for an audit and the engagement letter with BiggsKofford with the Board. The Board discussed a change of auditor in the future.

Following review and discussion, upon a motion duly made by Director Jones, seconded by Director Adams and, upon vote, unanimously carried, the Board approved the engagement letter with BiggsKofford to prepare the 2022 Audit, as presented.

Final 2021 Audit Report: Ms. Hansen reviewed the final 2021 Audit Report with the Board. Following review, upon a motion duly made by Director Jones, seconded by Director Huffman and, upon vote, unanimously carried, the Board ratified approval of the final 2021 Audit Report.

Other: None.

LEGAL MATTERS

Resolution Calling a Regular Election for Directors on May 2, 2023, Appointing the Designated Election Official (“DEO”) and DEO to Perform All Tasks Required for the Conduct of a Mail Ballot Election.

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Ballot Issues and/or Questions: Attorney Meintzer reviewed the Resolution Calling a Regular Election for Directors with the Board. The Board appointed Lisa Jacoby as the DEO. Discussion ensued regarding the election process and the positions that will be up for election in May 2023.

Following review and discussion, upon a motion duly made by Director Jones, seconded by Director Adams and, upon vote, unanimously carried the Board adopted the Resolution Calling a Regular Election for Directors on May 2, 2023.

2023 Notice of Legal Services and Fee Summary from Altitude Community Law: Attorney Meintzer reviewed the 2023 Notice with the Board. Discussion ensued. The Board acknowledged the 2023 Notice of Legal Services and Fee Summary. No action was taken.

Other: None.

MANAGER MATTERS

Statement of Work (SOW) between the District and CliftonLarsonAllen - LLP for 2023 Accounting and Management Services: Ms. Baptist reviewed the SOW with the Board. Following review, upon a motion duly made by Director Jones, seconded by Director Kappel and, upon vote, unanimously carried, the Board approved the SOW between the District and CLA for 2023 Accounting and Management Services.

Landscaping and Snow Removal Services Proposal from BrightView Landscape Services, Inc.: The Board reviewed the proposal. Discussion ensued regarding the proposal and budget concerns. The Board directed CLA to finalize some details of the proposals. Following discussion, upon a motion duly made by Director Kappel, seconded by Director Jones and, upon vote, unanimously carried, the Board authorized Director Jones to sign an agreement once the details are finalized and the Board selects a company for landscaping and snow removal services.

Landscaping and Snow Removal Services from Green Thumb Commercial Grounds Maintenance, Inc.: The Board reviewed the proposal. Discussion ensued regarding the proposal and budget concerns. The Board directed CLA to finalize some details of the proposals. Following discussion, upon a motion duly made by Director Kappel, seconded by Director Jones and, upon vote, unanimously carried, the Board authorized Director Jones to sign an agreement once the details are finalized and the Board selects a company for landscaping and snow removal services.

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Landscaping and Snow Removal Services from Bear Claw Landscaping, Inc.: The Board reviewed the proposal. Discussion ensued regarding the proposal and budget concerns. The Board directed CLA to finalize some details of the proposals. Following discussion, upon a motion duly made by Director Kappel, seconded by Director Jones and, upon vote, unanimously carried, the Board authorized Director Jones to sign an agreement once the details are finalized and the Board selects a company for landscaping and snow removal services.

Landscaping and Snow Removal Services from Landscape Endeavors, Inc.: The Board reviewed the proposal. Discussion ensued regarding the proposal and budget concerns. The Board directed CLA to finalize some details of the proposals. Following discussion, upon a motion duly made by Director Kappel, seconded by Director Jones and, upon vote, unanimously carried, the Board authorized Director Jones to sign an agreement once the details are finalized and the Board selects a company for landscaping and snow removal services.

Other: Ms. Baptist reviewed covenant enforcement, design review and snow removal with the Board. The Board discussed the Covenant Committee and the Design Review Committee to review fines, short-term rental amendment if approved. The Board also discussed the escalation schedule for covenant enforcement and possible changes to it.

OTHER BUSINESS

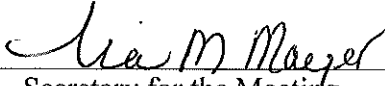
Detention Pond Project: Director Mayer discussed issues with the detention pond maintenance that was performed. Discussion ensued. The Board directed CLA to continue discussion for ongoing maintenance of the detention pond with Bailey Land Co.

Other: The Board discussed the new trash service and, Dumpster drop-off dates. The Board further discussed the Declaration Amendment results. No action was taken.

ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director Kappel, seconded by Director Huffman and, upon vote, unanimously carried, the Board adjourned the meeting at 8:50 p.m.

Respectfully submitted,

By 
Secretary for the Meeting