

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	Assistant Secretary	2025/May 2025
Gary Hahn		2025/May 2025
Manish Kumar		2027/May 2027
Mithilesh “Mitch” Kumar		2027/May 2027
VACANT		2027/May 2027

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

Zoom information:

<https://us02web.zoom.us/j/5469119353?pwd=SmtlcHJETFhCQUZEcVBBOGZVU3Fqdz09>

Meeting ID: 546 911 9353

Passcode: 912873

Dial In: 1-253-215-8782

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

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

 - C. Acknowledge resignation of Larry Loften as Secretary to the Board and consider appointment of David Solin as Secretary to the Board.

 - D. Discuss results of May 2, 2023 Regular Election (enclosure).

E. Consider appointment of Officers:

President _____
 Treasurer _____
 Secretary _____
 Asst. Secretary _____
 Asst. Secretary _____
 Asst. Secretary _____

F. Review and approve Minutes of the February 15, 2023 Special Meeting (enclosure).

G. Consider authorizing interested Board Members to attend the 2023 Special District Association’s Annual Conference in Keystone on September 12, 13 and 14, 2023.

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. Review and ratify the approval of the payment of claims as follows (enclosures):

Fund	Period ending Oct. 31, 2022	Period ending Nov. 30, 2022	Period ending Dec. 31, 2022	Period ending Jan. 31, 2023
General	\$ 1,457.00	\$ 8,751.40	\$ 4,489.74	\$ 3,947.50
Debt Service	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total Claims	\$ 1,457.00	\$ 8,751.40	\$ 4,489.74	\$ 3,947.50

Fund	Period ending Feb. 28, 2023	Period ending March 31, 2023	Period ending April. 30, 2023	Period ending May 31, 2023
General	\$ 1,971.10	\$ 4,061.10	\$ 5,148.69	\$ 3,618.44
Debt Service	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total Claims	\$ 1,971.10	\$ 4,061.10	\$ 5,148.69	\$ 3,618.44

B. 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).

C. Review and accept unaudited financial statements for the period ending March 31, 2023 (enclosure).

- D. Review and accept the 2022 Audit (enclosure) and authorize execution of the Representations Letter.
-

IV. LEGAL MATTERS

- A. Discuss Senate Bill 23-108: Allowing Temporary Reductions in Property Taxes Due and potential impact on 2024 Budget process and strategy.
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- B. Discuss other legislative changes that may impact the District / Annual Meeting requirement.
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V. OTHER MATTERS

- A. _____

- VI. ADJOURNMENT **THE NEXT REGULAR MEETING IS SCHEDULED FOR NOVEMBER 16, 2023.**

**RESOLUTION OF DESIGNATED ELECTION OFFICIAL
REGARDING CANCELLATION OF ELECTION AND
DECLARATION DEEMING CANDIDATES ELECTED**

PINEY CREEK VILLAGE METROPOLITAN DISTRICT
Arapahoe County, Colorado

A. The Designated Election Official of the Piney Creek Village Metropolitan District (“**District**”) has been duly authorized by the Board of Directors of the District to cancel the election and declare candidates elected at the close of business on the sixty-third (63rd) day before the election to be conducted on May 2, 2023, pursuant to that certain Resolution Calling Election attached hereto as **Exhibit A**.

B. On the sixty-third (63rd) day before the election, there were not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates.

NOW, THEREFORE, be it resolved by the Designated Election Official of the District that:


1. The regular election to be conducted on May 2, 2023, is hereby cancelled pursuant to Section 1-13.5-513, C.R.S.

2. The following candidates are declared elected for the following terms of office:

<u>Name</u>	<u>Term</u>
Manish Kumar	Second Regular Election, May 2027
Mithilesh Kumar	Second Regular Election, May 2027
Gary Hahn	Next Regular Election, May 2025
VACANT	Second Regular Election, May 2027

DATED this 15th day of March, 2023.

PINEY CREEK VILLAGE METROPOLITAN
DISTRICT

By: 

Steve Beck, Designated Election Official
Piney Creek Village Metropolitan District
141 Union Boulevard, Suite 150
Lakewood, Colorado 80228
Phone: (303) 987-0835

EXHIBIT A

Resolution Calling Election

RESOLUTION NO. 2022-11- 04

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
PINEY CREEK VILLAGE METROPOLITAN DISTRICT
CALLING A REGULAR ELECTION FOR DIRECTORS
MAY 2, 2023**

A. There are four (4) vacant seats on the Board of Directors of the District that are up for election at the regular election, to be held on May 2, 2023 (“**Election**”).

B. In accordance with the provisions of the Special District Act (“**Act**”) and the Uniform Election Code (“**Code**”), the Election must be conducted to elect one (1) Director to serve until the next regular election, to occur May 6, 2025, and three (3) Directors to serve until the second regular election, to occur May 4, 2027.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Piney Creek Village Metropolitan District (the “**District**”) of the County of Arapahoe, Colorado:

1. Date and Time of Election. The Election shall be held on May 2, 2023, between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Act, Code, and other applicable laws. At that time, one (1) Director shall be elected to serve until the next regular election, to occur May 6, 2025, and three (3) Directors shall be elected to serve until the second regular election, to occur May 4, 2027.

2. Precinct. The District shall consist of one (1) election precinct for the convenience of the eligible electors of the District.

3. Conduct of Election. The Election shall be conducted as an independent mail ballot election in accordance with all relevant provisions of the Code. The Designated Election Official shall have on file, no later than fifty-five (55) days prior to the Election, a plan for conducting the independent mail ballot Election.

4. Designated Election Official. Steve Beck shall be the Designated Election Official and is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Act, Code or other applicable laws. The Election shall be conducted in accordance with the Act, Code and other applicable laws. Among other matters, the Designated Election Official shall appoint election judges as necessary, arrange for the required notices of election (either by mail or publication) and printing of ballots, and direct that all other appropriate actions be accomplished.

5. Call for Nominations. The Designated Election Official shall provide Call for Nominations as required under Section 1-13.5-501, C.R.S., as applicable.

6. Absentee Ballot Applications. NOTICE IS FURTHER GIVEN, pursuant to Section 1-13.5-1002, C.R.S., that applications for and return of absentee ballots may be filed with the Designated Election Official of the District, c/o Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228, between the hours of 8:00

a.m. and 5:00 p.m., until the close of business on the Tuesday immediately preceding the Election (April 25, 2023).

7. Self-Nomination and Acceptance Forms. Self-Nomination and Acceptance Forms are available and can be obtained from the Designated Election Official for the District, c/o Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228, 303-987-0835.

8. Cancellation of Election. If the only matter before the electors is the election of Directors of the District and if, at 5:00 P.M. on February 28, 2023, the sixty-third day prior to the regular election, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent, the Designated Election Official shall cancel the Election and declare the candidates elected. Notice of such cancellation shall be published and posted in accordance with law.

9. Severability. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board of Director's intention that the various provisions hereof are severable.

10. Repealer. All acts, orders and resolutions, or parts thereof, of the Board of Directors which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.


11. Effective Date. The provisions of this Resolution shall take effect as of the date adopted and approved by the Board of Directors of the District.

[SIGNATURE PAGE FOLLOWS]

[SIGNATURE PAGE TO RESOLUTION
CALLING A REGULAR ELECTION FOR DIRECTORS
MAY 2, 2023]

RESOLUTION APPROVED AND ADOPTED ON NOVEMBER 10, 2022.

PINEY CREEK VILLAGE
METROPOLITAN DISTRICT

By: 

President

Attest:


Secretary

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE PINEY CREEK VILLAGE METROPOLITAN DISTRICT HELD FEBRUARY 15, 2023

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 Wednesday, the 15th day of February, 2023, at 9:00 a.m. The District Board meeting was held via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Daniel Kumsok Oh

Also In Attendance Were:

Steve Beck and Larry Loften; Special District Management Services, Inc.

