

RECORD OF PROCEEDINGS

REVISED MINUTES OF A RECONVENED SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE HARVEST CROSSING METROPOLITAN DISTRICT NO. 4 HELD DECEMBER 5, 2022

A Reconvened Special Meeting of the Board of Directors (the “Board”) of the Harvest Crossing Metropolitan District No. 4 (formerly known as Villages at Murphy Creek Metropolitan District No. 2, referred to hereafter as the “District”) was convened on Monday, December 5, 2022 at 12:00 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:

Steve Beck; 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. Beck 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. Beck reviewed a proposed Agenda for the District’s Reconvened Special Meeting with the Board.

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

RECORD OF PROCEEDINGS

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 R. Frank, seconded by Director Cooper 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.

FINANCIAL MATTERS

2022 Budget Amendment Hearing: The Board continued its Public Hearing to consider the Amendment to its 2022 Budget. No public was present, so Director D. Frank closed the Public Hearing.

Following the Public Hearing, the Board approved the Resolution to Amend its 2022 Budget as follows:

- i. The Board amended the Debt Service Fund to \$650,000 in total expenditures.
- ii. The Board amended the Capital Projects Fund to \$1,000 in total expenditures.

2023 Budget Hearing: The President opened the continued 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 the President closed the public hearing.

Mr. Beck 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. 2022-12-01 to Adopt the 2023 Budget and Appropriate Sums of Money and Resolution No. 2022-12-02 to Set Mill Levies (for the General Fund at 10.000 mills and the Debt Service Fund at 55.664 mills, Other Fund at 1.114 mills, for a total of 66.778 mills). Upon motion duly made by Director R. Frank, seconded by Director Cooper and, upon vote, unanimously carried, the Resolutions were adopted, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was

RECORD OF PROCEEDINGS

authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2022. Mr. Beck was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Arapahoe County and the Division of Local Government not later than December 15, 2022. Mr. Beck 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.

LEGAL MATTERS

Amendment to 2022-2023 Operation Funding Agreement between the District and Jewell Developers, Inc.: The Board entered into discussion regarding an Amendment to the 2022-2023 Operation Funding Agreement between the District and Jewell Developers, Inc.

Following discussion, upon motion duly made by Director Cooper, seconded by Director D. Frank and, upon vote, unanimously carried, the Board approved the Amendment to the 2022-2023 Operation Funding Agreement between the District and Jewell Developers, Inc.

Project Funds and 3-Year Requirements: The Board deferred discussion.

OTHER MATTERS

There were no other matters to discuss.

ADJOURNMENT

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

Respectfully submitted,

By: _____
Secretary for the Meeting