

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
HIDDEN CREEK METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
DECEMBER 1, 2022

A regular meeting of the Board of Directors of the Hidden Creek Metropolitan District (referred to hereafter as the “Board”) was convened on Thursday, December 1, 2022, at 1:00 p.m. via an online Zoom Meeting at <https://us02web.zoom.us/j/82575874685?pwd=ZHRQc2dINTU3ZytwamZvdIjUUDY3QT09>, Conference ID: 825 7587 4685, Passcode: 756333 or via telephone conference at Dial-In: 1-346-248-7799.

ATTENDANCE

Directors In Attendance Were:

Tracye L. Herrington, President
Kacy Flemons, Secretary
Patrick Tysell, Treasurer

Also, In Attendance Were:

Denise Denslow & Yelena Primachenko; CliftonLarsonAllen, LLP
Jennifer L. Ivey; Icenogle Seaver Pogue, P.C.

ADMINISTRATIVE ITEMS

Call to Order and Approval of Agenda: The meeting was called to order at 1:01 p.m. Following review, upon a motion duly made by Director Herrington, seconded by Director Flemons and, upon vote, unanimously carried, the Board approved the agenda, as presented.

Disclosures of Potential Conflicts of Interest: Attorney Ivey advised the Board that pursuant to Colorado law, certain disclosures may be required prior to taking official action at the meeting. The Board reviewed the agenda for the meeting, following which each director confirmed the contents of written disclosures previously made and filed with the Secretary of State prior to the meeting, stating the fact and summary nature of any matters, as required by Colorado law, to permit official action to be taken at the meeting.

Quorum, Location of Meeting and Posting of Meeting Notice: A quorum of the member of the Board of Directors and the location of the meeting were confirmed and it was verified that notice of this meeting was posted at least 24-hours in advance of the meeting.

Public Comment: No public comment.

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Resolution Regarding 2023 Annual Administrative Matters: Attorney Ivey presented to and reviewed with the Board a resolution, prepared annually to handle the District's ongoing operation and business. After review and discussion, upon motion by Director Herrington, second by Director Flemons, and upon vote, unanimously carried, the Board of Directors approved the resolution including the election of the following officers to the Board of Directors and regular meeting date/location:

President: Tracye L. Herrington
Treasurer: Patrick Tysell
Secretary: Kacy Flemons

2023 Meeting Date and Time: Thursday, December 7, 2023, at 1:00 p.m.: The Board confirmed the 2023 regular meeting date and time of Thursday, December 7, 2023, at 1:00 p.m., via Microsoft Teams.

2023 Insurance Renewal Documents Needed to Obtain or Maintain Insurance Coverage Through the Colorado Special Districts Property and Liability Pool and T. Charles Wilson Risk Management and Membership in the Special District Association: Following review and discussion, upon a motion duly made by Director Herrington, seconded by Director Flemons and, upon vote, unanimously carried, the Board approved the 2023 insurance renewal documents needed to maintain insurance coverage through the Colorado Special Districts Property and Liability Pool and T. Charles Wilson Risk Management, as presented, and authorized the District's membership in the Special District Association.

FINANCIAL MATTERS

September 30, 2022 Unaudited Financial Statements and Cash Position Schedule: Following review, upon a motion duly made by Director Herrington, seconded by Director Flemons and, upon vote, unanimously carried, the Board accepted the September 30, 2022 Unaudited Financial Statements and Cash Position Schedule, as presented.

Claims: Following review, upon a motion duly made by Director Herrington, seconded by Director Flemons and, upon vote, unanimously carried, the Board ratified the Claims from the period July to November 2022, in the amount of \$25,342.54, as presented.

Public Hearing on Proposed 2022 Budget Amendment: Upon a motion duly made by Director Herrington, seconded by Director Flemons and, upon vote, unanimously carried, the Board opened the public hearing at 1:06 p.m. It was noted that publication of Notice stating that the Board would consider amendment of the 2022 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No

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written objections were received prior to the public hearing. No public comments were received, and the public hearing was closed at 1:07 p.m.

Resolution Approving Proposed 2022 Budget Amendment and Appropriate Sums of Money: Ms. Primachenko reviewed the proposed 2022 Budget Amendment with the Board, noting amendments needed for the Capital Project Fund and the Debt Service Fund. Following review and discussion, upon a motion duly made by Director Herrington, seconded by Director Flemons and, upon vote, unanimously carried, the Board adopted the Resolution Approving Proposed 2022 Budget Amendment and Appropriate Sums of Money, as presented.

