

**MINUTES OF A JOINT SPECIAL MEETING OF
THE BOARDS OF DIRECTORS OF THE
ATEC METROPOLITAN DISTRICT NOS. 1 & 2
HELD
NOVEMBER 12, 2020**

A joint special meeting of the Boards of Directors (the “**Boards**”) of the ATEC Metropolitan District Nos. 1 & 2 (hereinafter referred to as “**District No. 1**”, “**District No. 2**”, and collectively the “**Districts**”), County of Adams was convened on Thursday, November 12, at 3:00 p.m. Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, the Districts’ joint special meeting was held and properly noticed to be held via video enabled web conference (Zoom). The meeting was open to the public via videoconference.

Directors In Attendance Were:

Matt Hopper
Michael Sheldon
Deanna Hopper

Also In Attendance Was:

MaryAnn McGeady, Esq., Elisabeth A. Cortese, Esq. and Jon Hoistad, Esq.;
McGeady Becher P.C.
Denise Denslow, Anna Jones and Debra Sedgely; CliftonLarsonAllen LLP
Cynthia (Cindy) Shearon; Aurora Highlands, LLC

**ADMINISTRATIVE
MATTERS**

Disclosure of Potential Conflicts of Interest: Attorney McGeady discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Boards to the Secretary of State. The members of the Boards were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the members of the Boards prior to this meeting in accordance with statute. It was noted that the disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors as required by statute. No new conflicts were disclosed. The absence of Directors Carla Ferreira and Kathleen Sheldon were excused.

Agenda: The Boards considered the proposed Agenda for the Districts’ special meeting.

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

Confirmation of Meeting Location/Posting of Notice: The Boards entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning

the location of the Districts' Board meeting. Following discussion, upon motion duly made by Director D. Hopper, seconded by Director Sheldon and, upon vote unanimously carried, the Boards determined that because there was not a suitable or convenient location within the Districts' boundaries to conduct this meeting and due to concerns related to COVID-19, it was determined to conduct the meeting via videoconference (Zoom). It was reported that notices were duly posted and that no objections, or any requests that the meeting venue be changed by taxpaying electors within the Districts' boundaries have been received.

Public Comment: There was no public comment.

CONSENT AGENDA The Boards considered the following actions:

- Review and consider approval of the May 21, 2020 and June 23, 2020 Special Meeting Minutes and the June 24, 2020 Continued Special Meeting Minutes.
- Discuss and confirm renewal of 2021 Property and Liability Policies and Special District Association Membership.
- Discuss Section 32-1-809, C.R.S., reporting requirements (Transparency Notice) and mode of eligible elector notification (post on SDA website).
- Rescind approval of Eligible Governmental Entity Agreement with Statewide Internet Portal Authority of Colorado.

Following discussion, upon motion duly made by Director Sheldon, seconded by Director D. Hopper, and upon vote, unanimously carried by roll call, the Boards ratified and/or approved, as applicable, the above actions, as presented.

LEGAL MATTERS There were no legal matters for discussion.

FINANCIAL MATTERS

Public Hearing on Amendment to 2020 Budget (District No. 1): Director Hopper opened the public hearing to consider an amendment to the 2020 Budget.

It was noted that publication of Notice stating that the Board would consider amendment of the 2020 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.

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

Ms. Sedgeley reviewed the 2020 budget amendment with the Board. Following discussion, upon a motion duly made by Director Sheldon, seconded by Director D. Hopper and, upon vote, unanimously carried by roll call, the Board approved the 2020 budget amendment and adopted the Resolution to Amend the 2020 Budget.

Public Hearing on Amendment to 2020 Budget (District No. 2): Director Hopper opened the public hearing to consider an amendment to the 2020 Budget.

It was noted that publication of Notice stating that the Board would consider amendment of the 2020 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.

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

Following discussion, it was determined that a 2020 budget amendment was not necessary.

Public Hearing on 2021 Budget (District No. 1): Director Hopper opened the public hearing to consider the proposed 2021 Budget and to discuss related issues.

It was noted that Notice stating that the Board would consider adoption of the 2021 budget and the date, time and place of the public hearing was published pursuant to statute. No written objections were received prior to the public hearing.

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

Ms. Sedgeley presented the proposed 2021 Budget to the Board. The Board reviewed the estimated 2020 expenditures and the proposed 2021 expenditures.