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

John McCartney, Gary Hahn, Kathy Dean and Mohamed Salih; Board Member Candidates

ADMINISTRATIVE MATTERS

Disclosure of Potential Conflicts of Interest: Mr. Loften 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 disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting. No conflicts were disclosed.

Agenda: Mr. Loften 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.

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

RECORD OF PROCEEDINGS

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.

Designation of 24-Hour Posting Location: The Board entered into discussion regarding the requirements of §24-6-402(2)(c), C.R.S., concerning the 24-hour posting location of the District.

Following discussion, upon motion duly made by Director Oh and, upon vote unanimously carried, the Board determined that notice of meetings of the District Board required pursuant to §24-6-402(2)(c), C.R.S., shall be posted on the District's website. In the event that posting on the District website is not available, notice will be posted at the southeast corner of Parker Road and East Lake.

Resignation of Steve Beck: The Board discussed the resignation of Steve Beck as Secretary to the Board and considered the appointment of Larry Loften 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 Steve Beck and appointed Larry Loften as Secretary to the Board.

Board Vacancies: Mr. Loften discussed the vacancies on the Board.

Following discussion, upon motion duly made by Director Oh and, upon vote unanimously carried, the Board appointed John MacCartney, Kathy Dean, Gary Hahn and Mohamed Salih to fill the vacant seats on the Board, subject to administration and filing of Director Oath documents with the required agencies.

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:	John McCartney
Treasurer:	Kathy Dean
Secretary:	Larry Loften
Assistant Secretary:	Gary Hahn
Assistant Secretary:	Mohamed Salih
Assistant Secretary:	Daniel Oh

RECORD OF PROCEEDINGS

May 2, 2023 Election: Mr. Loften discussed with the Board the May 2, 2023 Directors' Election process and deadlines, noting that Mr. Beck would serve as the Designated Election Official for the election.

Minutes: The Board reviewed the Minutes of the November 10, 2022 Special Meeting.

Following discussion, upon motion duly made by Director Oh and, upon vote unanimously carried, the Minutes of the November 10, 2022 Special Meeting were approved, as presented.

District Website: Mr. Loften informed the Board that the District Website is up and running.

Director Training: Attorney Williams provided an overview of Board member responsibilities and advised the Board that the Special District Association of Colorado ("SDA") Board Member Manual was a great resource and requested that the Manual be provided to the new Directors for their reference.

**PUBLIC
COMMENTS**

There were no public comments.

**FINANCIAL
MATTERS**

Claims: Mr. Beck discussed the process for approving claims and reviewed the documentation required for Board members to become authorized signatories on the District accounts.

**LEGAL
MATTERS**

None.

**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

Piney Creek Village Metropolitan District

October-22

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
Colorado Special Districts P&L	23WC-60002-0246	8/26/2022	1/1/2023	\$ 450.00	Prepaid Insurance	1142
McGeady Becher P.C.	607W 8-2022	8/31/2022	8/31/2022	\$ 59.00	Legal	1675
RLI Surety	LSM0936296	9/27/2022	9/28/2022	\$ 250.00	Prepaid Insurance	1142
Special Dist Mgmt Services, Inc	Sep-22	9/30/2022	9/30/2022	\$ 14.80	Insurance and Bonds	1670
Special Dist Mgmt Services, Inc	Sep-22	9/30/2022	9/30/2022	\$ 192.40	District Management	1614
Special Dist Mgmt Services, Inc	Sep-22	9/30/2022	9/30/2022	\$ 488.40	Accounting	1612
Special Dist Mgmt Services, Inc	Sep-22	9/30/2022	9/30/2022	\$ 2.40	Miscellaneous Expense	1690
				\$ 1,457.00		

Piney Creek Village Metropolitan District
October-22

	General	Enterprise	Debt	Totals
Disbursements	\$ 1,457.00			\$ 1,457.00
Payroll				\$ -
Total Disbursements from Checking Acct	\$1,457.00	\$0.00	\$0.00	\$1,457.00

Piney Creek Village Metropolitan District
November-22

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
Colorado Special Districts P&L	23PL-60002-1704	9/6/2022	9/6/2022	\$ 2,646.00	Prepaid Insurance	1142
McGeady Becher P.C.	607W 07/2021	7/31/2021	7/31/2021	\$ -	Legal	1675
McGeady Becher P.C.	607W 9-2022	9/30/2022	9/30/2022	\$ 459.00	Legal	1675
Simmons & Wheeler, PC	34092	10/30/2022	10/30/2022	\$ 4,000.00	Audit	1615
Special Dist Mgmt Services, Inc	Oct-22	10/31/2022	10/31/2022	\$ 74.00	Insurance and Bonds	1670
Special Dist Mgmt Services, Inc	Oct-22	10/31/2022	10/31/2022	\$ 467.20	District Management	1614
Special Dist Mgmt Services, Inc	Oct-22	10/31/2022	10/31/2022	\$ 606.80	Accounting	1612
Special Dist Mgmt Services, Inc	Oct-22	10/31/2022	10/31/2022	\$ 3.40	Miscellaneous Expense	1690
T Charles Wilson Insurance	11516	9/28/2022	1/1/2023	\$ 495.00	Prepaid Insurance	1142
				\$ 8,751.40		

**Piney Creek Village Metropolitan District
November-22**

	<u>General</u>	<u>Enterprise</u>	<u>Debt</u>	<u>Totals</u>
Disbursements	\$ 8,751.40			\$ 8,751.40
Payroll				\$ -
Total Disbursements from Checking Acct	\$8,751.40	\$0.00	\$0.00	\$8,751.40

**Piney Creek Village Metropolitan District
December-22**

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
McGeady Becher P.C.	607W 10-2022	10/31/2022	10/31/2022	\$ 513.50	Legal	1675
Special Dist Mgmt Services, Inc	Nov-22	11/30/2022	11/30/2022	\$ 3,247.00	District Management	1614
Special Dist Mgmt Services, Inc	Nov-22	11/30/2022	11/30/2022	\$ 621.60	Accounting	1612
Special Dist Mgmt Services, Inc	Nov-22	11/30/2022	11/30/2022	\$ 15.29	Miscellaneous Expense	1690
				\$ 4,397.39		

Report Criteria:

Includes the following check types:

Manual, Payroll, Supplemental, Termination, Void

Includes unprinted checks

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Payee ID	Description	GL Account	Amount	D
12/14/2022	PC	12/14/2022	9064	Oh, Daniel K	77		9-112	92.35-	
Grand Totals:			<u>1</u>					<u>92.35-</u>	

**Piney Creek Village Metropolitan District
December-22**

	<u>General</u>	<u>Enterprise</u>	<u>Debt</u>	<u>Totals</u>
Disbursements	\$ 4,397.39			\$ 4,397.39
Payroll	\$ 92.35			\$ 92.35
Total Disbursements from Checking Acct	\$4,489.74	\$0.00	\$0.00	\$4,489.74

Piney Creek Village Metropolitan District
January-23

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
McGeady Becher P.C.	607W 11-2022	11/30/2022	11/30/2022	\$ 2,685.00	Legal	1675
Special Dist Mgmt Services, Inc	Dec-22	12/31/2022	12/31/2022	\$ 716.00	District Management	1614
Special Dist Mgmt Services, Inc	Dec-22	12/31/2022	12/31/2022	\$ 29.60	Election Expense	1635
Special Dist Mgmt Services, Inc	Dec-22	12/31/2022	12/31/2022	\$ 503.20	Accounting	1612
Special Dist Mgmt Services, Inc	Dec-22	12/31/2022	12/31/2022	\$ 13.70	Miscellaneous Expense	1690
				\$ 3,947.50		

**Piney Creek Village Metropolitan District
January-23**

	<u>General</u>	<u>Enterprise</u>	<u>Debt</u>	<u>Totals</u>
Disbursements	\$ 3,947.50			\$ 3,947.50
Payroll				\$ -
Total Disbursements from Checking Acct	\$3,947.50	\$0.00	\$0.00	\$3,947.50

