

# RECORD OF PROCEEDINGS

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## MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE DOLORES CANYON METROPOLITAN DISTRICT NO. 1 HELD JULY 13, 2023

A Special Meeting of the Board of Directors of the Dolores Canyon Metropolitan District No. 1 (referred to hereafter as the "District") was convened on Thursday, July 13, 2023, at 2:00 p.m. via Zoom video/telephone conference. The meeting was open to the public.

### ATTENDANCE

#### Directors In Attendance Were:

John A. Sisson

#### Also In Attendance Were (via speakerphone):

James Ruthven; Special District Management Services, Inc.

MaryAnn McGeady, Esq. and Craig Sorensen; McGeady Becher P.C.

### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

**Disclosure of Potential Conflicts 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. Attorney McGeady noted that disclosures of potential conflict of interest statements for Director Sisson were filed with the Secretary of State at least seventy-two hours in advance of the meeting, and requested that Director Sisson consider whether he had any additional conflicts of interest to disclose. Attorney McGeady noted for the record that there were no new disclosures made by the Director present at the meeting and incorporated for the record those applicable disclosures made by the Board member prior to this meeting and in accordance with the statutes.

### ADMINISTRATIVE MATTERS

**Agenda:** Mr. Ruthven reviewed with the Board a proposed Agenda for the District's Special Meeting.

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

**Meeting Location /Posting of Meeting 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. The Board determined that the meeting would be held by video/telephonic means without any individuals (neither District Representatives nor the General Public) attending in person. Mr. Ruthven reported that notice was duly

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posted and that no objections to the video/telephonic manner of the meeting or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District boundaries have been received.

**Designation of 24-Hour Posting Location:** Following discussion, upon motion duly made and seconded by Director Sisson 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 on the District website. If the website is unavailable, a notice shall be posted within the boundaries of the District at least 24 hours prior to each meeting at the following location: on the fence that borders the District along John Brown Road.

**May 2, 2023 Regular Directors' Election:** Mr. Ruthven noted for the Board that the May 2, 2023 Regular Directors' Election was cancelled by the Designated Election Official, as allowed under Colorado law, because there were not more candidates than positions available on the Board of Directors. It was noted that the four existing vacancies on the Board were confirmed at the election.

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

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

President/Treasurer	John A. Sisson
Secretary	James Ruthven

**Minutes:** The Board reviewed the Minutes of the December 1, 2022 Regular Meeting.

Following discussion, upon motion duly made and seconded by Director Sisson and, upon vote, unanimously carried, the Board approved the Minutes of the December 1, 2022 Special Meeting.

### **FINANCIAL MATTERS**

**Claims:** The Board considered ratifying the approval of the payment of claims through the periods ending:

	Period ending June 30, 2022	Period ending July 31, 2022	Period ending Aug. 30, 2022	Period ending Sept. 30, 2022
General Fund	\$ 1,733.12	\$ 52,221.83	\$ 1,837.67	\$ 3,124.75
Debt Service Fund	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital Projects Fund	\$ -0-	\$ -0-	\$ -0-	\$ -0-
<b>Total Claims</b>	<b>\$ 1,733.12</b>	<b>\$ 52,221.83</b>	<b>\$ 1,837.67</b>	<b>\$ 3,124.75</b>

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	Period ending Oct. 31, 2022	Period ending Nov. 30, 2022	Period ending Dec. 31, 2022	Period ending Jan. 31, 2023
General Fund	\$ 3,862.39	\$ 1,376.25	\$ 1,144.85	\$ 92,158.88
Debt Service Fund	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital Projects Fund	\$ -0-	\$ -0-	\$ -0-	\$ -0-
<b>Total Claims</b>	<b>\$ 3,862.39</b>	<b>\$ 1,376.25</b>	<b>\$ 1,144.85</b>	<b>\$ 92,158.88</b>

	Period ending Feb. 28, 2023	Period ending March. 31, 2023	Period ending April 30, 2022	Period ending May 31, 2023
General Fund	\$ 1,832.13	\$ 1,403.42	\$ 1,709.12	\$ 1,242.85
Debt Service Fund	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital Projects Fund	\$ -0-	\$ -0-	\$ -0-	\$ -0-
<b>Total Claims</b>	<b>\$ 1,832.13</b>	<b>\$ 1,403.42</b>	<b>\$ 1,709.12</b>	<b>\$ 1,242.85</b>

	Period ending June 30, 2023
General Fund	\$ 640.56
Debt Service Fund	\$ -0-
Capital Projects Fund	\$ -0-
<b>Total Claims</b>	<b>\$ 640.56</b>

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

**Unaudited Financial Statements:** Mr. Ruthven discussed with the Board the unaudited financial statements of the District for the period ending March 31, 2023.

Following discussion, upon motion duly made and seconded by Director Sisson and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending March 31, 2023.

**2022 Application for Exemption from Audit:** The Board reviewed the 2022 Application for Exemption from Audit.

Following review and discussion, upon motion duly made and seconded by Director Sisson, and upon vote, unanimously carried, the Board ratified approval of the preparation, execution and filing of the Application for Exemption from Audit for 2022.

**2023 Budget Amendment Hearing:** The President opened the public hearing to consider amendment of the 2023 Budget and discuss related issues.

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

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made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received, and the public hearing was closed.

Following review and discussion, upon motion duly made and seconded by Director Sisson and, upon vote, unanimously carried, the Board adopted Resolution No. 2023-07-01, Resolution to Amend the 2023 Budget. A copy of the adopted Resolution is attached to these Minutes and incorporated herein by this reference.

**Payment to Mesa County Sheriff's Department:** The Board discussed the payment to the Mesa County Sheriff's Department for the purchase, installation and 2-year operation of a security camera system.

Following review and discussion, upon motion duly made and seconded by Director Sisson and, upon vote, unanimously carried, the Board approved the payment to Mesa County Sheriff's Department for the purchase, installation and 2-year operation of a security camera system in the amount of \$14,923.38, subject to receiving a revised invoice addressed to the District instead of to the Gateway Canyons Resort.

**Status of Intergovernmental PIF Revenue-Sharing Agreement ("PIF Sharing IGA") between the District and the Gateway-Unawep Fire Protection District ("Gateway FPD"), and status of payments to Gateway FPD:** Mr. Ruthven noted that \$90,000 was paid to the Gateway FPD in January 2023 under the PIF Sharing IGA. Director Sisson indicated that a \$50,000 payment to the Gateway FPD should be budgeted for 2024, unless the Gateway FPD advises Director Sisson of the need for additional funds.

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**LEGAL  
MATTERS**

There were no legal matters.  
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**OTHER BUSINESS**

There was no other business.  
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**ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made and seconded by Director Sisson and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By  \_\_\_\_\_  
Secretary for the Meeting