

## RECORD OF PROCEEDINGS

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### MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE RED BARN METROPOLITAN DISTRICT

Held: November 29, 2022 at 10:00 a.m. at 8390 E. Crescent Pkwy, Suite 650, Greenwood Village, Colorado.

Call to Order        The special meeting of the Board of Directors of the Red Barn Metropolitan District was called and held as shown above and in accordance with the statutes of the State of Colorado and with remote attendance available. The following Directors were in attendance:

Cynthia Myers  
Taylor Lilly

Absence Excused: Brian Mulqueen

Also present: Joan Fritsche, Fritsche Law LLC; Diane Wheeler, Simmons & Wheeler, PC.; Kate Innes and AJ Beckman, Public Alliance, LLC; and Nash Verano, Skyler Hager, and Brenda Owings, Century Communities.

Chairman Myers noted that a quorum of the Board was present, verified that notice of the meeting was posted in one location within the District and that the Directors had confirmed their qualification to serve, and therefore called the special meeting of the Board of Directors of the Red Barn Metropolitan District to order.

Disclosure  
Matters            Ms. Fritsche advised the Board that pursuant to Colorado law, certain disclosures by Board members may be required prior to taking official action at the meeting. The Board reviewed the agenda for the meeting, following which each Director disclosed his/her potential conflicts of interest, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting. The Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

Ms. Fritsche asked each of the Directors to review and verify the accuracy of the Conflicts of Interest Disclosure Forms submitted to her office and filed with the Board and Secretary of State more than 72 hours prior to the meeting.

Chairman Myers stated she is under contract to purchase real property within the District requiring the payment of a proportionate share of property taxes and that she is employed by Century Communities, a homebuilder within

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the District, which may be entitled to reimbursement of capital and operating costs from the District.

Director Lilly stated he is under contract to purchase real property within the District requiring the payment of a proportionate share of property taxes and that he is employed by Century Communities, a homebuilder within the District, which may be entitled to reimbursement of capital and operating costs from the District.

Meeting  
Location  
Resolution

Upon a motion duly made by Chairman Myers, seconded by Director Lilly, and unanimously carried, pursuant to § 32-1-903(1), C.R.S., the Board determined that because there is not a suitable or convenient location within the District's boundaries or Weld County to conduct public meetings, and because this meeting location is convenient to the Directors, the Board approved a Resolution to hold its special meeting at 8390 E. Crescent Pkwy, Suite 650, Greenwood Village, CO, more than 20 miles from the District's boundary and outside of Weld County, and all regular meetings for 2023 via Zoom videoconference. The Board further noted that notice of this meeting was duly posted, and the Directors have not received any objections to the location from taxpaying electors within the District.

Public Comment

There was no public comment.

Meeting Minutes

Upon a motion duly made by Chairman Myers, seconded by Director Lilly, and unanimously carried, the Board approved the Minutes from the Special Board meeting held on July 26, 2022.

Financial Matters

Payment of Claims: Ms. Wheeler reviewed the list of claims for the period ending November 21, 2022. Upon a motion duly made by Chairman Myers, seconded by Director Lilly and, upon vote unanimously carried, the Board approved and ratified the payment of claims as presented.

Financial Reports: Ms. Wheeler reviewed the financial reports dated September 30, 2022. Upon a motion duly made by Chairman Myers, seconded by Director Lilly and, upon vote unanimously carried, the Board approved and ratified the payment of claims as presented.

2023 Budget

Chairman Myers noted that notice of the District's hearing on its 2023 Budget had been published in the *Longmont Times-Call* in accordance with state law. Chairman Myers opened the public hearing, noted there were no members of the public wishing to comment, and closed the public hearing. Ms. Wheeler reviewed the proposed 2023 budget with the Board.

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Upon a motion duly made by Chairman Myers, seconded by Director Lilly and unanimously carried, the Board approved a resolution adopting the District's 2023 Budget, appropriating funds as set forth in the Budget, and certifying mill levies for collection in 2023.

Old Business Ms. Fritsche presented for the Board's consideration a Temporary Construction Easement and Covenants.

Upon a motion duly made by Chairman Myers, seconded by Director Lilly and unanimously carried, the Board approved the Temporary Construction Easement and Covenants.

Legal Matters 2<sup>nd</sup> Amendment to Intergovernmental Agreement ("IGA") with the Town of Mead: Upon a motion duly made by Chairman Myers, seconded by Director Lilly and unanimously carried, the Board approved the Second Amendment to IGA with the Town of Mead.

2023 Administrative Matters Resolution: Upon a motion duly made by Chairman Myers, seconded by Director Lilly and unanimously carried, the Board approved the 2023 Administrative Matters Resolution.

Worker's Compensation Resolution: Upon a motion duly made by Chairman Myers, seconded by Director Lilly and unanimously carried, the Board approved a Resolution Determining not to Provide Workers' Compensation Insurance Coverage for Uncompensated Members of the Board of Directors.

2023 Election Resolution: Upon a motion duly made by Chairman Myers, seconded by Director Lilly and unanimously carried, the Board approved a Resolution Calling the Regular May 2023 District Election and Appointing a Designated Election Official.

Public Alliance, LLC Contract: Upon a motion duly made by Chairman Myers, seconded by Director Lilly and unanimously carried, the Board approved the Contract with Public Alliance, LLC.

New Business Grant of Easement with United Power, Inc.: Upon a motion duly made by Chairman Myers, seconded by Director Lilly and unanimously carried, the Board approve the Grant of Easement with United Power, Inc.

Appointment to fill Board Vacancies: Upon a motion duly made by Chairman Myers, seconded by Director Lilly and unanimously carried, the Board appointed Skyler Hager and Nash Verano to the Board of Directors.

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Chairman Myers administered the oaths of office for Mr. Verano and Mr. Hager.

Legislative Update: Ms. Fritsche presented to the Board a Legislative Update.

Proposed Meeting Schedule for 2023: Following discussion, the Board determined to meet January 5, 2023, April 6, 2023, August 3, 2023, and December 7, 2023.

Adjournment      There being no further business to come before the Board, the meeting was adjourned.

DocuSigned by:

*Nash Verano*

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Secretary for the Meeting