Piney Creek Village Metropolitan District
February-23

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
Arapahoe County Clerk	12.14.2023	12/14/2022	12/14/2022	\$ 25.00	Election Expense	1635
McGeady Becher P.C.	607W 12-2022	12/31/2022	12/31/2022	\$ 321.50	Legal	1675
Special District Management Services	Jan-23	12/31/2022	1/1/2023	\$ 772.80	District Management	1614
Special District Management Services	Jan-23	12/31/2022	1/1/2023	\$ 848.00	Accounting	1612
Special District Management Services	Jan-23	12/31/2022	1/1/2023	\$ 3.80	Miscellaneous Expense	1690
				\$ 1,971.10		

Piney Creek Village Metropolitan District
February-23

	<u>General</u>	<u>Enterprise</u>	<u>Debt</u>	<u>Totals</u>
Disbursements	\$ 1,971.10			\$ 1,971.10
Payroll				\$ -
Total Disbursements from Checking Acct	\$1,971.10	\$0.00	\$0.00	\$1,971.10

Piney Creek Village Metropolitan District

March-23

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
McGeady Becher P.C.	607W 1-2023	1/31/2023	1/31/2023	\$ 795.75	Legal	1675
Special District Management Services	Feb-23	2/28/2023	3/1/2023	\$ 1,236.60	District Management	1614
Special District Management Services	Feb-23	2/28/2023	3/1/2023	\$ 896.00	Election Expense	1635
Special District Management Services	Feb-23	2/28/2023	3/1/2023	\$ 1,008.00	Accounting	1612
Special District Management Services	Feb-23	2/28/2023	3/1/2023	\$ 77.61	Miscellaneous Expense	1690
The Villager Legals	11020	2/2/2023	2/2/2023	\$ 47.14	Election Expense	1635
				\$ 4,061.10		

Piney Creek Village Metropolitan District
March-23

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
McGeady Becher P.C.	607W 1-2023	1/31/2023	1/31/2023	\$ 795.75	Legal	1675
Special District Management Services	Feb-23	2/28/2023	3/1/2023	\$ 1,236.60	District Management	1614
Special District Management Services	Feb-23	2/28/2023	3/1/2023	\$ 896.00	Election Expense	1635
Special District Management Services	Feb-23	2/28/2023	3/1/2023	\$ 1,008.00	Accounting	1612
Special District Management Services	Feb-23	2/28/2023	3/1/2023	\$ 77.61	Miscellaneous Expense	1690
The Villager Legals	11020	2/2/2023	2/2/2023	\$ 47.14	Election Expense	1635
				\$ 4,061.10		



3/17/2023

Piney Creek Village Metropolitan District
March-23

	General	Enterprise	Debt	Totals
Disbursements	\$ 4,061.10			\$ 4,061.10
Payroll				\$ -
Total Disbursements from Checking Acct	\$4,061.10	\$0.00	\$0.00	\$4,061.10

Piney Creek Village Metropolitan District
March-23

	General	Enterprise	Debt	Totals
Disbursements	\$ 4,061.10			\$ 4,061.10
Payroll				\$ -
Total Disbursements from Checking Acct	\$4,061.10	\$0.00	\$0.00	\$4,061.10



3/17/2023

Piney Creek Village Metropolitan District

April-23

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
McGeady Becher P.C.	607W 2-2023	2/28/2023	2/28/2023	\$ 2,918.68	Legal	1675
Special Dist Mgmt Services, Inc	Mar-23	3/31/2023	3/31/2023	\$ 460.60	District Management	1614
Special Dist Mgmt Services, Inc	Mar-23	3/31/2023	3/31/2023	\$ 509.80	Election Expense	1635
Special Dist Mgmt Services, Inc	Mar-23	3/31/2023	3/31/2023	\$ 1,040.00	Accounting	1612
Special Dist Mgmt Services, Inc	Mar-23	3/31/2023	3/31/2023	\$ 16.88	Miscellaneous Expense	1690
The Villager Legals	11086	3/16/2023	3/16/2023	\$ 52.66	Election Expense	1635
The Villager Legals	11108	3/23/2023	3/23/2023	\$ 57.72	Election Expense	1635
				\$ 5,056.34		

Piney Creek Village Metropolitan District
April-23

	General	Enterprise	Debt	Totals
Disbursements	\$ 5,056.34			\$ 5,056.34
Payroll	\$ 92.35			\$ 92.35
Total Disbursements from Checking Acct	\$5,148.69	\$0.00	\$0.00	\$5,148.69

Piney Creek Village Metropolitan District
May-23

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
McGeady Becher P.C.	607W 03-2023	3/31/2023	3/31/2023	\$ 367.64	Legal	1675
Special Dist Mgmt Services, Inc	Apr-23	4/30/2023	4/30/2023	\$ 1,479.40	District Management	1614
Special Dist Mgmt Services, Inc	Apr-23	4/30/2023	4/30/2023	\$ 205.80	Election Expense	1635
Special Dist Mgmt Services, Inc	Apr-23	4/30/2023	4/30/2023	\$ 1,536.00	Accounting	1612
Special Dist Mgmt Services, Inc	Apr-23	4/30/2023	4/30/2023	\$ 29.60	Miscellaneous Expense	1690
				\$ 3,618.44		

**Piney Creek Village Metropolitan District
May-23**

	<u>General</u>	<u>Enterprise</u>	<u>Debt</u>	<u>Totals</u>
Disbursements	\$ 3,618.44			\$ 3,618.44
Payroll				\$ -
Total Disbursements from Checking Acct	\$3,618.44	\$0.00	\$0.00	\$3,618.44

PINEY CREEK VILLAGE METROPOLITAN DISTRICT
Schedule of Cash Position
March 31, 2023

	Rate	Operating	Debt Service	Total
Checking:				
Cash in Bank - FirstBank		\$ 14,172.53	\$ (3,742.25)	\$ 10,430.28
Investments:				
Cash in Bank-ColoTrust	4.8592%	52,946.24	507,714.18	560,660.42
TOTAL FUNDS:		\$ 67,118.77	\$ 503,971.93	\$ 571,090.70

2023 Mill Levy Information

General Fund	3.340
Debt Service Fund	37.852
Total	41.192

Board of Directors

Daniel Oh
Gary Hahn
Kathy Dean
Mohamid Salih

*authorized signer on checking account

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

FINANCIAL STATEMENTS

March 31, 2023

PINEY CREEK VILLAGE METROPOLITAN DISTRICT
COMBINED BALANCE SHEET - ALL FUND TYPES AND ACCOUNT GROUPS
March 31, 2023

	<u>GENERAL</u>	<u>DEBT SERVICE</u>	<u>LONG-TERM DEBT</u>	<u>TOTAL MEMO ONLY</u>
Assets				
Cash in Bank - FirstBank	\$ 14,173	\$ (3,742)	\$ -	\$ 10,430
Cash in Bank-ColoTrust	52,946	507,714	-	560,660
Property Taxes Receivable	20,139	228,231	-	248,370
Total Current Assets	<u>87,258</u>	<u>732,203</u>	<u>-</u>	<u>819,461</u>
Other Debits				
Amount in Debt Service Fund	-	-	503,972	503,972
Amount to be Provided for Debt	-	-	4,041,028	4,041,028
Total Other Debits	<u>-</u>	<u>-</u>	<u>4,545,000</u>	<u>4,545,000</u>
Total Assets	<u>\$ 87,258</u>	<u>\$ 732,203</u>	<u>\$ 4,545,000</u>	<u>\$ 5,364,461</u>
Liabilities				
Payroll Taxes Payable	\$ (23)	\$ -	\$ -	\$ (23)
Loan Payable	-	-	4,545,000	4,545,000
Total Liabilities	<u>(23)</u>	<u>-</u>	<u>4,545,000</u>	<u>4,544,977</u>
Deferred Inflows of Resources				
Deferred Property Taxes	20,139	228,231	-	248,370
Total Deferred Inflows of Resources	<u>20,139</u>	<u>228,231</u>	<u>-</u>	<u>248,370</u>
Fund Balance	62,522	343,446	-	405,968
Current Year Earnings	4,619	160,526	-	165,145
Total Fund Balances	<u>67,141</u>	<u>503,972</u>	<u>-</u>	<u>571,113</u>
Total Liabilities, Deferred Inflows of Resources and Fund Balance	<u>\$ 87,258</u>	<u>\$ 732,203</u>	<u>\$ 4,545,000</u>	<u>\$ 5,364,461</u>

