

MINUTES OF SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

SENAC SOUTH METROPOLITAN DISTRICT NO. 1

Held: Tuesday, November 28, 2023 at 2:00 p.m. via teleconference.

Attendance

The special meeting referenced above was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, having confirmed their qualifications to serve, were in attendance via teleconference:

Jerry Richmond
Aaron Clutter
Kurtis Williams
Eric Lee

Also present via teleconference were Trisha K. Harris, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel, and Margaret Henderson, CliftonLarsonAllen, District Accountant.

Call to Order/Declaration of Quorum

It was noted that a quorum of the Board was present and the meeting was called to order at 2:03 p.m.

Conflict of Interest Disclosures/Director Qualification

Ms. Harris reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Ms. Harris inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda

Ms. Harris reviewed the proposed agenda with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda as presented.

Public Comment

None.

Consent Agenda

The Board reviewed the items on the consent agenda. Ms. Harris advised the Board that any item may be removed from the consent agenda to the special agenda upon a request from any Director. No

items were requested to be removed from the consent agenda. Upon a motion duly made, seconded and unanimously carried, the Board approved, ratified and adopted the following items:

- August 31, 2023 Joint Special Meeting Minutes
- Proposal for Renewal of General Liability Schedule and Limits and Property Schedule and Authorization to Bind Coverage
- Renewal of Special District Association of Colorado Membership for 2024
- Exclusion for Workers' Compensation Coverage
- 2022 Annual Report

Legal Matters

Consider Adoption of 2024 Annual Administrative Resolution

Ms. Harris presented the 2024 Annual Administrative Resolution. Following discussion, upon a motion duly made and seconded, the Board approved the 2024 Annual Administration Resolution subject to inclusion of regular meeting dates of March 27, June 26, September 25, October 23, November 20, and December 18, 2024 at 2:00 p.m.

Consider Approval of Infrastructure Acquisition and Reimbursement Agreement with JEN Colorado 19 LLC

Ms. Harris presented the Infrastructure Acquisition and Reimbursement Agreement with JEN Colorado 19 LLC. Following discussion, upon a motion duly made and seconded, the Board approved the Infrastructure Acquisition and Reimbursement Agreement with JEN Colorado 19 LLC subject to inclusion of the interest rate based on the MMD AAA Index plus ½ percent.

Discuss District Website Compliance and WCAG 2.1 AA Requirements for ADA Compliance

Ms. Harris discussed with the Board the district website compliance and WCAG 2.1 AA requirements for ADA compliance. No action was taken.

Consider Approval of Independent Contractor Agreement with Heatherly Creative for Website Maintenance

Ms. Harris presented the Independent Contractor Agreement with Heatherly Creative for website maintenance. Following discussion, upon a motion duly made and seconded, the Board approved the Independent Contractor Agreement with Heatherly Creative.

Discuss Service Plan Amendment related to SARIA

Ms. Harris and Mr. Richmond discussed the request and proposal from SARIA to amend the Service Plan to increase the mill levy to go to SARIA in years 1-20 to 5 mills (from 1 mill), and then to lock in the mills for years 41-50 at 30 mills with the Board. The Board did not take any action to proceed with any Service Plan amendment at this time.

Financial Matters

Review
Payables/Financials

Ms. Henderson presented the October 2023 financials. Following discussion, upon a motion duly made and seconded, the Board approved the October 2023 financials.

Conduct Public Hearing on
2023 Budget Amendment

Ms. Henderson presented the 2023 Budget Amendment. Ms. Harris opened the public hearing on the 2023 Budget Amendment. Ms. Harris noted that the notice of public hearing was provided in accordance with Colorado Law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of
Resolution Amending
2023 Budget

Ms. Henderson reviewed the Resolution Amending the 2023 Budget with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution amending the General Fund to \$85,000.

Conduct Public Hearing on
2024 Budget

Ms. Henderson presented the 2024 Budget. Ms. Harris opened the public hearing on the 2024 Budget. Ms. Harris noted that the notice of public hearing was provided in accordance with Colorado Law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of
Resolution Adopting
2024 Budget, Imposing
Mill Levy and
Appropriating Funds

Ms. Henderson reviewed the 2024 Budget with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the 2024 Budget subject to adding \$8,000,000 in expenditures to the Capital Outlay line item and \$2,000,000 in the Engineering line item for the Capital Projects Fund.

Consider Auditor
Proposal/Engagement
Letter for 2023 Audit

Ms. Henderson presented the 2023 Auditor Proposal/Engagement Letter. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Auditor Proposal/Engagement Letter.

Consider Approval of
Statement of Work with
Clifton Larson Allen for
Accounting Services

Ms. Henderson presented the Statement of Work with Clifton Larson Allen for Accounting Services. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Statement of Work with Clifton Larson Allen for Accounting Services.

Other Business

None.

Adjourn

There being no further business to come before the Board, and following discussion and upon a motion duly made, seconded and unanimously carried, the Board determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Eric J Lee

[Eric J Lee \(Jan 8, 2024 08:22 MST\)](#)

Secretary for the Meeting

The foregoing minutes were approved on the 20th day of December, 2023.