

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE GREENSPIRE METROPOLITAN DISTRICT NO. 2

Held: Wednesday, April 26, 2023, at 6:00 p.m., at Windsor Community Recreation Center, 250 N. 11<sup>th</sup> Street, Windsor, Colorado 80550.

#### Attendance

A regular meeting of the Board of Directors of the Greenspire Metropolitan District No. 2 was held and the following Directors, having confirmed their continued qualification to serve on the Board, were in attendance:

James Hogue, President  
John Hall, Assistant Secretary  
Dave Carlson, Assistant Secretary

Absent: None.

Also, in attendance were: Colin B. Mielke, Seter & Vander Wall, P.C.; Pamela Coleman, Kellison Corp.; and various members of the public.

#### Call to Order and Declaration of Quorum

The meeting was opened and it was noted that a quorum of the Board was in attendance.

#### Disclosure Matters

The Board had been previously advised that pursuant to Colorado law, certain disclosures by the Board members might be required prior to taking official action at the meeting. The Board then reviewed the agenda for the meeting, following which each Board member affirmed their conflicts of interest, which had been disclosed and filed with the Colorado Secretary of State, 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.

Director Hogue reported that he is a property owner in the District. This disclosure is associated with approval of items on the agenda which may affect his interests.

## RECORD OF PROCEEDINGS

---

Director Carlson reported that he is a property owner in the District. This disclosure is associated with approval of items on the agenda which may affect his interests.

Director Hall reported that he is a property owner in Greenspire Metropolitan District Nos. 1, 2, and 3. He is a manager at Lot Holding Investments, LLC. He is the son of Mr. Bret Hall, who is a Director on Greenspire Metropolitan District Nos. 1 and 3. This disclosure is associated with the approval of items on the agenda which might affect his interests.

Written disclosures of these interests had been filed with the Secretary of State prior to the meeting.

### Minutes

The Board reviewed the minutes of the special meetings held November 3, 2022 and December 8, 2022. Upon motion made, seconded and unanimously carried, the Board approved the minutes for those meetings as presented.

### Public Comment

The meeting was opened for public comment.

Various members of the public stated that cleanup of District open space areas needs to be performed more frequently. The Board discussed the frequently overflowing trash can near the mailboxes, noting that it is often filled with empty boxes and junk mail. The Board determined to remove the trash can from the area.

Another member of the public asked whether the non-potable irrigation line was re-routed near Red Jewel, and Director Hall confirmed that the re-routing has been completed.

Another member of the public requested information on proposed commercial development within the community. Director Hall noted that information on the commercial project can be found on the Town of Windsor's website or by contacting Lot Holding Investments, LLC.

Another member of the public informed the Board that the District's open space area between the church and the lake needs more consistent maintenance.

There being no further public comment presented, the public

## RECORD OF PROCEEDINGS

---

comment period was closed.

Annual Administrative  
Resolution (2023)

Mr. Mielke discussed several administrative matters with the Board, which are generally addressed at the Board's first meeting of the year, in accordance with Colorado law.

Mr. Mielke asked the Directors to complete an affidavit, which his office will distribute to each Director, confirming each Director's qualification to serve on the Board.

Mr. Mielke noted his office will provide information to each Director describing how to identify a conflict of interest and the requirements under Colorado law for disclosure of such conflicts of interest by each Director. Mr. Mielke asked each Director to identify all existing and potential conflicts of interest each Director may have in connection with serving as a member of the Board of the District and to complete the disclosure forms to be returned to his office.

Following discussion, the Board determined to elect the officers of the Boards as follows:

President/Chair – Jim Hogue  
Treasurer – Dave Carlson  
Secretary – John Hall

The Board reviewed and determined to use the *Windsor Beacon* as its newspaper designated for publication of legal notices, and if legal publication in that newspaper is not available, then to maintain its current newspaper, the *Greeley Tribune*, as the District's newspaper designated for publication of legal notices.