PINEY CREEK VILLAGE METROPOLITAN DISTRICT
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual
General Fund
For the 3 Months Ending
March 31, 2023

<u>Account Description</u>	<u>Period Actual</u>	<u>YTD Actual</u>	<u>Budget</u>	<u>Favorable (Unfavorable) Variance</u>	<u>% of Budget</u>
Revenues					
Property Taxes	\$ 13,629	\$ 13,629	\$ 33,768	\$ (20,139)	40.4%
Specific Ownership Taxes	343	343	2,026	(1,683)	16.9%
Interest Income	686	686	800	(114)	85.7%
Total Revenues	<u>14,657</u>	<u>14,657</u>	<u>36,594</u>	<u>(21,937)</u>	<u>40.1%</u>
Expenditures					
Accounting	1,856	1,856	10,700	8,844	17.3%
District Management	2,009	2,009	8,700	6,691	23.1%
Audit	-	-	4,500	4,500	0.0%
Director's Fees	100	100	600	500	16.7%
Election Expense	943	943	1,000	57	94.3%
Insurance and Bonds	3,841	3,841	4,000	159	96.0%
Legal	796	796	6,500	5,704	12.2%
SDA	-	-	400	400	0.0%
Miscellaneous Expense	281	281	1,000	719	28.1%
Payroll Taxes	8	8	46	38	16.6%
Treasurer's Fees	204	204	507	303	40.3%
Emergency Reserves	-	-	1,098	1,098	0.0%
Contingency	-	-	12,000	12,000	0.0%
Total Expenditures	<u>10,038</u>	<u>10,038</u>	<u>51,051</u>	<u>41,013</u>	<u>19.7%</u>
Excess (Deficiency) of Revenues Over Expenditures	4,619	4,619	(14,457)	19,076	
Beginning Fund Balance	62,522	62,522	59,720	2,802	
Ending Fund Balance	<u>\$ 67,141</u>	<u>\$ 67,141</u>	<u>\$ 45,263</u>	<u>\$ 21,878</u>	

PINEY CREEK VILLAGE METROPOLITAN DISTRICT
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual
Debt Service Fund
For the 3 Months Ending
March 31, 2023

<u>Account Description</u>	<u>Period Actual</u>	<u>YTD Actual</u>	<u>Budget</u>	<u>Favorable (Unfavorable) Variance</u>	<u>% of Budget</u>
Revenues					
Property Taxes	\$ 154,459	\$ 154,459	\$ 382,690	\$ (228,231)	40.4%
Specific Ownership Taxes	3,883	3,883	22,961	(19,078)	16.9%
Interest Income	4,501	4,501	9,000	(4,499)	50.0%
Total Revenues	<u>162,843</u>	<u>162,843</u>	<u>414,651</u>	<u>(251,808)</u>	<u>39.3%</u>
Expenditures					
Loan Principal	-	-	215,000	215,000	0.0%
Loan Interest	-	-	123,498	123,498	0.0%
Paying Agent Fees	-	-	2,750	2,750	0.0%
Contingency	-	-	5,000	5,000	0.0%
Treasurer's Fees	2,317	2,317	5,740	3,423	40.4%
Total Expenditures	<u>2,317</u>	<u>2,317</u>	<u>351,988</u>	<u>349,671</u>	<u>0.7%</u>
Excess (Deficiency) of Revenues Over Expenditures	160,526	160,526	62,663	97,863	
Beginning Fund Balance	343,446	343,446	338,495	4,951	
Ending Fund Balance	<u>\$ 503,972</u>	<u>\$ 503,972</u>	<u>\$ 401,158</u>	<u>\$ 102,814</u>	

DRAFT 5/22/2023

**PINEY CREEK VILLAGE
METROPOLITAN DISTRICT**

Financial Statements

Year Ended December 31, 2022

with

Independent Auditors' Report

DRAFT 5/22/2023

CONTENTS

	<u>Page</u>
<u>Independent Auditors' Report</u>	I
<u>Basic Financial Statements</u>	
Balance Sheet/Statement of Net Position - Governmental Funds	1
Statement of Revenues, Expenditures and Changes in Fund Balances/Statement of Activities - Governmental Funds	2
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - General Fund	3
Notes to Financial Statements	4
<u>Supplemental Information</u>	
Schedule of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - Debt Service Fund	18
Summary of Assessed Valuation, Mill Levy and Property Taxes Collected	19

DRAFT 5/22/2023

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

BALANCE SHEET/STATEMENT OF NET POSITION GOVERNMENTAL FUNDS December 31, 2022

	<u>General</u>	<u>Debt Service</u>	<u>Total</u>	<u>Adjustments</u>	<u>Statement of Net Position</u>
ASSETS					
Cash and investments	\$ 61,727	\$ -	\$ 61,727	\$ -	\$ 61,727
Cash and investments - restricted	1,098	341,660	342,758	-	342,758
Receivable - County Treasurer	157	1,786	1,943	-	1,943
Property taxes receivable	33,768	382,690	416,458	-	416,458
Prepaid expenses	<u>3,841</u>	<u>-</u>	<u>3,841</u>	<u>-</u>	<u>3,841</u>
Total Assets	<u>100,591</u>	<u>726,136</u>	<u>826,727</u>	<u>-</u>	<u>826,727</u>
DEFERRED OUTFLOWS OF RESOURCES					
Deferred loss on refunding	<u>-</u>	<u>-</u>	<u>-</u>	<u>46,773</u>	<u>46,773</u>
Total Deferred Outflows of Resources	<u>-</u>	<u>-</u>	<u>-</u>	<u>46,773</u>	<u>46,773</u>
Total Assets and Deferred Outflows of Resources	<u>\$ 100,591</u>	<u>\$ 726,136</u>	<u>\$ 826,727</u>		
LIABILITIES					
Accounts payable	\$ 4,302	\$ -	\$ 4,302	-	4,302
Accrued interest on bonds	-	-	-	10,263	10,263
Long-term liabilities:					
Due within one year	-	-	-	215,000	215,000
Due in more than one year	<u>-</u>	<u>-</u>	<u>-</u>	<u>4,330,000</u>	<u>4,330,000</u>
Total Liabilities	<u>4,302</u>	<u>-</u>	<u>4,302</u>	<u>4,555,263</u>	<u>4,559,565</u>
DEFERRED INFLOWS OF RESOURCES					
Deferred property taxes	<u>33,768</u>	<u>382,690</u>	<u>416,458</u>	<u>-</u>	<u>416,458</u>
Total Deferred Inflows of Resources	<u>33,768</u>	<u>382,690</u>	<u>416,458</u>	<u>-</u>	<u>416,458</u>
FUND BALANCES/NET POSITION					
Fund Balances:					
Nonspendable:					
Prepays	3,841	-	3,841	(3,841)	-
Restricted:					
Emergencies	1,098	-	1,098	(1,098)	-
Debt service	-	343,446	343,446	(343,446)	-
Unassigned	<u>57,582</u>	<u>-</u>	<u>57,582</u>	<u>(57,582)</u>	<u>-</u>
Total Fund Balances	<u>62,521</u>	<u>343,446</u>	<u>405,967</u>	<u>(405,967)</u>	<u>-</u>
Total Liabilities, Deferred Inflows of Resources and Fund Balances	<u>\$ 100,591</u>	<u>\$ 726,136</u>	<u>\$ 826,727</u>		
Net Position:					
Restricted for:					
Emergencies				1,098	1,098
Debt service				333,183	333,183
Unrestricted				<u>(4,436,804)</u>	<u>(4,436,804)</u>
Total Net Position				<u>\$ (4,102,523)</u>	<u>\$ (4,102,523)</u>

The notes to the financial statements are an integral part of these statements.

