

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF RESOURCE COLORADO WATER AND SANITATION METROPOLITAN DISTRICT HELD NOVEMBER 20, 2023

A Regular Meeting of the Board of Directors (the “Board”) of the Resource Colorado Water and Sanitation Metropolitan District (the “District”) was held in accordance with applicable statutes of the State of Colorado on Monday, November 20, 2023 at 2:00 p.m. This meeting was held via teleconference and was open to the public.

ATTENDANCE

Director in attendance were:

Toni Serra (President)
Joel Farkas (Treasurer)

Also present were:

Paula Williams, Esq., Jay Morse, Esq. and Lisa Jacoby; McGeady Becher P.C.
Paul Wilson; CliftonLarsonAllen LLP (“CLA”)
Chase Hanusa; Independent District Engineering Services, LLC (“IDES”)
Ned Skoglund; member of the public

ADMINISTRATIVE MATTERS

Disclosure of Potential Conflicts of Interest: Ms. Jacoby confirmed a quorum and discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board to the Secretary of State. The members of the Board (the “Directors”) 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 Directors prior to this meeting in accordance with statute. Ms. Jacoby noted that disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors.

Agenda: The Board reviewed the Agenda for the District’s regular meeting.

Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra and, upon vote unanimously carried, the Board approved the Agenda.

Approval of Meeting Location and Posting of Notices: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District’s Board meeting.

Following discussion, and upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board determined to meet by electronic means. Ms. Jacoby noted that notice of this meeting, including participation information, was duly posted and that she had not received any objections to the meeting format or any requests that the meeting be changed by taxpaying electors within the District’s boundaries.

Designation of 24-Hour Posting Location: Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S. and Section 32-1-903(2), C.R.S., shall be posted on the District website: <https://resourcecoloradowsmd.specialdistrict.net/> at least 24-hours prior to each meeting, and if the website is unavailable for posting, the notice shall be posted on a post within the boundaries of the District at least 24 hours prior to each meeting.

Public Comment: There were no public comments.

May 2, 2023 Election: Ms. Jacoby noted for the Board that the May 2, 2023 Director’s election was cancelled, as allowed under Colorado law by the Designated Election Official because there were not more candidates than positions available on the Board of Directors. Mr. Farkas and Ms. Serra were deemed elected for terms expiring 2025.

Appointment of Officers: The Board entered into discussion regarding the appointment of officers.

Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the following slate of officers was appointed:

President	Toni Serra
Treasurer	Joel Farkas
Secretary	Lisa A. Jacoby (non-elected)

Resolution No. 2023-11-01 Establishing 2023 Meeting Dates, Time, Location, Establishing District Website and Designating 24-Hour Posting Location: The Board discussed the business to be conducted in 2024 and determined to schedule regular Board meetings for the third Monday of each month at 2:00 p.m. to be held by electronic

means. Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board adopted Resolution No. 2023-11-01.

2024 Insurance: Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board authorized renewal of the District’s insurance and Special District Association membership for 2024. No Insurance Committee was established and no additional increase in crime coverage was discussed.

Section 32-1-809, C.R.S. Reporting Requirements (Transparency Notice): The Board discussed Section 32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2024.

Following discussion, upon motion duly made by Director Serra, seconded by Director Farkas, and upon vote unanimously carried, the Board determined to post the required transparency notice information on the Special District Association and the District website.

**CONSENT
AGENDA**

The Board considered the following items on the Consent Agenda:

- Minutes of the November 21, 2022, Regular Meeting

Upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board approved the Consent Agenda item.

**FINANCIAL
MATTERS**

CLA Master Service Agreement (“MSA”) and Statement of Work (“SOW”) for 2024: Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board approved execution of the 2024 MSA and SOW, subject to final review by the President and District Counsel.

Public Hearing on Amendment to 2023 Budget: The Board opened the public hearing to consider an amendment to the 2023 Budget.

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, and the public hearing was closed.

The Board determined that a 2023 Budget Amendment was not

necessary.

Public Hearing on 2024 Budget: The Board opened the public hearing to consider the proposed 2024 Budget and to discuss related issues.

It was noted that 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.

No public comments were received, and the public hearing was closed.

The Board reviewed the estimated 2023 expenditures and the proposed 2024 expenditures.

Following discussion, the Board considered adoption of Resolution No. 2023-11-02 to Adopt Budget and Appropriate Sums of Money and Resolution No. 2023-11-03 to Set Mill Levies at 0.000 mills. Upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Resolutions were adopted as discussed, subject to receipt of final Certification of Assessed Valuation from the County. The District Accountant was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Weld County. District Counsel was authorized to transmit the Certification of Budget to the Division of Local Government.

Resolution Authorizing Adjustment of the District Mill Levy in Accordance with Services Plan: The Board determined this Resolution to be unnecessary.

DLG-70 Mill Levy Certification Form: Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board authorized the District Accountant to prepare, sign and file the DLG-70 Mill Levy Certification Form for certification to the Board of County Commissioners and other interested parties.

Preparation of 2025 Budget: Following discussion, upon a motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board appointed the District Accountant to prepare the 2025 Budget.

2023 Audit Exemption Application: Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board appointed the District Accountant to prepare and file the 2023 Audit Exemption Application.

LEGAL MATTERS

Pioneer Annexation Nos. 1-11 by and between the Town of Keenesburg, Colorado; Pioneer Holdco, LLC; Resource Colorado Water and Sanitation Metropolitan District; Pioneer Metropolitan District No. 3 and the CAB: Discussion was deferred.

OTHER BUSINESS

Cancellation of the December 18, 2023 Regular Board Meeting: The Board determined to cancel the December 18, 2023 Regular Board Meeting if deemed unnecessary.

ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned.

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

Lisa Jacoby

Secretary for the Meeting