

**MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
BELLEVIEW VILLAGE METROPOLITAN DISTRICT  
("DISTRICT")  
HELD  
NOVEMBER 1, 2021**

A special meeting of the Board of Directors of the District (referred to hereafter as the "Board") was convened on Monday, the 1st day of November, 2021, at 10:00 A.M. This meeting was held by video conference call. The meeting was open to the public.

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Directors In Attendance Were:

Matt Hengel  
Matt Jenkins  
Eric Kubly  
Jason Pock

Also, In Attendance Were:

MaryAnn McGeady, Esq., Samantha Lillehoff, Esq.; McGeady Becher P.C.  
Alex Fink; CliftonLarsonAllen LLP ("CLA")  
Brittany Barnett and Jerry Jacobs; Timberline District Consulting, LLC  
Kim Fiore, Independent District Engineering Services, LLC ("IDES") (for a portion of the meeting)  
Mikaela Stone, Resident

ADMINISTRATIVE  
MATTERS

**Disclosures of Potential Conflicts of Interest:** The Board noted that disclosures of potential conflict of interest statements for each of the Directors were filed with the Secretary of State seventy-two hours in advance of the meeting. Attorney Lillehoff requested that the Directors consider whether they had any additional conflicts of interest to disclose. Attorney Lillehoff noted for the record that there were no new disclosures made by the Directors present at the meeting and incorporated for the record those applicable disclosures made by the Board Members prior to this meeting and in accordance with the statutes.

**Agenda:** Attorney Lillehoff distributed for the Board's review and approval the proposed Agenda for the District's special meeting.

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

**Approval of Meeting Location and Posting of Meeting Notices:** The Board entered into a 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 Hengel, seconded by Director Kubly, and upon vote unanimously carried, the Board determined that the meeting would be held by electronic means. The Board further noted that notice providing the time, date and meeting access information was duly posted and that no objections, or any requests that the means of hosting the meeting be changed by taxpaying electors within the District’s boundaries have been received.

**Public Comment:** Resident Mikaela Stone introduced herself and inquired regarding joining the Board and regarding development amenities of the community.

**Resignation of Ryan Teater from the Board of Directors:** The Board acknowledged the resignation of Ryan Teater from the Board of Directors effective February 26, 2021.

**Minutes of the July 19, 2021 Special Meeting:** Following discussion, upon motion duly made by Director Hengel, seconded by Director Jenkins, and upon vote unanimously carried, the Minutes of the July 19, 2021 Special Meeting were approved, as presented.

**Resolution No. 2021-11-01; Establishing Regular Meeting Dates, Time and Location and Designating Location for Posting of 24-Hour Notices:** The Board discussed the business to be conducted in 2022 and location for conduct of the meeting (virtual and/or physical).

Following discussion, upon motion duly made by Director Hengel, seconded by Director Kubly, and upon vote unanimously carried, the Board adopted Resolution No. 2021-11-01; Establishing Regular Meeting Dates, Time and Location and Designating Location for Posting of 24-Hour Notices. Subsequently, the Board and determined to hold 2022 regular meetings on July 18 and November 7, 2022 at 10:00 a.m. via virtual means.

**District Insurance and Special District Association (“SDA”) Renewal:** Attorney Lillehoff reviewed the statutory requirements for insurance coverage with the Board. Following discussion, upon a motion duly made by Director Kubly, seconded by Director Hengel and, upon vote unanimously carried, the Board directed the District’s consultants to renew insurance coverage and the SDA membership for 2022.

FINANCIAL  
MATTERS

**§32-1-809, C.R.S. (Transparency Notice ) Reporting Requirements and Mode of Eligible Elector Notification:** Following discussion, upon motion duly made by Director Kubly, seconded by Director Hengel, and upon vote unanimously carried, the Board directed that the Transparency Notice be posted on the SDA website and also the District's website.

**CLA Master Service Agreement and Statements of Work:** The Board reviewed the CLA Master Service Agreement and Statements of Work for Accounting and Payroll Services.

Upon a motion duly made by Director Hengel, seconded by Director Kubly, and upon vote unanimously carried, the Board approved the Master Service Agreement and Statements of Work for Accounting and Payroll Services with CLA.

**Payment of Claims:** Following discussion, upon a motion duly made by Director Hengel, seconded by Director Kubly, and upon vote unanimously carried, the Board ratified approval of the payment of claims in the amount of \$183,462.47 represented by Check Nos. 1065 – 1102 for the period of November 2, 2020 through October 29, 2021.

