

CASTLEWOOD RANCH METROPOLITAN DISTRICT

141 Union Boulevard, Suite 150
Lakewood, Colorado 80228-1898
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NOTICE OF A SPECIAL MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Caryn Johnson	President	May, 2025/2025
Max Brooks	Assistant Secretary	May, 2023/2023
David Mulay	Assistant Secretary	May, 2023/2023
VACANT		May, 2025/2025
VACANT		May, 2023/2023

DATE: February 16, 2023 (Thursday)

TIME: 6:30 P.M.

PLACE: Zoom

Join Zoom Meeting

<https://us02web.zoom.us/j/5469119353?pwd=SmtlcHJETFhCQUZEcVBBOGZVU3Fqdz09>

Meeting ID: 546 911 9353

Passcode: 912873

Dial In: 1-253-215-8782

I. PUBLIC COMMENTS

A. _____

II. ADMINISTRATIVE MATTERS

A. Present Disclosures of Potential Conflicts of Interest.

B. Confirm quorum, confirm location of the meeting and posting of meeting notice.
Approve Agenda.

C. Review and approve minutes of the November 3, 2022, Regular Meeting (enclosure).

- D. Acknowledge resignation of Steve Beck as Secretary to the Board, and consider appointment of David Solin as Secretary to the Board.
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- E. Discuss vacancies on the Board and consider the appointment of eligible elector, Steven Peterson, to the Board of Directors of the District. Administer Oath of Office.
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- F. Consider appointment of officers.

President:

Secretary:

Treasurer

Assistant Secretary:

Assistant Secretary:

III. FINANCIAL MATTERS

A. _____

IV. LEGAL MATTERS

A. _____

V. CAPITAL IMPROVEMENTS/MAINTENANCE MATTERS

- A. Discuss proposed roundabout with the Town of Castle Rock, Bella Mesa Metropolitan District and the District (to be distributed).
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- B. Discuss tract maintenance (review detention pond inspection report) and wildland fire mitigation.
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VI. EXECUTIVE SESSION

A. **ADJOURN TO EXECUTIVE SESSION**

Executive session of the Board of Directors for the purpose of receiving legal advice pursuant to Sections 24-6-402(4)(b) and (e), Colorado Revised Statutes.

VI. OTHER BUSINESS

A. _____

VII. ADJOURNMENT

THE NEXT REGULAR MEETING SCHEDULED FOR JUNE 8, 2023 IS BEING RESCHEDULED.

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CASTLEWOOD RANCH METROPOLITAN DISTRICT HELD NOVEMBER 3, 2022

A Regular Meeting of the Board of Directors of the Castlewood Ranch Metropolitan District was duly held on Thursday, the 3rd day of November, 2022, at 6:30 p.m. This District meeting was held at Castle Pines Library, 360 Village Square Lane, Castle Pines, Colorado and via conference call. The meeting was open to the public.

Directors In Attendance Were:

Caryn Johnson
Steven G. Peterson
Max Brooks
David Mulay

Also In Attendance Were the Following Consultants:

Steve Beck; Special District Management Services, Inc.

Paula Williams, Esq.; McGeady Becher P.C.

Cathy Hamilton; Simmons & Wheeler, P.C.

**PUBLIC
COMMENTS**

There were no public comments.

**DISCLOSURE OF
POTENTIAL
CONFLICTS OF
INTEREST**

Disclosures 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. Director Johnson noted that a quorum was present and 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. Director Mulay disclosed that he is on the Design Review Committee for the HOA. No additional conflict disclosures were made at the meeting.

**ADMINISTRATIVE
MATTERS**

Agenda: The Board reviewed for approval, a proposed Agenda for the District's Regular Meeting.

RECORD OF PROCEEDINGS

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

Meeting Location: The Board entered into discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting.

