

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

141 Union Boulevard, Suite 150
Lakewood, Colorado 80228-1898
Tel: 303-987-0835 • 800-741-3254
Fax: 303-987-2032
<https://pineycreekvillagemd.colorado.gov/>

NOTICE OF SPECIAL MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expires:</u>
Daniel Kumsok Oh	President	2025/May 2025
VACANT		2025/May 2023
VACANT		2023/May 2023
VACANT		2023/May 2023
VACANT		2023/May 2023
	Secretary	

DATE: February 15, 2023 (Wednesday)
TIME: 9:00 A.M.
LOCATION: Zoom Meeting

Zoom information:

<https://us02web.zoom.us/j/83875439749?pwd=Qk1VT1pHMEVJdEQxNVV1cWQ4N1VLdz09>

Meeting ID: 838 7543 9749
Passcode: 090300
One tap mobile
+17193594580,,83875439749# US
+12532158782,,83875439749# US (Tacoma)

- I. ADMINISTRATIVE MATTERS
 - A. Confirm Quorum and Present Disclosures of Potential Conflicts of Interest.

 - B. Approve Agenda, confirm location of the meeting and posting of meeting notices and designate 24-hour posting location.

 - C. Acknowledge resignation of Steve Beck as Secretary to the Board and consider appointment of Larry Loftin as Secretary to the Board.

 - D. Discuss Board vacancies and consider appointment of eligible elector(s) to the Board of Directors of the District. Administer Oath(s) of Office.

E. Consider appointment of Officers:

President _____
Treasurer _____
Secretary _____
Assistant Secretary _____

F. Discuss May 2, 2023 Director Election Matters.

- i. Deadline for Self-Nomination and Acceptance forms is February 24, 2023. **(Note: terms of all directors appointed at this meeting expire as of May 2, 2023 (Election day). Directors who wish to continue serving on the Board beyond May 2, 2023 must submit Self-Nomination and Acceptance forms by the deadline.)**
 - ii. Acknowledge that Steve Beck is to remain Designation Election Official for the May 2, 2023 Election.
- _____

G. Review and approve Minutes of the November 10, 2022 Special Meeting (enclosure).

H. Update on status of District website.

I. Discuss new Director training.

II. PUBLIC COMMENTS. Members of the public may express their views to the Board on matters that affect the District that are otherwise not on the agenda. Comments will be limited to three (3) minutes per person.

III. FINANCIAL MATTERS

A. Discuss process for payment of claims and authorize all Board Members to be signers on the District bank accounts (with all checks requiring two signatures).

IV. LEGAL MATTERS

A. _____

V. OTHER MATTERS

A. _____

VI. ADJOURNMENT **THE NEXT REGULAR MEETING IS SCHEDULED FOR
JUNE 15, 2023.**

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE PINEY CREEK VILLAGE METROPOLITAN DISTRICT HELD NOVEMBER 10, 2022

A Special Meeting of the Board of Directors (referred to hereafter as the “Board”) of the Piney Creek Village Metropolitan District (referred to hereafter as the “District”) was convened on Thursday, the 10th day of November, 2022, at 9:00 a.m. The District Board meeting was via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Daniel Kumsok Oh

Also In Attendance Were:

Steve Beck; Special District Management Services, Inc.

Paula Williams, Esq.; McGeady Becher P.C.

ADMINISTRATIVE MATTERS

Disclosure of Potential Conflicts of Interest: Mr. Beck confirmed the presence of a quorum. 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 requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting. No conflicts were disclosed.

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

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

Confirm Location of Meeting / Posting of Meeting Notice: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District’s Board meeting.

It was noted that the District Board meeting was held and properly noticed to be held via video / telephone conference. The Board further noted that notice of the date, time, location and meeting access information was duly posted and that they have not received any objections to the means of hosting the meeting by taxpaying electors within the District’s boundaries.

RECORD OF PROCEEDINGS

Resignation of David M. Solin: The Board discussed the resignation of David M. Solin as Secretary to the Board and considered the appointment of Steve Beck as Secretary to the Board.

Following discussion, upon motion duly made by Director Oh and, upon vote unanimously carried, the Board acknowledged the resignation of David M. Solin and appointed Steve Beck as Secretary to the Board.

Board Vacancies: Mr. Beck discussed the vacancies on the Board. It was noted that no eligible electors have expressed an interest in filling a vacancy at this time. Mr. Beck reported that he had contacted the Homeowner's Association and requested that an email blast be sent to Homeowner's Association members regarding the vacant seats.

Appointment of Officers: The Board entered into discussion regarding the appointment of officers.

Following discussion, upon motion duly made by Director Oh and, upon vote unanimously carried, the following slate of officers was appointed:

President	Daniel Kumsok Oh
Secretary	Steve Beck

Minutes: The Board reviewed the Minutes of the June 16, 2022 Regular Meeting.

Following discussion, upon motion duly made by Director Oh and, upon vote unanimously carried, the Minutes of the June 16, 2022 Regular Meeting were approved, as presented.

Resolution Establishing 2023 Regular Meeting Dates, Times and Location, and Designating Location for Posting of 24-Hour Notices: The Board considered the Resolution Establishing 2023 Regular Meeting Dates, Times and Location, and Designating Locations for Posting of 24-Hour Notices.

Mr. Beck reviewed the business to be conducted in 2023 to meet the statutory compliance requirements. The Board determined to meet on June 15, 2023 and November 16, 2023 at 9:00 a.m. via Zoom.