The Board designated the District's website as its 24-hour posting location for meeting notices, as well as the community mailboxes for meeting notices not otherwise posted pursuant to Colorado law.

The Board determined to hold regular meetings quarterly on the fourth Wednesday of January, April, July, October at 6:00 p.m. at Windsor Community Recreation Center, 250 N. 11th Street, Windsor, Colorado 80550.

The Boards determined to appoint Catherine T. Bright of Seter & Vander Wall, P.C. to serve as the Designated Election

## RECORD OF PROCEEDINGS

---

Official for the District for its election activities.

Finally, the Board reviewed the proposed form of resolution presented by Mr. Mielke that memorializes the above determinations in addition to certain other annual administrative actions providing direction from the Board regarding actions to be taken by the District's consultants on the Board's behalf.

Upon a motion made by Director Hogue, seconded by Director Hall and unanimously carried, the Board approved the administrative items and resolution with changes as discussed.

### Appointment of New Board Member

The Board noted that there are two vacancies on the Board and asked if any members of the public would be interested in filling a vacancy.

Mr. Josh Kinabrew introduced himself and volunteered to fill one of the vacancies.

Upon motion made, seconded and unanimously carried, the Board voted to appoint Mr. Kinabrew to the Board, with the appointment being subject to the District's legal counsel confirming Mr. Kinabrew's qualification to serve on the Board.

### Financial Matters

#### - Purchase of Meters

The Board discussed the purchase of Badger meters for the non-potable irrigation system, and confirmed the various contractors that provide services and materials for the system. It was noted that Diversified Underground performs utility locates and UNCC is the 811 company that contractors contact to initiate a utility locate request. Dana Kemper is the company that supplies endpoints for the irrigation system.

#### - Financial Report / Payment of Claims

The Board reviewed the year-end financial reports and Statement of Net Positions through March 31, 2023 for District Nos. 1-3 and the payment of claims report from October 31, 2022 through April 23, 2023. After review and discussion, and upon motion made, seconded and unanimously carried, the Board accepted the financial reports and ratified the payment of claims as presented.

#### - Ratification of Exemption from

The Board reviewed the audit exemption application completed by the District's accountant. Upon motion made, seconded and

## RECORD OF PROCEEDINGS

---

Audit unanimously carried, the Board ratified the audit exemption application for 2022 as presented.

### District Matters

#### – 2023 Irrigation Billing

The Board discussed its desire for District No. 1 to meter all irrigation water usage within the community and the status of water meter installations. It was noted that the District's management company has completed an audit of all water meters, and that not all water meters are operational yet. The goal is for all water meters to be operational as quickly as possible for the 2023 watering season.

The Board discussed invoicing for prior water usage in 2022 at a flat rate of \$250 due to the metering system not being operational during that watering season. Various members of the public commented that they agree with the proposal and that the rate was approximately \$100 less than what was estimated by their homebuilders when they purchased their homes. It was then noted that in previous years certain members of the public objected to flat rate billing for irrigation services. It was determined that the Board would not seek for properties to be billed for 2022 water usage based on the prior objections to that method of billing.

The Board next discussed the need to fund maintenance and repairs to the irrigation system. The Board expressed its desire for District No. 1 to bill for irrigation water at a rate of 20% more than what the Town of Windsor charges the District for irrigation water in order to fund those maintenance and repair activities. After discussion, and upon motion made, seconded and unanimously carried, the Board approved a recommendation to District No. 1 to adopt irrigation water fees for 2023 at a rate 20% greater than what the Town of Windsor charges the District. The Board further expressed its desire that irrigation usage be invoiced monthly.

### Other Matters

The District's manager confirmed that Kellison Corp. will mail notice to residents with information about downloading a phone app so residents can read their meters.

## RECORD OF PROCEEDINGS

---

### Adjournment

There being no other business to come before the Board, the meeting was adjourned at approximately 7:30 p.m.



---

Secretary for the Meeting