DRAFT 5/22/2023

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES/STATEMENT OF ACTIVITIES GOVERNMENTAL FUNDS

For the Year Ended December 31, 2022

	<u>General</u>	<u>Debt Service</u>	<u>Total</u>	<u>Adjustments</u>	<u>Statement of Activities</u>
EXPENDITURES					
General expenses:					
Accounting	\$ 7,844	\$ -	\$ 7,844	\$ -	\$ 7,844
Audit	4,000	-	4,000	-	4,000
Directors fees	98	-	98	-	98
Election expense	889	-	889	-	889
Insurance	3,643	-	3,643	-	3,643
Legal	8,007	-	8,007	-	8,007
Management fees	7,041	-	7,041	-	7,041
Miscellaneous expenses	1,082	-	1,082	-	1,082
Payroll taxes	8	-	8	-	8
SDA	303	-	303	-	303
Treasurer's fees	508	5,754	6,262	-	6,262
Debt Service:					
Loan principal	-	210,000	210,000	(210,000)	-
Loan interest expense	-	129,204	129,204	17,603	146,807
Paying agent fees	-	2,750	2,750	-	2,750
	<u>33,423</u>	<u>347,708</u>	<u>381,131</u>	<u>(192,397)</u>	<u>188,734</u>
Total Expenditures					
GENERAL REVENUES					
Property taxes	33,793	382,971	416,764	-	416,764
Specific ownership taxes	2,133	24,178	26,311	-	26,311
Interest income	1,550	9,032	10,582	-	10,582
	<u>37,476</u>	<u>416,181</u>	<u>453,657</u>	<u>-</u>	<u>453,657</u>
Total General Revenues					
NET CHANGES IN FUND BALANCES	4,053	68,473	72,526	(72,526)	
CHANGE IN NET POSITION				264,923	264,923
FUND BALANCES/NET POSITION:					
BEGINNING OF YEAR	58,468	274,973	333,441	(4,700,887)	(4,367,446)
END OF YEAR	<u>\$ 62,521</u>	<u>\$ 343,446</u>	<u>\$ 405,967</u>	<u>\$ (4,508,490)</u>	<u>\$ (4,102,523)</u>

The notes to the financial statements are an integral part of these statements.

DRAFT 5/22/2023

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - GENERAL FUND

For the Year Ended December 31, 2022

	Original and <u>Final Budget</u>	<u>Actual</u>	Variance Favorable <u>(Unfavorable)</u>
REVENUES			
Property taxes	\$ 33,793	\$ 33,793	\$ -
Specific ownership taxes	2,000	2,133	133
Interest income	800	1,550	750
	<u>36,593</u>	<u>37,476</u>	<u>883</u>
EXPENDITURES			
Accounting	9,900	7,844	2,056
Audit	5,000	4,000	1,000
Directors fees	600	98	502
Election expense	4,000	889	3,111
Insurance	4,000	3,643	357
Legal	6,500	8,007	(1,507)
Management fees	8,000	7,041	959
Miscellaneous expenses	1,000	1,082	(82)
Payroll taxes	46	8	38
SDA	400	303	97
Treasurer's fees	507	508	(1)
Contingency	12,000	-	12,000
Emergency reserve	1,098	-	1,098
	<u>53,051</u>	<u>33,423</u>	<u>19,628</u>
NET CHANGE IN FUND BALANCE	(16,458)	4,053	20,511
FUND BALANCE:			
BEGINNING OF YEAR	<u>54,350</u>	<u>58,468</u>	<u>4,118</u>
END OF YEAR	<u>\$ 37,892</u>	<u>\$ 62,521</u>	<u>\$ 24,629</u>

The notes to the financial statements are an integral part of these statements.

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Note 1: Summary of Significant Accounting Policies

The accounting policies of the Piney Creek Village Metropolitan District, (“the District”), located in Arapahoe County, Colorado (“the County”); conform to the accounting principles generally accepted in the United States of America (“GAAP”) as applicable to governmental units. The Governmental Accounting Standards Board (“GASB”) is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The following is a summary of the more significant policies consistently applied in the preparation of financial statements.

Definition of Reporting Entity

The District was organized on June 18, 2001, as a quasi-municipal organization established under the State of Colorado Special District Act. The District was established to finance and construct certain improvements that benefit the citizens of the District. The District's primary revenues are property taxes. The District is governed by an elected Board of Directors.

As required by GAAP, these financial statements present the activities of the District, which is legally separate and financially independent of other state and local governments. The District follows the GASB pronouncements which provide guidance for determining which governmental activities, organizations and functions should be included within the financial reporting entity. GASB sets forth the financial accountability of a governmental organization's elected governing body as the basic criterion for including a possible component governmental organization in a primary government's legal entity. Financial accountability includes, but is not limited to, appointment of a voting majority of the organization's governing body, ability to impose its will on the organization, a potential for the organization to provide specific financial benefits or burdens and fiscal dependency. The pronouncements also require including a possible component unit if it would be misleading to exclude it.

The District is not financially accountable for any other organization. The District has no component units as defined by the GASB.

The District has no employees and all operations and administrative functions are contracted.

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Note 1: Summary of Significant Accounting Policies (continued)

Basis of Presentation

The accompanying financial statements are presented per GASB Statement No. 34 - Special Purpose Governments.

The government-wide financial statements (i.e. the governmental funds balance sheet/statement of net position and the governmental funds statement of revenues, expenditures, and changes in fund balances/statement of activities) report information on all of the governmental activities of the District. The statement of net position reports all financial and capital resources of the District. The difference between the (a) assets and deferred outflows of resources and the (b) liabilities and deferred inflows of resources of the District is reported as net position. The statement of activities demonstrates the degree to which expenditures/expenses of the governmental funds are supported by general revenues. For the most part, the effect of interfund activity has been removed from these statements.

The statement of activities demonstrates the degree to which the direct and indirect expenses of a given function or segment are offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include 1) charges to customers or applicants who purchase, use or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as *general revenues*.

Major individual governmental funds are reported as separate columns in the fund financial statements.

Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of the related cash flows. Property taxes are recognized as revenues in the year for which they are collected.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the District considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. The material sources of revenue subject to accrual are property taxes and interest. Expenditures, other than interest on long-term obligations, are recorded when the liability is incurred or the long-term obligation is paid.

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Note 1: Summary of Significant Accounting Policies (continued)

The District reports the following major governmental funds:

General Fund - The General Fund is the general operating fund of the District. It is used to account for all financial resources not accounted for and reported in another fund.

Debt Service Fund - The Debt Service Fund is used to account for all financial resources that are restricted, committed or assigned to expenditures for principal, interest and other debt related costs.

Budgetary Accounting

Budgets are adopted on a non-GAAP basis for the governmental funds. In accordance with the State Budget Law of Colorado, the District's Board of Directors holds public hearings in the fall of each year to approve the budget and appropriate the funds for the ensuing year. The District's Board of Directors can modify the budget by line item within the total appropriation without notification. The appropriation can only be modified upon completion of notification and publication requirements. The budget includes each fund on its basis of accounting unless otherwise indicated. The appropriation is at the total fund expenditures level and lapses at year end.

Assets, Liabilities and Net Position:

Fair Value of Financial Instruments

The District's financial instruments include cash and investments, accounts receivable and accounts payable. The District estimates that the fair value of all financial instruments at December 31, 2022, does not differ materially from the aggregate carrying values of its financial instruments recorded in the accompanying balance sheet. The carrying amount of these financial instruments approximates fair value because of the short maturity of these instruments.

