

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE HARVEST CROSSING METROPOLITAN DISTRICT NO. 3 HELD AUGUST 15, 2022

A Special Meeting of the Board of Directors (the “Board”) of the Harvest Crossing Metropolitan District No. 3 (formerly known as Villages at Murphy Creek Metropolitan District No. 1, referred to hereafter as the “District”) was convened on Monday, August 15, 2022 at 1:00 p.m. The meeting was open to the public via conference call.

ATTENDANCE

Directors In Attendance Were:

Daniel Frank
Marc L. Cooper
Richard Frank

Also In Attendance Were:

David Solin; Special District Management Services, Inc.

Paula Williams, Esq. and Tim O’Connor, Esq.; McGeady Becher P.C.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure 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. Mr. Solin noted that a quorum was present and requested members of the Board disclose any potential conflicts of interest with regard to any matters scheduled for discussion at the meeting, and incorporated for the record those applicable disclosures made by the Board members prior to the meeting in accordance with the statute. No additional conflicts were disclosed.

PUBLIC COMMENT

There were no public comments.

ADMINISTRATIVE MATTERS

Agenda: Mr. Solin reviewed a proposed Agenda for the District’s Special Meeting with the Board.

Following discussion, upon motion duly made by Director Cooper, seconded by Director D. Frank and, upon vote, unanimously carried, the Agenda for the Special Meeting was approved, as amended.

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Approval of 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 Board meetings.

Following discussion, upon motion duly made by Director Cooper, seconded by Director D. Frank and, upon vote, unanimously carried, the Board determined that the District meeting was held by conference call. The Board further noted that notice of the time, date, location and conference bridge information was duly posted and that they have not received any objections, or any requests that the means of hosting the meeting be changed by taxpaying electors within the boundaries of the District.

CONSENT AGENDA The Board considered the following actions:

- Approve the Minutes from the June 29, 2022 Special Meeting.

Following discussion, upon motion duly made by Director Cooper, seconded by Director D. Frank and, upon vote, unanimously carried, the Board approved and/or ratified approval of the remaining Consent Agenda items.

FINANCIAL MATTERS

Claims: The Board considered ratifying the approval of the payment of claims as follows:

Fund	Period Ending July 31, 2022	Period Ending August 31, 2022
General	\$ 10,099.55	\$ 6,155.49
Debt	\$ -0-	\$ 6,000.00
Capital	\$ 900.00	\$ -0-
Total	\$ 10,999.55	\$ 12,155.49

Following discussion, upon motion duly made by Director Cooper, seconded by Director R. Frank and, upon vote, unanimously carried, the Board ratified approval of the payment of claims, as presented.

Unaudited Financial Statements and Schedule of Cash Position: Mr. Solin discussed with the Board the unaudited financial statements, dated June 30, 2022 and the schedule of cash position, dated June 30, 2022.

Following discussion, upon motion duly made by Director D. Frank, seconded by Director Cooper and, upon vote, unanimously carried, the Board accepted the unaudited financial statements, dated June 30, 2022 and the schedule of cash position, dated June 30, 2022, subject to Attorney Williams final review.

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Cost Verification Report No. 3: The Board reviewed Cost Verification Report No. 3 dated August 1, 2022, prepared by Independent District Engineering Services, LLC, verifying costs associated with the reimbursement from bond proceeds in the amount of \$190,875.97.

Following discussion, upon motion duly made by Director D. Frank, seconded by Director R. Frank and, upon vote, unanimously carried, the Board approved Cost Verification Report No. 3 dated August 1, 2022, prepared by Independent District Engineering Services, LLC, verifying the costs associated with the reimbursement from bond proceeds in the amount of \$190,875.97.

Requisition No. 3: Following discussion, upon motion duly made by Director D. Frank, seconded by Director Cooper and, upon vote, unanimously carried, the Board approved Requisition No. 3 from the Project Fund for payment of Certified Costs.

Funding Agreement with Pulte Homes for construction of Pacific Avenue: The Board entered into discussion regarding a Funding Agreement with Pulte Homes for construction of Pacific Avenue. The Board further discussed entering into an escrow agreement with Pulte Homes for the purpose of construction of Pacific Ave.

Following discussion, upon motion duly made by Director D. Frank, seconded by Director R. Frank and, upon vote, unanimously carried, the Board approved to entering into an escrow agreement with Pulte Homes for the purpose of construction of Pacific Ave. with funding of \$1,069,757.82

LEGAL MATTERS

Regional Infrastructure Authority: The Board entered into discussion regarding the regional improvements and participation in Regional Infrastructure Authority. Director Cooper reported that he is making progress in discussions about joining MARIA.

OTHER MATTERS


There were no other matters to discuss.

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ADJOURNMENT

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

Respectfully submitted,

By: 
Secretary for the Meeting