

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF KINGS POINT SOUTH METROPOLITAN DISTRICT NO. 1

Held: Wednesday, November 9, 2022 at 2:00 p.m. via Zoom teleconference.

Attendance

The special meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following directors were in attendance:

Kent Pedersen
Debra Hessler

Also present was Clint C. Waldron, Esq. and Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; and John Simmons, Simmons & Wheeler, 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.

Director Qualifications/ Conflicts of Interest/ Reaffirmation of Disclosures

Ms. Murphy 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. Murphy 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

The Board reviewed the proposed agenda. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda as amended.

Public Comment

None.

Consent Agenda

The Board reviewed the items on the consent agenda. Ms. Murphy advised the Board that any item may be removed from the consent agenda to the special agenda upon the request of any director. Approval of Claims was removed from the consent agenda. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved and

adopted and ratified:

- August 10, 2022 Special Meeting Minutes;
- 2021 Annual Report to the City of Aurora;
- Special District Disclosure Notice Pursuant to §32-1-809, C.R.S.;
- Resolution Designating Meeting Notices Posting Location; and
- Resolution Calling May 2, 2023 Regular Election.

Legal Matters

Consider Adoption of 2023 Annual Administrative Resolution

Ms. Murphy reviewed the 2023 Annual Administrative Resolution with the Board. The Board engaged in discussion regarding worker's compensation coverage and determined to exclude coverage. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Discuss and Review Insurance General Liability Schedule and Limits, Consider Authorization to Bind Coverage

The Board reviewed the current general liability schedule and limits. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the general liability schedule and limits and authorized legal counsel to bind coverage.

Consider Approval of Contractor Agreement with Heatherly Creative for Website Maintenance and Management

Ms. Murphy reviewed the Contractor Agreement with Heatherly Creative for Website Maintenance and Management with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agreement.

Discuss Board Member Contact Emails for District Website

Ms. Murphy noted that the law now requires certain contact information be posted on the District's website. Following discussion, upon a motion duly made and seconded, the Board unanimously approved setting up a general email inbox.

Other Legal Matters

None.

Financial Matters

Public Hearing on 2022 Budget Amendment (*if necessary*)

Not needed.

Consider Approval of

Not needed.

Resolution Amending
the 2022 Budget (*if
necessary*)

Public Hearing on 2023
Budget

Director Pedersen opened the public hearing on the proposed 2023 Budget. Ms. Murphy 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 Approval of
Resolution Adopting the
2023 Budget

Mr. Simmons reviewed the 2023 Budget Resolution with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2023 Budget and appropriating funds therefor as shown in the 2023 Budget, subject to receipt of final assessed valuation.

Other Financial Matters

Mr. Simmons noted the checking account is open and bill.com is working.

SARIA Update

Mr. Waldron provided an update to the Board noting that SARIA is putting a pause on financing in 2022 and may restart in 2023. He also noted that some other districts are considering imposing an ARI mill levy of 5.000 mills.

Other Business

None.

Adjourn

There being no further business to come before the Board, and following discussion and upon 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.



Secretary of the Meeting

The foregoing minutes were approved on the 1st day of November, 2023.