Deposits and Investments

The District's cash and investments are considered to be cash on hand and short-term investments with maturities of three months or less from the date of acquisition. Investments for the government are reported at fair value.

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Note 1: Summary of Significant Accounting Policies (continued)

The District follows the practice of pooling cash and investments of all funds to maximize investment earnings. Except when required by trust or other agreements, all cash is deposited to and disbursed from a minimum number of bank accounts. Cash in excess of immediate operating requirements is pooled for deposit and investment flexibility. Investment earnings are allocated periodically to the participating funds based upon each fund's average equity balance in the total cash.

Estimates

The preparation of these financial statements in conformity with GAAP requires the District management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. As of December 31, 2022, the District has one item that qualifies for reporting in this category. It is the deferred loss on refunding reported in the government-wide statement of net position. A deferred loss on refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The District has one item that qualifies for reporting in this category. Deferred property taxes are deferred and recognized as an inflow of resources in the period that the amounts become available.

Capital Assets

Capital assets, which include property, plant, equipment and infrastructure assets (e.g. roads, bridges, sidewalks, and similar items), are reported in the applicable governmental activities columns in the government-wide financial statements. Capital assets are defined by the District as assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of two years. Such assets are recorded at historical or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair value at the date of donation.

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Note 1: Summary of Significant Accounting Policies (continued)

The costs of normal maintenance and repairs that do not add to the value of the assets or materially extend the life of the asset are not capitalized. Improvements are capitalized and depreciated over the remaining useful lives of the related fixed assets, as applicable using the straight-line method. Depreciation on property that will remain assets of the District is reported on the Statement of Activities as a current charge. Improvements that will be conveyed to other governmental entities are classified as construction in progress and are not depreciated. Land and certain landscaping improvements are not depreciated. No depreciation expense was recognized during 2022.

All assets were transferred to Arapahoe County and East Cherry Creek Valley Water and Sanitation District as of December 2003.

Property Taxes

Property taxes are levied by the District's Board of Directors. The levy is based on assessed valuations determined by the County Assessor generally as of January 1 of each year. The levy is normally set by December 15 by certification to the County Commissioners to put the tax lien on the individual properties as of January 1 of the following year.

The County Treasurer collects the determined taxes during the ensuing calendar year. The taxes are payable by April 30 or if in equal installments, at the taxpayers' election, in February and June. Delinquent taxpayers are notified in July or August and the sales of the resultant tax liens on delinquent properties are generally held in November or December. The County Treasurer remits the taxes collected monthly to the District.

Property taxes, net of estimated uncollectible taxes, are recorded initially as deferred inflows in the year they are levied and measurable since they are not normally available nor are they budgeted as a resource until the subsequent year. The deferred property taxes are recorded as revenue in the subsequent year when they are available or collected.

Property owners within the boundaries of the District have been assessed \$416,458 for 2022. Since these taxes are not normally available to the District until 2023, they are classified as deferred income until 2023.

Long-Term Obligations

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities.

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Note 1: Summary of Significant Accounting Policies (continued)

Loss on Refunding

The Loss on Refunding from the 2015 Loan is being amortized over the term of the refunding loan using the straight line method. Accumulated amortization on the loss on refunding amounted to \$138,820 at December 31, 2022.

Fund Equity

Fund balance of governmental funds is reported in various categories based on the nature of any limitations requiring the use of resources for specific purposes. Because circumstances differ among governments, not every government or every governmental fund will present all of these components. The following classifications make the nature and extent of the constraints placed on a government's fund balance more transparent:

Nonspendable Fund Balance

Nonspendable fund balance includes amounts that cannot be spent because they are either not spendable in form (such as inventory or prepaids) or are legally or contractually required to be maintained intact.

The nonspendable fund balance in the General Fund in the amount of \$3,841 represents prepaid expenditures.

Restricted Fund Balance

The restricted fund balance includes amounts restricted for a specific purpose by external parties such as grantors, bondholders, constitutional provisions or enabling legislation.

The restricted fund balance in the General Fund represents Emergency Reserves that have been provided as required by Article X, Section 20 of the Constitution of the State of Colorado. A total of \$1,098 of the General Fund balance has been restricted in compliance with this requirement.

The restricted fund balance in the Debt Service Fund in the amount of \$343,446 is restricted for the payment of the debt service costs associated with the 2015 Loan (see Note 4).

Assigned Fund Balance

Assigned fund balance includes amounts the District intends to use for a specific purpose. Intent can be expressed by the District's Board of Directors or by an official or body to which the Board of Directors delegates the authority.

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Note 1: Summary of Significant Accounting Policies (continued)

Committed Fund Balance

The portion of fund balance that can only be used for specific purposes pursuant to constraints imposed by a formal action of the government's highest level of decision-making authority, the Board of Directors. The constraint may be removed or changed only through formal action of the Board of Directors.

Unassigned Fund Balance

Unassigned fund balance includes amounts that are available for any purpose. Positive amounts are reported only in the General Fund, all other funds can report negative amounts.

For the classification of Governmental Fund balances, the District considers an expenditure to be made from the most restrictive classification first when more than one is available.

Net Position

Net Position represents the difference between assets and deferred outflows of resources less liabilities and deferred inflows of resources. The District reports three categories of net position, as follows:

Net investment in capital assets – consists of net capital assets, reduced by outstanding balances of any related debt obligations and deferred inflows of resources attributable to the acquisition, construction, or improvement of those assets and increased by balances of deferred outflows of resources related to those assets.

Restricted net position – net position is considered restricted if their use is constrained to a particular purpose. Restrictions are imposed by external organizations such as federal or state laws. Restricted net position is reduced by liabilities and deferred inflows of resources related to the restricted assets.

Unrestricted net position – consists of all other net position that does not meet the definition of the above two components and is available for general use by the District.

When an expense is incurred for purposes for which both restricted and unrestricted net position are available, the District will use the most restrictive net position first.

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Note 2: Cash and Investments

As of December 31, 2022, cash and investments are classified in the accompanying financial statements as follows:

Statement of Net Position:	
Cash and investments	\$ 61,727
Cash and investments - Restricted	<u>342,758</u>
Total	\$ <u>404,485</u>

Cash and investments as of December 31, 2022, consist of the following:

Deposits with financial institutions	\$ 5,747
Investments – COLOTRUST	<u>398,738</u>
	\$ <u>404,485</u>

Deposits:

Custodial Credit Risk

The Colorado Public Deposit Protection Act (“PDPA”) requires that all units of local government deposit cash in eligible public depositories. State regulators determine eligibility. Amounts on deposit in excess of federal insurance levels must be collateralized. The eligible collateral is determined by the PDPA. PDPA allows the institution to create a single collateral pool for all public funds. The pool is to be maintained by another institution, or held in trust for all the uninsured public deposits as a group. The market value of the collateral must be at least equal to the aggregate uninsured deposits. The State Commissioners for banks and financial services are required by statute to monitor the naming of eligible depositories and reporting of the uninsured deposits and assets maintained in the collateral pools.

The District follows state statutes for deposits. None of the District’s deposits were exposed to custodial credit risk.

Investments:

Investment Valuation

Certain investments are measured at fair value within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs. The District’s investment is not required to be categorized within the fair value hierarchy. This investment’s value is calculated using the net asset value method (NAV) per share.

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Note 2: Cash and Investments (continued)

Credit Risk

The District investment policy requires that the District follow state statutes regarding investments. Colorado statutes specify the types of investments meeting defined rating and risk criteria in which local governments may invest. These investments include obligations of the United States and certain U.S. Government agency entities, certain money market funds, guaranteed investment contracts, and local government investment pools.

Custodial and Concentration of Credit Risk

None of the District's investments are subject to custodial or concentration of credit risk.

