

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
ELBERT & HIGHWAY 86 COMMERCIAL METROPOLITAN DISTRICT
(THE "DISTRICT")
HELD
NOVEMBER 20, 2023

A regular meeting of the Board of Directors of the Elbert & Highway 86 Commercial Metropolitan District (referred to hereafter as the "Board") was convened on Monday, November 20, 2023, at 1:00 p.m. This District Board meeting was held via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Karl Nyquist, President
Mark Harding, Assistant Secretary
Todd Lambert, Assistant Secretary

Also, In Attendance Were:

Denise Denslow, Rachel Alles and Thuy Dam; CliftonLarsonAllen LLP
Dianne Miller; Miller & Associates Law Offices, P.C.
Brent Brouillard; Pure Cycle Corporation
Jim Marshall; MGL Partners, LLC
David Pretzler, C&A Companies
Brad Eidt, Member of the public

ADMINISTRATIVE MATTERS

Call to Order and Approval of Agenda: Ms. Denslow called the meeting to order at 1:03 p.m. Following review, upon a motion duly made by Director Harding, seconded by Director Nyquist and, upon vote, unanimously carried, the Board approved the agenda, as presented.

Disclosures of Potential Conflicts of Interest: The Board had previously filed Disclosure of Potential Conflict of Interest Statements with the Board and with the Secretary of State at least seventy-two (72) hours in advance of the meeting in accordance with statutory requirements.

Quorum, Location of Meeting, and Posting of Meeting Notice: It was noted that a quorum was present allowing the Board to act on all matters to come before them at this meeting. The Board confirmed the location of the meeting and the posting of the meeting notice.

Public Comment: Mr. Eidt addressed the Board regarding Mr. Marshall's qualifications to be a Board member and discussed irrigation of the District's native area.

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Minutes from the September 7, 2023 Special Board Meeting: Following review, upon a motion duly made by Director Nyquist, seconded by Director Harding and, upon vote, unanimously carried, the Board approved the minutes from the September 7, 2023 special Board meeting, as presented.

May 2, 2023 Director's Election: The Board discussed the election results.

Board Vacancies: Attorney Miller provided an update to the Board, noting that there are now two Board vacancies with Director Pretzler's resignation. It was noted that Notice of Vacancy was published. Following discussion, upon a motion duly made by Director Harding, seconded by Director Nyquist and, upon vote, unanimously carried, the Board appointed Mr. Marshall and Mr. Brouillard to the Board of Directors, subject to Mr. Brouillard's qualification.

Appointment of Officers: This item was deferred.

Resolution Regarding 2024 Annual Administrative Matters: Attorney Miller reviewed the Resolution with the Board. Following review, upon a motion duly made by Director Nyquist, seconded by Director Harding and, upon vote, unanimously carried, the Board adopted the Resolutions Regarding 2024 Annual Administrative Matters, subject to the revisions discussed.

Requirements of Section 32-1-809, C.R.S. and Direct Staff Regarding Compliance for 2024 (District Transparency Notices): Ms. Denslow provided an update to the Board, noting that CLA will prepare the District's Transparency Notice and file pursuant to statute by the January 15, 2024 deadline.

FINANCIAL MATTERS

Public Hearing to Consider Amendments of the 2023 Budgets. Adoption of Resolutions to Amend the 2023 Budget: Ms. Thuy informed the Board that an amendment to the 2023 budget is not necessary.

Public Hearing on the Proposed 2024 Budget and Adoption of Resolution to Adopt the 2024 Budget and Appropriate Sums of Money: Upon a motion duly made by Director Harding, seconded by Director Nyquist and, upon vote, unanimously carried, the Board opened the public hearing at 1:05 p.m. to consider the adoption of the 2024 Budget.

Ms. Thuy reviewed the 2024 proposed Budget. Discussion ensued. Mr. Eid inquired about the Public Improvement Fund. The Board discussed the 2023 Audit and mill levies.

It was noted that publication of Notice stating that the Board would consider the 2024 Budget and the date, time and place of the public hearing was made in a

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newspaper having general circulation within the District. No written objections were received prior to the public hearing.

Upon a motion duly made by Director Harding, seconded by Director Nyquist and, upon vote, unanimously carried, the Board closed the public hearing to consider the adoption of the 2024 Budget at 1:37 p.m.