Following discussion, upon motion duly made by Director Mulay, seconded by Director Peterson and, upon vote, unanimously carried, the Board determined that this District Board meeting was held at Castle Pines Library, 360 Village Square Lane, Castle Pines, Colorado and via teleconference. The Board noted that notice of this meeting was duly posted and the Board had not received any objections to the options of the meeting or any requests that the meeting be changed by taxpaying electors within the District's boundaries.

Designation of 24-Hour Posting Location: Following discussion, upon motion duly made by Director Mulay, seconded by Director Peterson, 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 at the corner of Mikelson Boulevard and Lantern Trail, Castle Rock, Colorado 80104.

Minutes: The Board reviewed the Minutes of the June 2, 2022 Regular Meeting.

Following discussion, upon motion duly made by Director Peterson, seconded by Director Johnson, and upon vote, Directors Peterson, Johnson and Mulay voting "Yes" and Director Brooks abstaining, unanimously carried, the Minutes of the June 2, 2022 Special Meeting were approved, as presented.

Resignation of Secretary: The Board discussed the resignation of David M. Solin as Secretary to the Board and considered the appointment of Steve Beck as Secretary to the Board.

Following discussion, upon motion duly made by Director Brooks, seconded by Director Johnson and, upon vote, unanimously carried, the Board acknowledged the resignation of David M. Solin and appointed Steve Beck as Secretary to the Board.

Resolution No. 2022-11-01; Resolution Establishing Regular 2023 Meeting Dates, Time and Location, and Designating Locations for Posting of 24-Hour Notices: Mr. Beck discussed with the Board Resolution No. 2022-11-01; Resolution Establishing Regular 2023 Meeting Dates, Time and Location, and Designating Locations for Posting of 24-Hour Notices.

RECORD OF PROCEEDINGS

The Board determined to meet both at a physical location at 6:00 p.m. on June 8, 2022 and November 9, 2022 at the Phillip S. Miller Library, 100 South Wilcox Street, Douglas County, Colorado, and by teleconference.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Brooks and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-11-01; Establishing Regular 2023 Meeting Dates, Time and Location, and Designating Location for 24-Hour Notices.

Section 32-1-809, C.R.S. Requirements (Transparency Notice): Attorney Williams discussed the special district transparency requirements of Section 32-1-809, C.R.S. with the Board. The Board determined to post the required transparency notice information on the Special District Association's website and the Homeowner's Association ("HOA") website.

Following discussion, upon motion duly made by Director Brooks, seconded by Director Mulay and, upon vote, unanimously carried, the Board directed the District Staff to handle the posting of the special district transparency notice.

District Website: Mr. Beck updated the Board on the status of the District website.

Following discussion, upon motion duly made by Director Brooks, seconded by Director Mulay and, upon vote, unanimously carried, the Board approved Director Brooks to be the point of contact if the SIPA site is not up.

FINANCIAL MATTERS

Payment of Claims: Ms. Hamilton reviewed with the Board the payment of claims for the period ending November 3, 2022 in the amount of \$33,880.27.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Mulay and, upon vote, unanimously carried, the Board ratified approval of the payment of claims for the period ending November 3, 2022, as presented.

Unaudited Financial Statements: Ms. Hamilton reviewed with the Board the unaudited financial statements for the period ending June 30, 2022.

Following discussion, upon motion duly made by Director Peterson, seconded by Director Johnson and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending June 30, 2022, as presented.

2022 Audit Preparation: Ms. Hamilton reviewed with the Board the statutory requirements for an Audit. The Board reviewed the proposal from Wipfli LLP to perform the 2022 Audit.

Following review and discussion, upon motion duly made by Director Mulay,

RECORD OF PROCEEDINGS

seconded by Director Johnson, and upon vote, unanimously carried, the Board approved the engagement of Wipfli LLP to perform the 2022 Audit, for an amount not to exceed \$5,000.

2022 Annual Notice Concerning Budgets: Following discussion, the Board acknowledged receipt of the 2022 Annual Notice Concerning Budgets.

