

## RECORD OF PROCEEDINGS

### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MUEGGE FARMS METROPOLITAN DISTRICT NO. 4

Held: Wednesday, August 7, 2024, at 9:00 a.m.

Virtually via Zoom videoconference

#### **ATTENDANCE:**

A Special Meeting of the Board of Directors of the Muegge Farms Metropolitan District No. 4 (the "District"), Town of Bennett, County of Adams, State of Colorado, was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following Directors present and acting:

James E. Marshall  
John P. Vitella

#### **Also present were:**

Suzanne Meintzer, Esq. and Jay Morse, Esq., McGeady Becher Cortese Williams P.C.  
James Shultz, Marchetti & Weaver, LLC  
Kurt C. Schlegel, Special District Solutions, Inc.

The meeting was open to the public.

Mr. Schlegel confirmed the presence of a quorum and Director Marshall called the meeting to order.

#### **ADMINISTRATIVE MATTERS:**

##### **Disclosure of Potential Conflicts of Interest:**

The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested 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 statute. Attorney Meintzer noted that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors, and no new conflicts of interest were disclosed at the meeting.

##### **Quorum / Confirmation of Meeting Location / Posting of Notice:**

The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the venue for the District's board meeting. Following discussion, and upon motion duly made by Director Marshall, seconded by Director Vitella, and upon vote unanimously carried, the Board determined to conduct the meeting virtually. The Board further noted that notice of this meeting venue was duly posted and that no objections or any requests that the meeting venue be changed were received from taxpaying electors within its boundaries.

Agenda:

The Board reviewed the Agenda for the meeting. Following discussion, upon motion duly made by Director Marshall, seconded by Director Vitella, and upon vote unanimously carried, the Board approved the Agenda.

Designation of 24-Hour Posting Location:

Following discussion, upon motion duly made by Director Marshall, seconded by Director Vitella, 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 within the boundaries of the District as least 24 hours prior to each meeting on the District's website: <https://mueggefarmsmd.colorado.gov/>.

Resolution No. 2024-08-01; Return to Active Status:

The Board discussed the District returning to active status. Upon a motion duly made by Director Marshall, seconded by Director Vitella and, upon vote unanimously carried, the Board adopted Resolution No. 2024-08-01; Muegge Farms Metropolitan District No. 4's Intent to Return to Active Status and authorized the District's consultants to execute all necessary actions associated therewith.

Consent Agenda:

Upon motion duly made by Director Marshall, seconded by Director Vitella and, upon vote, unanimously carried, the Board approved the Consent Agenda items, as follows:

- Minutes of the October 27, 2022 Special Meeting.

Resolution No. 2024-08-02; 2024 Meeting Dates:

The Board discussed the business to be conducted in 2024. Following discussion, upon motion duly made by Director Marshall, seconded by Director Vitella, and upon vote unanimously carried, the Board adopted Resolution No. 2024-08-02; Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices and determined to hold its 2024 regular meeting on October 17, 2024, via virtual methods.

Special District Association (SDA) Membership and Insurance Coverage for the District:

The Board discussed upgrading the District's SDA membership and insurance coverage from inactive status to active status for 2024. Upon motion duly made by Director Marshall, seconded by Director Vitella and, upon vote unanimously carried, the Board instructed management to activate the District's SDA membership and update the District's insurance coverage to active status for 2024, and increase the District's crime coverage in the amount of \$250,000 annually.

**PUBLIC COMMENT:**       None.

## **FINANCIAL MATTERS:**

### 2024 Budget Preparation:

Upon motion duly made by Director Marshall, seconded by Director Vitella and, upon vote unanimously carried, the Board ratified appointment of the District Accountant to prepare the 2024 Budget.

### Resolution No. 2024-08-03; Adopting the 2024 Budget:

Director Marshall opened the public hearing to consider the proposed 2024 Budget and to discuss related issues.

It was noted that Notice stating that the Board would consider adoption of the 2024 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 during the public hearing, and the public hearing was closed.

The Board reviewed the proposed 2024 expenditures and anticipated revenues.

Upon motion duly made by Director Marshall, seconded by Director Vitella, and upon vote unanimously carried, the Board approved the 2024 Budget, as discussed, and considered adoption of Resolution No. 2024-08-03; Adopting the 2024 Budget.

### Preparation of 2025 Budget:

Upon a motion duly made by Director Marshall, seconded by Director Vitella, and upon vote unanimously carried, the Board appointed the District Accountant to prepare the 2025 Budget.

## **LEGAL MATTERS:**

### Website Accessibility:

Mr. Schlegel stated that the District's current website (shared with other Muegge Farms Metropolitan Districts) is being hosted by the Statewide Internet Portal Authority (SIPA), and recommended that the Board consider moving the website to the Streamline platform in order to comply with the governmental requirements for accessibility. Director Marshall requested that Mr. Schlegel negotiate with Streamline to decrease or eliminate the transition fee of \$1,500.00. Upon a motion duly made by Director Marshall, seconded by Director Vitella and, upon vote unanimously carried, the Board approved the transition of the website to Streamline at a cost of \$120.00 per month.

### Resolution No. 2024-04-04 Amending Policy on Colorado Open Records Act (CORA):

Attorney Meintzer discussed a proposed Resolution amending the District's CORA Policy to address changes related to the passage of Senate Bill 23-286. Following discussion, upon a motion duly made by Director Marshall, seconded by Director Vitella and, upon vote unanimously carried, the Board adopted Resolution No. 2024-08-04; Amending Policy on Colorado Open Records Act Policy.

## **OTHER BUSINESS:**           None.

**ADJOURNMENT:**

There being no further business coming before the Board, upon motion duly made by Director Marshall, seconded by Director Vitella, and upon vote unanimously carried, the meeting was adjourned at 9:18 a.m.

The foregoing Minutes were approved by the Board of Directors on October 17, 2024.

The foregoing record constitutes a true and correct copy of the Minutes of the above referenced meeting.

*Kurt Schlegel*

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Secretary