Interest Rate Risk

Colorado revised statutes limit investment maturities to five years or less unless formally approved by the Board of Directors.

As of December 31, 2022, the District had the following investments:

COLOTRUST

As of December 31, 2022, the District invested in the Colorado Local Governmental Liquid Asset Trust ("COLOTRUST"), a local governmental investment vehicle established for local governmental entities in Colorado to pool surplus funds. COLOTRUST offers three investment options, one of which is COLOTRUST PLUS+. As an investment pool, COLOTRUST operates under the Colorado Revised Statutes (24-75-701) and is overseen by the Colorado Securities Commissioner. COLOTRUST PLUS+ may invest in U.S. Treasuries, government agencies, the highest-rated commercial paper, certain corporate securities, certain money market funds, and certain repurchase agreements, and limits its investments to those allowed by State statutes. Purchases and redemptions are available daily at a net asset value ("NAV") of \$1.00. A designated custodial bank provides safekeeping and depository services to COLOTRUST in connection with the direct investment and withdrawal function of COLOTRUST. The custodian's internal records identify the investments owned by participating governments. COLOTRUST Plus+ records its investment at fair value and the District records its investment in COLOTRUST PLUS+ using the next asset value. There are no unfunded commitments and there is no redemption notice period. The weighted average maturity is 60 days or less and is rated AAAM by Standard & Poor's. At December 31, 2022, the District had \$398,738 invested in COLOTRUST PLUS+.

Note 3: Capital Assets

The District has previously completed and transferred all capital assets to Arapahoe County and East Cherry Creek Valley Water and Sanitation District.

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Note 4: Long Term Debt

The following is an analysis of changes in long-term debt for the period ending December 31, 2022:

	Balance 12-31-21	Additions	Retirements	Balance 12-31-22	Current Portion
<u>Loans from direct borrowing and direct placements:</u>					
Refunding Loan-Series 2015	\$ 4,755,000	\$ -	\$ 210,000	\$ 4,545,000	\$ 215,000
Total Long-term Debt	\$ 4,755,000	\$ -	\$ 210,000	\$ 4,545,000	\$ 215,000

A description of the long-term obligations as of December 31, 2022, is as follows:

2015 Loan Agreement and Note (\$6,085,000)

On May 5, 2015, the District and U.S. Bank National Association (the “Bank”) entered into a Loan Agreement pursuant to which the Bank loaned the District \$6,085,000 (“2015 Loan”) for the purpose of refunding the District’s \$6,600,000 General Obligation Limited Tax Convertible to Unlimited Tax Bonds, Series 2005 (“2005 Bonds”). The 2015 Loan was obtained to provide \$6,400,261 in order to refund the outstanding balance of the 2005 Bonds of \$6,070,000. The District executed a Promissory Note evidencing the 2015 Loan in the total amount of \$6,085,000.

The 2015 Loan matures on August 1, 2025 and bears interest at a fixed rate of 2.68%. Principal payments on the Loan are due on each December 1, commencing on December 1, 2015, and interest payments are due on each June 1 and December 1, commencing December 1, 2015. On any date on or after May 5, 2022, the District may, at its option, prepay all or any part of the principal of the Loan plus accrued interest without any prepayment penalty.

The 2015 Loan is payable from and secured by the Pledged Revenue, which consists of the Required Mill Levy (described below), the portion of the Specific Ownership Taxes (as defined in the Loan Agreement) allocable to the amount of the Required Mill Levy, and any other legally available moneys which the Board of Directors of the District determines in its sole discretion to apply as Pledged Revenue. Subject to the limitations of the District’s electoral authorization, and as further described in Loan Agreement, the Required Mill Levy means (a) prior to the Maturity Date, an ad valorem mill levy imposed upon all taxable property of the District each year in an amount sufficient, when combined with moneys held in the Loan Payment Fund (as defined in the Loan Agreement), to pay the Estimated Debt Requirements (as defined in the Loan Agreement), but not in excess of 99.00 mills less the amount of the Operations Mill Levy (as defined in the Loan Agreement), and (b) for any debt service tax levy occurring on or after the Maturity Date, an ad valorem mill levy imposed upon all taxable property of the District each year in the amount of 61.181 mills as adjusted by the Gallagher amendment.

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Note 4: Long-Term Debt (continued)

Events of Default as defined by the Loan Agreement include a) failure by the District to impose the Required Mill Levy or to apply the Pledged Revenue as required by the Loan Agreement, b) failure by the District to pay the principal of or interest on the Loan or any other amount payable to the Bank under the Loan Agreement when due, c) failure by the District to perform any of the covenants, agreements, or conditions required by the Series 2015 Loan Agreement or the other Financing documents and failure to remedy the default within 30 days of notice by the Bank, provided, however, that there shall be no Event of Default for failure to perform any of these covenants, agreements, or conditions if a court or other jurisdiction has determined them to be unlawful, d) determination that any representation or warranty made by the District proves to be untrue or incomplete in any material respect, e) the occurrence and continuance of an event of default or an event of nonperformance under the Custodial Agreement or any of the other Financing Documents after the expiration of any grace period, f) failure by the District to pay the principal of or interest when due on any financial obligation of the District and continuance of such default beyond any grace period, g) the pledge of the Pledged Revenue or any other security interest created under the Loan Agreement fails to be fully enforceable with the priority required therein, h) any judgement or court order exceeding insurance coverage in excess of \$50,000 is rendered against the District and the District fails to pay or satisfy such judgment for 30 days, i) a change occurs in the financial or operating condition of the District which the Bank judges to have a material adverse impact on the District and its ability to satisfy its obligations under this agreement and the District fails to cure such condition within the time specified by the Bank, j) the District commences any case, proceeding, or other action relating to bankruptcy, insolvency, reorganization, relief of debtors or appointment of a receiver, trustee or custodian, k) any financing document related to the Series 2015 Loan or pledge or security interest related to such documents ceases to be valid or enforceable, l) the District's auditor delivers a qualified opinion with respect to the District's status as a going concern, m) any funds or investments on deposit in, or otherwise to the credit of, any of the funds or accounts established under the Loan Agreement or Custodial Agreement shall become subject to any writ, judgment, warrant, attachment, execution, or similar process, or n) any determination, decision, or decree by the IRS or other court which results in interest payable on the Series 2015 Loan becoming includable in the gross income of an owner, unless appealed or contested in good faith by the District. Remedies are available to the Lender as described in the Loan Agreement, however, except for the application of the interest rate being changed to a Default Rate, no remedy will be available solely because of the failure of the District to pay principal of, or interest on, the Loan when due. Acceleration of the Loan is also not an available remedy for an Event of Default.

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Note 4: Long-Term Debt (continued)

As a result of the issuance of the 2015 Loan, the 2005 Bonds are considered to be defeased and the liabilities have been removed from the governmental activities column of the statement of net position. The reacquisition price of the old debt exceeded the net carrying amount by \$185,593. This amount is recorded as a deferred outflow and is being amortized over the life of the 2015 Loan. The refunding resulted in an economic gain of approximately \$1,422,345 due to the average interest rate of the Series 2015 Loan being lower than the refunded bonds.

The following is a summary of the annual long-term debt principal and interest requirements as of December 31, 2022:

	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2023	\$ 215,000	\$ 123,498	\$ 338,498
2024	225,000	117,978	342,978
2025	<u>4,105,000</u>	<u>74,259</u>	<u>4,179,259</u>
	<u>\$ 4,545,000</u>	<u>\$ 315,735</u>	<u>\$ 4,860,735</u>

The District had no unused lines of credit as of December 31, 2022.

Note 5: Debt Authorization

As of December 31, 2022, the District had \$12,315,000 of authorized but unissued debt for providing public improvements. In the future, the District may issue a portion or all of the remaining authorized but unissued general obligation debt for purposes of providing public improvements to support development as it occurs within the District's service area. The District did not budget to issue any debt in 2023.