Following discussion, upon motion duly made by Director Sheldon, seconded by Director D. Hopper, and upon vote unanimously carried, the Board approved the 2021 Budget, adopted a Resolution to Adopt the 2021 Budget and Appropriate Sums of Money and a Resolution to Set Mill Levies (35.000 mills in the General Fund) 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 of Adams County not later than December 15, 2020. The District Manager was directed to transmit the Certification of Budget to the Division of Local Government no later than January 30, 2021.

Public Hearing on 2021 Budget (District No. 2): Director Hopper opened the public hearing to consider the proposed 2021 Budget and to discuss related issues.

It was noted that Notice stating that the Board would consider adoption of the 2021 budget and the date, time and place of the public hearing was published pursuant to statute. No written objections were received prior to the public hearing.

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

Ms. Sedgeley presented the proposed 2021 Budget to the Board. The Board reviewed the estimated 2020 expenditures and the proposed 2021 expenditures.

Following discussion, upon motion duly made by Director Sheldon, seconded by Director D. Hopper, and upon vote unanimously carried, the Board approved the 2021 Budget, adopted a Resolution to Adopt the 2021 Budget and Appropriate Sums of Money and a Resolution to Set Mill Levies (35.000 mills in the General Fund) 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 of Adams County not later than December 15, 2020. The District Manager was directed to transmit the Certification of Budget to the Division of Local Government no later than January 30, 2021.

DLG-70 Certification of Tax Levies Form: Following discussion, upon a motion duly made by Director Sheldon, seconded by Director D. Hopper and, upon vote, unanimously carried by roll call, the Board authorized the 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.

Appointment of District Accountant to Prepare 2022 Budgets: Following discussion, upon a motion duly made by Director Sheldon, seconded by Director D. Hopper and, upon vote, unanimously carried by roll call, the Board appointed the District Accountant to prepare the 2022 budgets.

Engagement of Fiscal Focus Partners, LLC for Preparation of 2020 Audit (District No. 1): The Board discussed the requirements for an Audit. Following discussion, upon a motion duly made by Director Sheldon, seconded by Director D. Hopper and, upon vote, unanimously carried by roll call, the Board approved the engagement of Fiscal Focus Partners, LLC for preparation of the 2020 Audit.

Appointment of District Accountant to Prepare Application for Exemption from Audit for 2020 (District No. 2): The Board discussed the requirements for an Audit. Following discussion, upon a motion duly made by Director Sheldon, seconded by Director D. Hopper and, upon vote, unanimously carried by roll call, the Board appointed the District Accountant to prepare and file the Application for Exemption from Audit for 2020.

**MANAGER
MATTERS**

Meeting Schedule for 2021 and Resolution Establishing Regular Meeting Dates, Times and Location, and Designating Location for Posting 24-Hour Notices: Discussion ensued, and the Board determined to hold regular meetings in 2021 on November 4th at 3:00 p.m. Following discussion, upon a motion duly made by Director Sheldon, seconded by Director D. Hopper and, upon vote, unanimously carried, the Board adopted the Resolution Establishing Regular Meeting Dates, Times and Location, and Designating Location for Posting 24-Hour Notices. _____

**CONSTRUCTION
MATTERS**

None.

OTHER BUSINESS **Potential Inclusions or Exclusions of Property from the Districts' Boundaries:** The Boards determined to defer discussion of this matter.

ADJOURNMENT There being no further business to come before the Boards at this time, upon a motion duly made by Director Sheldon, seconded by Director D. Hopper, and upon vote, unanimously carried, the Boards adjourned the meeting at 3:37 p.m.

Respectfully submitted,

DocuSigned by:
Denise Denlow
B. 77517AF6E925439...
Secretary for the Meeting

Certificate Of Completion

Envelope Id: DBA64B6280574BF0B2759601AD1838ED	Status: Completed
Subject: Please DocuSign: Minutes 11-12-20 ATEC 1 and 2.pdf	
Client Name: ATEC MD 1 & 2	
Client Number: 011-045977-OS04-2021	
Source Envelope:	
Document Pages: 5	Signatures: 1
Certificate Pages: 4	Initials: 0
AutoNav: Enabled	Envelope Originator:
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Time Zone: (UTC-06:00) Central Time (US & Canada)	220 South 6th Street
	Suite 300
	Minneapolis, MN 55402
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