

MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF SADDLER RIDGE METROPOLITAN DISTRICT  
Held: Wednesday, November 16, 2022, at 6pm via teleconference

Attendance

The meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following directors were in attendance:

Jake Pault, Dave Seidl, Kenji Matsuda, Will Edgington and Susan Pault. No director was absent. All directors' absences are deemed excused unless a contrary notation is recorded in these minutes.

Also present were: Angela Elliott, Teleos Management Group, District Manager; Heather L. Hartung, White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Eric Weaver and Cheri Curtis, Marchetti & Weaver, LLC, District Accountant; Beth Kelsey, Liberty Savings Bank (“LSB”); and members of the public. Cathy Baldwin, Zoom Host.

Call to Order/Declaration of Quorum

Ms. Hartung noted that a quorum of the Board was present, and the meeting was called to order at 6:03 p.m.

Director Disclosures

Ms. Hartung advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Hartung reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State’s Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Ms. Hartung t inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda

The Board reviewed the proposed agenda for the meeting.

Following review, upon a motion duly made and seconded, the Board amended the Agenda, adding an Executive Session under Other Matters to receive legal advice as it relates to the Districts bonds and water matters; pulling the property schedule from the consent agenda and the Second Addendum to Independent Contractor Agreement with JD Enterprises for Snow Removal.

Director Matters

Discussion on Claim filed for hail damage

Ms. Elliott provided an update on claim filed for hail damage. The District will receive a supplemental report for the wastewater treatment plant.

Discussion and possible action on Sewer Tap Fee increase      This item was discussed under Financial Matters.

Public Comment      None.

Consent Agenda      The Board was presented with the consent agenda items. Item b. was removed from the Consent agenda. Upon a motion duly made and seconded, the Board unanimously took the following actions:

- a. Approved Minutes from September 21, 2022, meeting
- b. Ratified Independent Contractor Agreement with Element Engineering, LLC for Engineering Services
- c. Approved ICA with RAMEY
- d. Approved ICA with Foothills Landscape Maintenance for Landscape Services
- e. Ratified ICA with Ambiente H2O, Inc. for Inspections

Third Amendment to Guidelines Regarding Repairs to Structures or Improvements was removed as language is being drafted regarding the color palette and not proceed with Deemed to Comply Colors.

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board approved the Third Amendment to Guidelines Regarding Repairs to Structures or Improvements, subject to these revisions.

Ms. Elliott is working with Pool insurance on the Renewal of Property and Liability Schedule and Limits, Workers Compensation Coverage, and SDA Membership regarding inclusion of the E-One pumps pricing.

Second Addendum to Independent Contractor Agreement with JD Enterprises for Snow Removal Services was removed as Ms. Elliott is waiting for scope of work.

Following discussion, upon motion duly made, seconded, upon vote and unanimously approved, the Board approved subject to scope and compensation not to exceed \$9,500.

Financial Matters

Payables/Financials      Mr. Weaver presented the payables to the Board for consideration.

Following discussion, upon a motion duly made and seconded, the Board unanimously ratified the payables.

Conduct Public Hearing on 2022 Budget Amendment and Consider Adoption of Resolution Amending 2022 Budget, if needed

The public hearing for the 2022 Budget Amendment was opened. Ms. Hartung noted that notice for the public hearing was made in accordance with the applicable Colorado statutes. No written objections were received prior to the public hearing. After no public comment was made, the public hearing was closed.

Mr. Weaver presented the Board with the amended 2022 Budget for consideration.

Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution amending the 2022 the Debt Service Fund to \$126,798.00.

Conduct Public Hearing on 2023 Budget and Consider Adoption of Resolution Approving 2023 Budget, Imposing Mill Levy and Appropriating Funds.

The public hearing for the 2023 Budget was opened. Ms. Hartung noted that notice for the public hearing was made in accordance with the applicable Colorado statutes. No written objections were received prior to the public hearing. After no public comment was made, the public hearing was closed.

Mr. Weaver presented the Board with the 2023 Budget for consideration.

Discussion followed on increasing the Sewer Tap Fee. Following discussion, upon a motion duly made and seconded, The Board approved the increase from \$5,000 to \$7,500 for Sewer Tap Fee.

Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2023 Budget, appropriating funds therefore, and certifying the General Fund and the Debt Service Fund, subject to receipt of the final assessed valuation and adjustments as necessary.

Consider Adoption of Second Amended and Restated Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees

Ms. Hartung presented the Board with the Amended and Restated Resolution Concerning the Imposition of Fees

Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Consider Approval of Engagement of Haynie & Company to perform 2022 Audit

Mr. Weaver presented the Board with the Engagement Letter from Haynie & Company to perform the 2022 Audit, noting that the fee will not exceed \$8,000 for the services.

Following discussion, upon a motion duly made and seconded, the Board unanimously approved the engagement.

Consider Approval to Convert Principal and Accrued Interest Balances under the Funding and Reimbursement Agreement (Capital Costs) to the Series B Bonds

Mr. Weaver discussed with the Board converting principal and accrued interest balance under the Funding and Reimbursement Agreement to the Series B Bonds.

Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agreement.

### Legal Matters

Consider Proposals from Special Counsel for Covenant Enforcement Services

Ms. Hartung presented the proposals from special counsel for Covenant Enforcement Services.

Following discussion, upon a motion duly made and seconded, the Board unanimously approved Winsenburg Leff Pavis and Payne, LLP for Covenant Enforcement Services Counsel.

Consider Adoption of 2023 Annual Administrative Resolution

Ms. Hartung presented the Board with the 2023 Annual Administrative Resolution. The Board determined to schedule regular meetings in 2022 on March 5, June 6, September 5 and November 7, 2023, at 6:00 p.m.

Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Consider Adoption of Resolution Calling May 2023 Election

Ms. Hartung presented the Board with the Resolution Calling May 2023 Election.

Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution and determined to post notice of the Call for Nominations on the District's website, in addition to the statutory requirement to email/mail.

Consider Adoption of Resolution Providing for the Defense and Indemnification of Directors

Ms. Hartung presented the Board with the Resolution providing for the Defense and Indemnification of Directors.

Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Consider Adoption of Resolution Adopting a Personal Data Privacy Policy

Ms. Hartung presented the Board with the Resolution adopting a Personal Data Privacy Policy.

Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Consider Approval of Notice to Electors Pursuant to S.32-1-809, C.R.S.

Ms. Hartung presented the Board with the Notice to Electors pursuant to S. 32-1-809, C.R.S.

Following discussion, upon a motion duly made and seconded, the Board unanimously approved the notice.

Management Matters

Update on additional coverage for E-One pumps and pond liner

Discussed during Consent Agenda. Manager will add information to website and Marchetti & Weaver will add to status letter.

Discuss Status of Change of Insurance Agent to T. Charles Wilson

Transition completed.

Operations and Maintenance Matters

E-One Inspection Results and Risers

Mr. Pault discussed during Management Matters.

Other Business

Reserve Study in 2023

Tabled

Executive Session

Executive Session was entered into pursuant to and for the purposes set forth in Section 24-6-402(4)(b), C.R.S., for the purpose of providing legal advice as it relates to the District's bonds and water matters at 7:42 p.m.

Executive Session was closed at 8:10 p.m.

Following discussion, upon motion duly made and seconded, the Board unanimously authorized Ms. Hartung to finalize the pump station agreement; contact Ms. Gene Osborne and Ms. Beth Kelsey regarding amended Water Sewer Agreement to be handled by Developer and Liberty Mutual Bank; and obtain engineering plans.

Adjourn

There being no further business to come before the Board, and upon motion duly made, seconded, and unanimously carried, the meeting was adjourned at 8:12 p.m.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

  
Susan Pault (Dec 19, 2022 11:25 MST)

Secretary

The foregoing minutes were approved on the \_\_\_th day of \_\_\_\_\_, 2022.

**ATTORNEY STATEMENT  
REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION**

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing Saddle Ridge Metropolitan District, I attended the executive session meeting Saddle Ridge Metropolitan District convened at 7:42pm on November 16, 2022 for the sole purpose of discussing the District's bonds and water matters as authorized by Section 24-6-402(4)(b), C.R.S., I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(b), C.R.S. or Section 24-6-402(2)(d.5)(II)(B), C.R.S.



Heather L. Hartung, Esq.