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Note 6: Service Plan

In December 2014, the District petitioned the City of Centennial (the “City”) for acceptance as approving authority over the District which is located entirely within the boundaries of the City and for approval of an amendment to the District’s Service Plan, to remove the Limited Mill Levy cap as defined in the District’s Service Plan. Upon approval of both petitions by the City Council on February 17, 2015, all authority that had been vested with Arapahoe County was transferred to the City. The First Amendment to the Service Plan of the District was approved, removing the Limited Mill Levy cap with the objective to lower the District’s overall mill levy in the long-term by refinancing its existing bonds and lowering the annual interest rate on its indebtedness. These goals can be met by pledging an unlimited mill levy for bond repayment.

Note 7: Tax, Spending and Debt Limitations

Article X, Section 20 of the Colorado Constitution, commonly known as the Taxpayer Bill of Rights (“TABOR”), contains tax, spending, revenue and debt limitations which apply to the State of Colorado and all local governments.

Spending and revenue limits are determined based on the prior year’s Fiscal Year Spending adjusted for allowable increases based upon inflation and local growth. Fiscal Year Spending is generally defined as expenditures plus reserve increases with certain exceptions. Revenue in excess of the Fiscal Year Spending limit must be refunded unless the voters approve retention of such revenue.

TABOR requires local governments to establish Emergency Reserves. These reserves must be at least 3% of Fiscal Year Spending (excluding bonded debt service). Local governments are not allowed to use the emergency reserves to compensate for economic conditions, revenue shortfalls, or salary or benefit increases.

The District’s management believes it is in compliance with the provisions of TABOR. However, TABOR is complex and subject to interpretation. Many of the provisions, including the interpretation of how to calculate Fiscal Year Spending limits will require judicial interpretation.

On November 6, 2001 a majority of the District’s electors authorized the District to collect and spend or retain in a reserve all currently levied taxes and fees of the District without regard to any limitations under Article X, Section 20 of the Colorado Constitution.

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Note 8: Risk Management

Except as provided in the Colorado Governmental Immunity Act, 24-10-101, et seq., C.R.S., the District may be exposed to various risks of loss related to torts, theft of, damage to, or destruction of assets; errors or omissions; injuries to agents; and natural disasters. The District has elected to participate in the Colorado Special Districts Property and Liability Pool (“Pool”) which is an organization created by intergovernmental agreement to provide common liability and casualty insurance coverage to its members at a cost that is considered economically appropriate. Settled claims have not exceeded this commercial coverage in any of the past three fiscal years.

The District pays annual premiums to the Pool for auto, public officials’ liability, and property and general liability coverage. In the event aggregated losses incurred by the Pool exceed its amounts recoverable from reinsurance contracts and its accumulated reserves, the District may be called upon to make additional contributions to the Pool on the basis proportionate to other members. Any excess funds which the Pool determines are not needed for purposes of the Pool may be returned to the members pursuant to a distribution formula.

Note 9: Reconciliation of Government-Wide Financial Statements and Fund Financial Statements

The Governmental Funds Balance Sheet/Statement of Net Position includes an adjustments column. The adjustments have the following elements:

- 1) long-term liabilities such as bonds payable and accrued bond interest payable are not due and payable in the current period and, therefore, are not in the funds.

The Governmental Funds Statement of Revenues, Expenditures, and Changes in Fund Balances/Statement of Activities includes an adjustments column. The adjustments have the following elements:

- 1) governmental funds report interest expense on the modified accrual basis; however, interest expense is reported on the full accrual method on the Statement of Activities; and
- 2) governmental funds report long-term debt payments as expenditures, however, in the statement of activities, the payment of long-term debt is recorded as a decrease of long-term liabilities.

DRAFT 5/22/2023

SUPPLEMENTAL INFORMATION

DRAFT 5/22/2023

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - DEBT SERVICE FUND

For the Year Ended December 31, 2022

	Original and <u>Final Budget</u>	<u>Actual</u>	Variance Favorable <u>(Unfavorable)</u>
REVENUES			
Property taxes	\$ 382,971	\$ 382,971	\$ -
Specific ownership taxes	23,251	24,178	927
Interest income	<u>200</u>	<u>9,032</u>	<u>8,832</u>
Total Revenues	<u>406,422</u>	<u>416,181</u>	<u>9,759</u>
EXPENDITURES			
Loan principal	210,000	210,000	-
Loan interest expense	129,204	129,204	-
Paying agent fees	2,750	2,750	-
Contingency	5,000	-	5,000
Treasurer's fees	<u>5,745</u>	<u>5,754</u>	<u>(9)</u>
Total Expenditures	<u>352,699</u>	<u>347,708</u>	<u>4,991</u>
NET CHANGE IN FUND BALANCE	53,723	68,473	14,750
FUND BALANCE:			
BEGINNING OF YEAR	<u>267,810</u>	<u>274,973</u>	<u>7,163</u>
END OF YEAR	<u>\$ 321,533</u>	<u>\$ 343,446</u>	<u>\$ 21,913</u>

The notes to the financial statements are an integral part of these statements.

DRAFT 5/22/2023

PINEY CREEK VILLAGE METROPOLITAN DISTRICT

SUMMARY OF ASSESSED VALUATION, MILL LEVY AND PROPERTY TAXES COLLECTED

December 31, 2022

<u>Year Ended December 31,</u>	<u>Year Property Tax Levy</u>	<u>Mills Levied</u>		<u>Total Property Tax</u>		<u>Percent Collected to Levied</u>
		<u>General Fund</u>	<u>Debt Service</u>	<u>Levied</u>	<u>Collected</u>	
2003	\$ 1,894,570	37.000	0.000	\$ 70,099	\$ 69,664	99.38%
2004	\$ 3,359,730	37.000	0.000	\$ 124,310	\$ 120,475	96.91%
2005	\$ 4,384,570	42.550	0.000	\$ 186,563	\$ 186,563	100.00%
2006	\$ 5,643,470	2.550	40.000	\$ 240,130	\$ 240,130	100.00%
2007	\$ 8,491,620	2.550	40.000	\$ 361,318	\$ 361,319	100.00%
2008	\$ 10,377,960	2.550	40.000	\$ 441,582	\$ 441,265	99.93%
2009	\$ 10,352,350	2.550	40.000	\$ 440,492	\$ 440,286	99.95%
2010	\$ 8,427,110	4.000	40.000	\$ 370,793	\$ 369,392	99.62%
2011	\$ 8,405,700	4.000	40.000	\$ 369,851	\$ 369,851	100.00%
2012	\$ 7,659,960	4.500	48.000	\$ 402,148	\$ 402,148	100.00%
2013	\$ 7,694,120	4.500	55.000	\$ 457,800	\$ 457,800	100.00%
2014	\$ 8,322,670	5.500	54.000	\$ 495,199	\$ 494,151	99.79%
2015	\$ 8,330,099	5.500	54.000	\$ 495,641	\$ 495,641	100.00%
2016	\$ 9,331,398	3.000	34.000	\$ 345,262	\$ 345,264	100.00%
2017	\$ 9,345,357	3.011	34.000	\$ 345,881	\$ 345,881	100.00%
2018	\$ 9,686,971	3.313	37.550	\$ 395,839	\$ 395,839	100.00%
2019	\$ 9,693,469	3.313	37.550	\$ 396,104	\$ 396,104	100.00%
2020	\$ 10,239,422	3.340	37.852	\$ 421,783	\$ 421,766	100.00%
2021	\$ 10,275,559	3.340	37.852	\$ 423,270	\$ 423,271	100.00%
2022	\$ 10,117,588	3.340	37.852	\$ 416,764	\$ 416,764	100.00%
Estimated for year ending December 31, 2023	\$ 10,110,162	3.340	37.852	\$ 416,458		

NOTE

Property taxes collected in any one year include collection of delinquent property taxes levied and/or abatements or valuations in prior years. Information received from the County Treasurer does not permit identification of specific year assessment.