**Unaudited Financial Statements:** Following discussion, upon a motion duly made by Director Hengel, seconded by Director Kubly, and upon vote unanimously carried, the Board accepted the September 30, 2021 Unaudited Financial Statements.

**Cost Verification Report No. 4, Infrastructure Acquisition No. 2, prepared by Independent District Engineering Services, LLC (“IDES”):** Ms. Fiore with IDES presented Cost Verification Report No. 4 to the Board. The Board discussed at length the status and finalization of Cost Verification Report No. 4 and Infrastructure Acquisition Report No. 2, as well as the Bill of Sale from Richmond American Homes of Colorado, Inc. to the District.

Following discussion, the Board determined to defer the acceptance of Cost Verification Report No. 4 and Infrastructure Acquisition Report No. 2 until final acceptance of the improvements.

**Public Hearing on Amendment to 2021 Budget:** The President opened the public hearing to consider an amendment to the 2021 Budget.

It was noted that publication of Notice stating that the Board would consider amendment of the 2021 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 the public hearing.

Mikaela Stone provided public comment regarding available amenities and related funding. Following public comment, the public hearing was closed.

Following discussion, upon a motion duly made by Director Hengel, seconded by Director Jenkins, and upon vote unanimously carried, the Board adopted the Resolution to Amend the 2021 Budget.

**Public Hearing on 2022 Budget:** The President opened the public hearing to consider the District's proposed 2022 Budget and to discuss related issues.

It was noted that publication of a Notice stating that the Board would consider adoption of the 2022 Budget, and the date, time and place of the hearing was made in a newspaper having general circulation within the District. No written objections were received prior to the public hearing.

No public comments were received, and the public hearing was closed.

Mr. Fink reviewed the estimated 2021 expenditures and the proposed 2022 expenditures.

Upon motion duly made by Director Hengel, seconded by Director Jenkins, and upon vote unanimously carried, the Board approved the 2022 Budget, as discussed, and considered adoption of Resolution No. 2021-11-03 to Adopt the 2022 Budget and Appropriate Sums of Money and Resolution No. 2021-11-04 to Set Mill Levies (22.266 mills in the General Fund and 55.664 mills in the Debt Service Fund, for a total mill levy of 77.930 mills.) Following discussion, upon vote unanimously carried, the Board adopted the Resolutions and authorized execution of the Certification of Budget. The District Accountant was directed to transmit the Certification of Tax Levies to the Board of County Commissioners not later than December 15, 2021. District Counsel was directed to transmit the Certification of Budget to the Division of Local Government no later than January 30, 2022.

**DLG-70 Mill Levy Certification Form:** Following discussion, upon motion duly made by Director Hengel, seconded by Director Kubly, 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.

**Resolution Authorizing Adjustment of the District Mill Levy in Accordance with Service Plan:** Following discussion, upon a motion made by Director Hengel, seconded by Director Kubly and, upon vote unanimously carried, the Board adopted the Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the District's Service Plan.

**Preparation of 2023 Budget:** Following discussion, upon a motion duly made by Director Hengel, seconded by Director Kubly and, upon vote unanimously carried, the Board appointed the District Accountant to prepare the 2023 Budget.

**2021 Audit Preparation:** Following discussion, upon motion duly made by Director Hengel, seconded by Director Kubly, and upon vote unanimously carried, the Board approved the engagement of Dazzio & Associates PC to perform the 2021 Audit.

LEGAL  
MATTERS

**Change Order No. 1 to Service Agreement for Cost Verification Services:** Following discussion, upon motion duly made by Director Hengel, seconded by Director Kubly, and upon vote unanimously carried, the Board ratified approval of Change Order No. 1 to Service Agreement for Cost Verification Services between the District and Independent District Engineering Services, LLC related to Cost Certification Report Nos. 2 and 3 and Infrastructure Acquisition Report No. 1, for an amount not to exceed \$17,000.

**Change Order No. 2 to Service Agreement for Cost Verification Services:** Following discussion, upon motion duly made by Director Hengel, seconded by Director Kubly, and upon vote unanimously carried, the Board ratified approval of Change Order No. 2 to Service Agreement for Cost Verification Services between the District and Independent District Engineering Services, LLC related to Cost Certification Report No. 4 and Infrastructure Acquisition Report No. 2, for an amount not to exceed \$13,000.