Following discussion, upon motion duly made by Director Oh and, upon vote unanimously carried, the Board adopted the Resolution Establishing 2023 Regular Meeting Dates, Times and Location, and Designating Location for Posting of 24-Hour Notices.

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District Website: Mr. Beck informed the Board that the Colorado State Internet Portal Authority (“SIPA”) expects to have the District Website up and running this month.

Engagement of Generation Web, Inc.: The Board discussed the engagement of Generation Web, Inc. or other provider for website creation and maintenance services and authorizing necessary actions in connection therewith.

Following discussion, upon motion duly made by Director Oh and, upon vote unanimously carried, the Board authorized the engagement of Generation Web, Inc. or other provider for website creation and maintenance services and authorized necessary actions in connection therewith, in the event that SIPA cannot meet the deadline for creation of the website.

Termination of Eligible Governmental Entity Agreement with SIPA: The Board discussed the termination of the Eligible Governmental Entity Agreement with SIPA and all associated documents for website services.

Following discussion, upon motion duly made by Director Oh and, upon vote unanimously carried, the Board authorized the termination of the Eligible Governmental Entity Agreement with SIPA, if they cannot meet the deadline for creation of the website.

§32-1-809, C.R.S. Transparency Notice Reporting Requirements: The Board entered into discussion regarding §32-1-809, C.R.S., Transparency Notice reporting requirements and mode of eligible elector notification.

Following discussion, the Board determined to post the required information on the SDA website.

**PUBLIC
COMMENTS**

There were no public comments.

**FINANCIAL
MATTERS**

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

Fund	Period ending June 30, 2022	Period ending July 31, 2022	Period ending Aug. 31, 2022	Period ending Sept. 30, 2022
General	\$ 4,575.60	\$ 2,388.38	\$ 2,536.05	\$ 677.00
Debt Service	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total Claims	\$ 4,575.60	\$ 2,388.38	\$ 2,536.05	\$ 677.00

RECORD OF PROCEEDINGS

Fund	Period ending Oct. 31, 2022
General	\$ 1,457.00
Debt Service	\$ -0-
Total Claims	\$ 1,457.00

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

Financial Statements: The Board reviewed the unaudited financial statements of the District setting forth the cash deposits, investments, budget analysis, and accounts payable vouchers for the period ending September 30, 2022.

Following discussion, upon motion duly made by Director Oh and, upon vote unanimously carried, the Board accepted the unaudited financial statements for the period ending September 30, 2022, as presented.

Engagement of Simmons & Wheeler, P.C. to Perform 2021 Audit: The Board entered into discussion regarding the engagement of Simmons & Wheeler, P.C. to perform the 2022 Audit.

Following discussion, upon motion duly made by Director Oh and, upon vote unanimously carried, the Board approved the engagement of Simmons & Wheeler, P.C. to perform the 2022 Audit, for an amount not to exceed \$4,500.

2022 Budget Amendment Hearing: The President opened the public hearing to consider the Resolution to Amend the 2022 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2022 Budget and the date, time and location of the Public Hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this Public Hearing. No public comments were received and the Public Hearing was closed.

Following discussion, it was determined that an Amendment to the 2022 Budget was not necessary.

2023 Budget Hearing: The President opened the Public Hearing to consider the proposed 2023 Budget and to 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 location of the Public Hearing was made in a newspaper having general circulation within the District. No written

RECORD OF PROCEEDINGS

objections were received prior to this Public Hearing. No public comments were received and the Public Hearing was closed.

Mr. Beck reviewed the estimated 2022 expenditures and the proposed 2023 expenditures.

Following discussion, the Board considered adoption of the Resolution to Adopt the 2023 Budget and Appropriate Sums of Money, and the Resolution to Set Mill Levies (for the General Fund at 3.340 mills, the Debt Service Fund at 37.852 mills, for a total mill levy of 41.192 mills). Following discussion, upon motion duly made by Director Oh and, upon vote unanimously carried, the Resolutions were adopted, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was 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 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 31, 2023. Copies of the adopted Resolutions are attached hereto and incorporated herein by this reference.

DLG-70 Mill Levy Certification Form: The Board considered authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

Following discussion, upon motion duly made by Director Oh and, upon vote unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

Preparation of the 2024 Budget: The Board discussed preparation of the 2024 Budget.

Following discussion, upon motion duly made by Director Oh and, upon vote unanimously carried, the Board appointed the District Accountant to prepare the 2024 Budget. The Board determined to hold the public hearing to consider adoption of the 2024 Budget on Thursday, November 16, 2023 at 9:00 a.m. via Zoom.

District's Series 2015 Loan: Attorney Williams discussed the potential refunding of the District's Series 2015 Loan, noting that the maturity date is August, 2025. No action was taken by the Board at this time.

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**LEGAL
MATTERS**

Resolution Calling a Regular Election for Directors on May 2, 2023 (“Election Resolution”): Attorney Williams discussed with the Board the upcoming election and the proposed Election Resolution.

Following discussion, upon motion duly made by Director Oh and, upon vote unanimously carried, the Board adopted the Election Resolution, and appointed Steve Beck as the Designated Election Official and authorized him to perform all tasks required for the conduct of a mail ballot election. A copy of the adopted Election Resolution is attached hereto and incorporated herein by this reference.

**OTHER
MATTERS**

There was no other business to discuss at this time.

ADJOURNMENT

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

Respectfully submitted,

By _____
Secretary for the Meeting