Following review, upon a motion duly made by Director Nyquist and seconded by Director Lambert and, upon vote, unanimously carried, the Board approved the 2024 Budget and adopted the Resolution to Adopt the 2024 Budget 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: Upon a motion duly made by Director Nyquist, seconded by Director Lambert and, upon vote, unanimously carried, the Board appointed the District's 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.

September 30, 2023 Financial Statements: Following review, upon a motion duly made by Director Nyquist, seconded by Director Lambert and, upon vote, unanimously carried, the Board accepted the September 30, 2023 Unaudited Financial Statements, as presented.

Interim claims in the amount of \$52,409.72: Following review, upon a motion duly made by Director Nyquist, seconded by Director Lambert and, upon vote, unanimously carried, the Board ratified the approval of interim claims in the amount of \$52,409.72, as presented.

Quarterly Continuing Disclosure Report for the period ending October 25, 2023: Following review, upon a motion duly made by Director Nyquist, seconded by Director Lambert and, upon vote, unanimously carried, the Board ratified the approval of the Quarterly Continuing Disclosure Report for the period ending October 25, 2023 as presented.

Engagement of Schilling & Company, Inc. to Prepare the 2023 Audit: Following discussion, upon a motion duly made by Director Harding and seconded by Director Nyquist and, upon vote, unanimously carried, the Board approved the engagement of Simmons & Wheeler, P.C. to prepare the 2023 Audit, subject to Director's Lambert final review of the engagement letter.

LEGAL MATTERS

None.

MANAGER

CliftonLarsonAllen LLP Master Services Agreement and Statement(s) of

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MATTERS

Work for 2024: Ms. Denslow and Attorney Miller reviewed the Master Services Agreement and Statement(s) of Work with the Board. Following review and discussion, upon a motion duly made by Director Nyquist, seconded by Director Lambert and, upon vote, unanimously carried, the Board approved the CliftonLarsonAllen LLP Master Services Agreement and Statement(s) of Work for 2024, subject to finalization of definitional items between Attorney Miller and Mr. Carroll of CLA.

2024 Insurance Renewal: Ms. Denslow reviewed the 2024 insurance renewal with the Board. Following review and discussion, upon a motion duly made by Director Harding, seconded by Director Nyquist and, upon vote, unanimously carried, the Board approved the 2024 insurance renewal, subject to finalization of the property schedule by Director Harding.

Worker's Compensation Insurance for 2024: Attorney Miller reviewed the Worker's Compensation Insurance for 2024 with the Board. Discussion ensued. The Board directed Ms. Denslow to inquire about the discount that is provided on the policy with this coverage included. Following review and discussion, upon a motion duly made by Director Harding and seconded by Director Nyquist and, upon vote, unanimously carried, the Board approved worker's compensation insurance for 2024, subject to confirmation of the discount on the policy.

Resolution Waiving Worker's Compensation Insurance for 2024:

The Board did not approve the Resolution Waiving Worker's Compensation Insurance for 2024.

Renewal of the Special District Association Membership for 2024: Ms. Denslow reviewed the renewal of the Special District Association membership with the Board. Following and discussion, upon a motion duly made by Director Nyquist, seconded by Director Lambert and, upon vote unanimously carried, the Board authorized the renewal of the Districts' Special District Association Membership for 2024.

OTHER BUSINESS

None.

ADJOURNMENT

There being no further business, upon a motion duly made by Director Lambert, seconded by Director Harding and, upon vote, unanimously carried, the Board adjourned the meeting at 1:59 p.m.

Respectfully submitted,

DocuSigned by:

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Secretary for the Meeting

Certificate Of Completion

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Client Name: Elbert & Highway 86 Commercial MD	
Client Number: A521168	
Source Envelope:	
Document Pages: 5	Signatures: 1
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped Stamping: Enabled	Chelsea Bojewski
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 S 6th St Ste 300
	Minneapolis, MN 55402-1418
	Chelsea.Bojewski@claconnect.com
	IP Address: 67.137.57.251

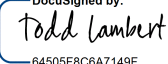
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Signer Events

Todd Lambert
 todd@cacompanies.com
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 Security Level: Email, Account Authentication (None)

Signature

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 64505F8C6A7149F...
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Electronic Record and Signature Disclosure:
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Signature

Timestamp

Envelope Summary Events

Status

Timestamps

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