

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE GREAT WESTERN PARK METROPOLITAN DISTRICT NO. 2 HELD MARCH 3, 2023

A Special Meeting of the Board of Directors of the Great Western Park Metropolitan District No. 2 (referred to hereafter as "Board") was convened on Friday, the 3rd day of March, 2023, at 1:00 p.m. The District Board meeting was held via Zoom video/teleconference. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

James R. Einolf
Michael Clay
Phillip A. Johnson
Russell Heinen
Gerald P. Hart

Also In Attendance Were:

David Solin; Special District Management Services, Inc.

Jeffrey Erb, Esq.; Erb Law, LLC

Larry Foster; Resident

CALL TO ORDER

The meeting was called to order at 1:00 p.m.

PUBLIC COMMENT

Mr. Foster asked the Board about the District's legal fees related to the agreement for the SkyeStone Tract Maintenance.. The Board directed Mr. Solin calculate legal fees spent on the SkyeStone Tract Maintenance matter and provide the data to the Directors and to Mr. Foster.

DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST

The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Mr. Solin requested members of the Board 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 the statute. No additional conflicts were disclosed at the meeting.

RECORD OF PROCEEDINGS

Attorney Erb reviewed the updated conflict of interest disclosure forms and the statements of qualification with the Board.

ADMINISTRATIVE MATTERS

Agenda: The Board reviewed the proposed Agenda for the District's Special Meeting.

Following discussion, upon motion duly made by Director Einolf, seconded by Director Clay and, upon vote, unanimously carried, the Agenda was approved, as amended.

Meeting Location/Manner and Posting of Meeting Notice: 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. The Board determined to conduct this meeting by video/teleconference and encouraged public participation via Zoom video/teleconference. The Board further noted that notice of the Zoom video/teleconference was duly posted at least 24-hours before the meeting.

Designation of 24-Hour Posting Location: Following discussion, upon motion duly made by Director Einolf, seconded by Director Clay, 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., shall be posted at least 24-hours prior to each meeting on the District's website at: <https://greatwesternparkmd2.colorado.gov/> and, if allowed by the SkyeStone HOA, posted at the Lodge at SkyeStone on the bulletin board.

Resignation and Appointment of Secretary to the Board: The Board discussed the resignation of James Ruthven and considered the appointment of David Solin as Secretary to the Board.

Following discussion, upon motion duly made by Director Einolf, seconded by Director Heinen and, upon vote, unanimously carried, the Board accepted the resignation of James Ruthven as Secretary to the Board and appointed David Solin as Secretary to the Board.

Minutes: The Board reviewed the Minutes from the November 9, 2022 Regular Meeting.

Following discussion, upon motion duly made by Director Einolf, seconded by Director Hart and, upon vote, unanimously carried, the Board approved the Minutes from the November 9, 2022 Regular Meeting, as amended.

RECORD OF PROCEEDINGS

May 2, 2023 Election: Mr. Solin advised the Board that the May 2, 2023 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. It was noted that Directors Einolf, Clay and Johnson were each deemed elected to 4-year terms ending in May, 2027.

FINANCIAL MATTERS

Claims: The Board considered ratifying the approval of the payment of claims as follows:

Fund	Period Ending November 30, 2022	Period Ending December 31, 2022	Period Ending January 31, 2023	Period Ending February 28, 2023
General	\$ 5,277.70	\$ 4,336.80	\$ 2,045.60	\$ 5,869.50
Debt	\$ 4,000.00	\$ -0-	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total	\$ 9,277.70	\$ 4,336.80	\$ 2,045.60	\$ 5,869.50

Following discussion, upon motion duly made by Director Heinen, seconded by Director Hart and, upon vote, unanimously carried, the Board ratified approval of the payment of the claims as presented.

2022 Audit: The Board reviewed the proposal from Scott C. Wright to perform the 2022 Audit.

Following discussion, upon motion duly made by Director Clay, seconded by Director Heinen and, upon vote, unanimously carried, the Board ratified approval of the engagement of Scott C. Wright to perform the 2022 Audit, for an amount not to exceed \$6,300.

LEGAL MATTERS

Exclusion of Property From District – Great Western Park, LLC:

Public Hearing – Exclusion of Property Owned by Great Western Park, LLC (Developer Parcel): Board President Einolf opened the public hearing to consider the exclusion of approximately 1.000 acres of property owned by Great Western Park, LLC (Developer Parcel).

It was noted that publication of Notice stating that the Board would consider exclusion of the property 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 or at this public hearing. No public comments were received, and the President closed the public hearing.

RECORD OF PROCEEDINGS

Resolution re: Exclusion of Property from the District – Great Western Park, LLC:
The Board reviewed Resolution No. 2023-03-01; Resolution re Exclusion of Property from the District – Great Western Park, LLC.

Following review and discussion, upon motion duly made by Director Einolf, seconded by Director Hart, and upon vote unanimously carried, the Board approved the exclusion of the property and adopted Resolution No. 2023-03-01; Resolution re: Exclusion of Property from the District – Great Western Park, LLC.

SkyeStone Tract Maintenance Dispute:

Settlement Agreement with SkyeStone Homeowner's Association ("HOA") Regarding Tract Maintenance Dispute: The Board entered into discussion regarding a Settlement Agreement with SkyeStone HOA regarding the Tract Maintenance Dispute.

Following review and discussion, upon motion duly made by Director Einolf, seconded by Director Clay, and upon vote unanimously carried, the Board approved the Settlement Agreement with SkyeStone Owner's Association regarding Tract Maintenance Dispute. SDMS was directed to make a \$10,000 payment to the HOA within 14 days.

Agreement with City and County of Broomfield regarding Tract Maintenance: The Board entered into discussion regarding appointing representatives for discussions with the City and County of Broomfield regarding an agreement for Tract Maintenance. The Board appointed Director Einolf as the District's Primary Delegate and Director Johnson as the Secondary Delegate. Director Clay was appointed as the Alternate Delegate in the event that either the Primary or Secondary Delegates were unable to attend a meeting.

Executive Session: Following discussion, the Board decided that the executive session was not needed.

OTHER BUSINESS

2022 Progress Report: The Board entered into discussion regarding posting an updated version of the 2022 Progress Report to the District website.


Following review and discussion, upon motion duly made by Director Hart, seconded by Director Heinen, and upon vote unanimously carried, the Board approved posting the updated version of the 2022 Progress Report on the District's website.

RECORD OF PROCEEDINGS

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Einolf, seconded by Director Clay and, upon vote, unanimously carried, the meeting was adjourned at 1:30 p.m.

Respectfully submitted,

By: 
Secretary for the Meeting