**Acceptance of Public Improvements:** The Board discussed the status of acceptance of public improvements and took the following actions related to the following below subject matters.

**Warranty Agreement between the District and Richmond American Homes of Colorado, Inc:** Following discussion, upon a motion duly made by Director Kubly, seconded by Director Hengel, and upon vote unanimously carried, the Board approved the Warranty Agreement for those certain Public Improvements located within the boundaries of the District that are to be conveyed to the District for ownership, as defined on the site map and in Exhibit B of the Warranty Agreement.

**Bill of Sale from Richmond American Homes of Colorado, Inc.:** Following discussion, upon a motion duly made by Director Kubly, seconded by Director Hengel, and upon vote unanimously carried, the Board acknowledged acceptance of the Bill of Sale from Richmond American Homes of Colorado, Inc. for the Public Improvements associated with Cost Certification Report Nos. 1-3.

**Resolution Authorizing the District Manager to Proceed with Maintenance Operation, and other District Administration between Board Meetings and within Budget Parameters:** Following discussion, upon a motion duly made by Director Hengel, seconded by Director Kubly, and upon vote unanimously carried, the Board established a Committee and appointed Director Pock to the Committee to work with staff on applicable operations and maintenance matters, including finalization and execution of necessary Agreements between Board Meetings and within Budget Parameters.

**Rescission of Approval of Service Agreement for Snow Removal Services by and between the District and All-Phase Landscape Construction, Inc.:** Following discussion, upon a motion duly made by Director Kubly, seconded by Director Hengel, and upon vote unanimously carried, the Board rescinded the approval of Service Agreement for Snow Removal Services by and between the District and All-Phase Landscape Construction, Inc.

**Service Agreement for Snow Removal Services by and between the District and Environmental Designs, Inc.:** Following discussion, upon a motion duly made by Director Kubly, seconded by Director Hengel, and upon vote unanimously carried, the Board approved the Service Agreement for Snow Removal Services by and between the District and Environmental Design, Inc.

**May 3, 2022 Regular Director Election:** Attorney Lillehoff discussed new legislative requirements and related expenses associated with a May 3, 2022 Regular Director Election.

**Resolution No. 2021-11-07 Calling May 3, 2022 Election:** Following discussion, upon motion duly made by Director Hengel, seconded by Director Kubly, and upon vote unanimously carried, the Board adopted Resolution No. 2021-11-07 Calling a May 3, 2022 Directors' Election, and authorized performance of all tasks required for the May 3, 2022 Regular Election of the Board of Directors for the conduct of a mail ballot election, including authorization for contracting with outside providers to perform these election services, if needed.

**Transition of District General Counsel:** The Board discussed transition of District General Counsel. Following discussion, upon motion duly made by Director Pock, seconded by Director Hengel, and upon vote unanimously carried, the Board established a Committee, and appointed Director Pock, Brittany Barnett and Mikaela Stone to the Committee to assist staff with solicitation of proposals for new General Counsel, between the time frame of January 4, 2022 and February 25, 2022.

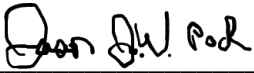
**OTHER BUSINESS**

**Update on Status of Development within the District:** The Board provided an update on the status of development within the District. It was noted that 11 homes have closed and 8 additional are anticipated to close by the end of the year.

**ADJOURNMENT**

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

Respectfully submitted,

By   
Secretary for the Meeting

<b>TITLE</b>	Belleview Village Metropolitan District - 11/1/21 Minutes
<b>FILE NAME</b>	00913594.DOC
<b>DOCUMENT ID</b>	ad46ab28e55ddeeea022bd0ccd8e1cf5316f6a5f
<b>AUDIT TRAIL DATE FORMAT</b>	MM / DD / YYYY
<b>STATUS</b>	● Signed

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## Document History



SENT

**07 / 25 / 2022**

20:00:27 UTC

Sent for signature to Jason Pock (jason.pock@mdch.com) from ljacoby@specialdistrictlaw.com  
IP: 50.220.120.106



VIEWED

**07 / 27 / 2022**

20:21:04 UTC

Viewed by Jason Pock (jason.pock@mdch.com)  
IP: 50.214.11.106



SIGNED

**07 / 27 / 2022**

20:22:31 UTC

Signed by Jason Pock (jason.pock@mdch.com)  
IP: 50.214.11.106



COMPLETED

**07 / 27 / 2022**

20:22:31 UTC

The document has been completed.