Public Hearing on Amendment to 2022 Budget: Director Johnson opened the public hearing to consider the Resolution to Amend the 2022 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend 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 written objections were received prior to or at this public hearing.

No public comments were received, and Director Johnson closed the public hearing.

Following discussion, the Board determined that an amendment to the 2022 Budget was not necessary.

Public Hearing on 2023 Budget: Director Johnson opened the public hearing to consider the proposed 2023 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2023 Budget 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 Director Johnson closed the public hearing.

Ms. Hamilton reviewed the estimated year-end 2022 revenues and expenditures and the proposed 2023 estimated revenues and expenditures.

Following discussion, the Board considered the adoption of Resolution No. 2022-11-02 to Adopt the 2023 Budget and Appropriate Sums of Money and Resolution No. 2022-11-03 to Set Mill Levies (for the General Fund at 5.000 mills and the Debt Service Fund at 35.000 mills, for a total of 40.000 mills). Upon motion duly made by Director Johnson, seconded by Director Mulay and, upon vote, unanimously carried, the Resolutions were adopted, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2022. The District Accountant was authorized to transmit

RECORD OF PROCEEDINGS

the Certification of Mill Levies to the Board of County Commissioners of Douglas County and the Division of Local Government not later than December 15, 2022. The District Accountant was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2023.

Copies of the adopted Resolutions are attached hereto and incorporated herein by this reference.

DLG-70 Mill Levy Certification Form: The Board considered authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

Following discussion, upon motion duly made by Director Mulay, seconded by Director Peterson and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

Preparation of the 2024 Budget: The Board discussed preparation of the 2024 Budget.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Mulay, and upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2024 Budget, and directed that the form of the 2024 budget be the same as the 2023 budget. The Budget Hearing was set for November 9, 2023 during the District's Regular Meeting.

LEGAL MATTERS

Resolution No. 2022-11-04; Resolution Calling a Regular Election For Directors May 2, 2023: The Board discussed the upcoming election and Resolution No. 2022-11-04; Resolution Calling a Regular Election For Directors May 2, 2023.

Following discussion, upon motion duly made by Director Brooks seconded by Director Peterson and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-11-04; Resolution Calling a Regular Election For Directors May 2, 2023 and appointed Steve Beck as the Designated Election Official and authorized him to perform all tasks required for the May 2, 2023 Regular Election of the Board of Directors for the conduct of a polling place/mail ballot election. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

CAPITAL IMPROVEMENTS/ MAINTENANCE MATTERS

Tract Maintenance and Wildland Fire Mitigation: Attorney Williams discussed with the Board the tract maintenance and wildland fire mitigation. It was noted that SDMS will make the necessary inspections.

RECORD OF PROCEEDINGS

Appleton Way Landscaping: The Board reviewed the status of the Appleton Way Landscaping. The Homeowner's Association ("HOA") is in negotiations with Richmond Homes regarding final reimbursement for the costs associated with repairs after Richmond's construction at the entrance.

OTHER BUSINESS

Status of Development: Director Mulay and Director Johnson updated the Board regarding the development at Sunset Point (a.k.a. Bella Mesa). It was noted that the project is currently on hold but may still proceed in the future.

It was noted that the Eastview Monument has no irrigation water line and the HOA is working to find the nearest water tap to use for irrigation. Once the HOA completes the work, it will request reimbursement from the District, as this is viewed as incomplete infrastructure installation.

Director Johnson discussed Lost Canyon Ranch property. The town and the county want it to be kept as open space, but there is an offer on the property to build 100 homes. It was noted that the property is not usable to build this many homes.

Mr. Mulay updated the Board on the status of the Sheldon and Mitchell Monument. There is currently no electrical service to the monument. The Board directed that the HOA should make the repair, and then request reimbursement from the District. This is an infrastructure installation that was not completed during initial construction.

ADJOURNMENT

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

Respectfully submitted,

By: _____
Secretary for the Meeting