Public Hearing on Proposed 2023 Budget: Upon a motion duly made by Director Herrington, seconded by Director Flemons and, upon vote, unanimously carried, the Board opened the public hearing at 1:06 p.m. It was noted that Notice stating that the Board would consider adoption of the 2023 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 at 1:07 p.m.

Resolution Approving Proposed 2023 Budget, Certification of Mill Levy, and Appropriate Sums of Money: Ms. Primachenko reviewed the proposed 2023 Budget with the Board. Discussion ensued. Following review and discussion, upon motion duly made by Director Herrington, seconded by Director Tysell and, upon vote, unanimously carried, the Board approved the 2023 Budget, as presented, and adopted the Resolution Approving Proposed 2023 Budget, Certification of Mill Levy, and Appropriate Sums of Money, as presented.

District Accountant to Prepare and Sign the DLG-70 Certification of Tax Levies Form for Certification to the Board of County Commissioners and Other Interested Parties: The Board authorized the District accountant to prepare and sign the DLG-70 Certification of Tax Levies form for certification to the Board of County Commissioners and other interested parties.

Engagement Letter with Dazzio & Associates, PC to Prepare the 2022 Audit: Following review, upon a motion duly made by Director Herrington, seconded by Director Flemons and, upon vote, unanimously carried, the Board approved the Engagement Letter with Dazzio & Associates, PC to prepare the 2022 Audit, as presented.

Other: None.

MANAGER

CliftonLarsonAllen LLP Statements of Work for 2023: Following review,

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MATTERS

upon a motion duly made by Director Herrington, seconded by Director Flemons and, upon vote, unanimously carried, the Board approved the CliftonLarsonAllen LLP Statements of Work for 2023, as presented.

Other: None.

LEGAL MATTERS

Resolution Calling a Regular Election for Directors on May 2, 2023, Appointing the DEO to Perform All Tasks Required for the Conduct of a Mail Ballot Election: Attorney Ivey reviewed the Resolution with the Board, noting that the Designated Election Official is identified as Sue Blair at Community Resource Services of Colorado, LLC. Following review and discussion, upon a motion duly made by Director Herrington, seconded by Director Flemons and, upon vote, unanimously carried, the Board adopted the Resolution Calling a Regular Election for Directors on May 2, 2023, appointing the DEO to perform all tasks required for the conduct of a mail ballot election, as presented.

Engagement of Community Resource Services of Colorado, LLC:

Ms. Ivey presented to and reviewed with the Board the engagement letter from Community Resource Services of Colorado, LLC for 2023 election services. Following discussion and upon motion by Director Herrington, second by Director Flemons and upon vote, unanimously carried, the Board of Directors approved the engagement letter from Community Resource Services of Colorado, LLC for 2023 election services.

Second Amendment to Advance and Reimbursement Agreement (Operations and Maintenance Expenses): Following review, upon a motion duly made by Director Herrington, seconded by Director Flemons and, upon vote, unanimously carried, the Board approved the Second Amendment to Advance and Reimbursement Agreement (Operations and Maintenance Expenses), as presented.

Outstanding Advance and Reimbursement Obligation Form for Operations Expenses: Following review, upon a motion duly made, seconded and, upon vote, unanimously carried, the Board approved the Outstanding Advance and Reimbursement Obligation Form for Operations Expenses, as presented.

Outstanding Advance and Reimbursement Obligation Form for Capital Expenses: Following review, upon a motion duly made, seconded and, upon vote, unanimously carried, the Board approved the Outstanding Advance and Reimbursement Obligation Form for Capital Expenses, as presented. Ms. Primachenko inquired about the repayment of the developer advance, noting that the advance and reimbursement agreement does not specify the manner of

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payment. The Board determined that the repayment would be applied in the same fashion as the prior year: with principle first, and interest to follow.

Legislative Memorandum:

2022 Legislative Memorandum: Attorney Ivey reviewed the 2022 Legislative Memorandum with the Board.

SB 21-262 Website Compliance: Attorney Ivey reviewed SB 21-262 regarding website compliance with the Board.

Other: None.

BOARD MEMBER ITEMS

Other: None.

ADJOURNMENT

There being no further business, upon a motion duly made by Director Herrington, seconded by Director Flemons and, upon vote, unanimously carried, the Board adjourned the meeting at 1:28 p.m.

Respectfully submitted,

DocuSigned by:

Kacy Flemons

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Secretary for the Meeting