

## RECORD OF PROCEEDINGS

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### MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

HARVEST JUNCTION METROPOLITAN DISTRICT

Held: Monday, October 24, 2022, at 2:00 P.M. at via telephone and zoom conference.

<https://us02web.zoom.us/j/81822237881?pwd=WFBvYW9ESnJvRENUcFhiYlBxZ015Zz09&from=addon>

Meeting ID: 818 2223 7881; Passcode: 431626; One tap mobile +17193594580

#### Attendance

The meeting of the Board of Directors of the Harvest Junction Metropolitan District was called and held, as shown, in accordance with Colorado law. The following directors confirmed their qualification to serve on the Board:

John Lynass  
Lauren Kerns  
James Odewald  
Nick Evancich

Also present was: Dianne Miller Sonja Steele and Rhonda Bilek, Miller & Associates Law Offices, LLC; and Janece Soendker and Richard Haggerty, CliftonlarsenAllen, LLP

#### Call to Order

Ms. Miller noted that a quorum of the Board was present, and the Directors confirmed their qualification to serve. Meeting Called to order at 2:03 p.m.

#### Disclosure Matters

Ms. Miller advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. The Board reviewed the agenda for the meeting, following which each Board member confirmed the contents of written disclosures previously made, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting. Additionally, the Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

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Director Lynass disclosed his interests as an owner of property within the District; and the fact that he is an employee of Panattoni Development Company, Inc., which may participate in transactions with the District as the developer of property within the District, including an Advance and Reimbursement Agreement with the District. These disclosures are associated with items on the agenda that may affect Director Lynass's interests.

Director Kerns disclosed her interests as an owner of property within the District; and the fact she is employed by Panattoni Development Company, Inc., which may participate in transactions with the District as the developer of property within the District, including an Advance and Reimbursement Agreement with the District. These disclosures are associated with items on the agenda that may affect Director Kerns interests.

Director Odewald disclosed his interests as an owner of property within the District; and the fact he is employed by Panattoni Development Company, Inc., which may participate in transactions with the District as the developer of property within the District, including an Advance and Reimbursement Agreement with the District. These disclosures are associated with items on the agenda that may affect Director Odewald interests.

Director Evancich disclosed his interests as an owner of property within the District; and the fact he is employed by Panattoni Development Company, Inc., which may participate in transactions with the District as the developer of property within the District, including an Advance and Reimbursement Agreement with the District. These disclosures are associated with items on the agenda that may affect Director Evancich interests.

Written disclosures of the interests of all of the directors were filed with the Secretary of State prior to the meeting.

Approval of Minutes – May  
19, 2022

The minutes for the May 19, 2022 meeting was reviewed by the Board. Upon motion and approval by Director Lynass, the Board unanimously approved the minutes as presented.

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The Public Hearing was opened at 2:04 p.m., there being no public present, the hearing was closed.

Public Hearing to Amend the 2022 Budget

The 2022 budget amendment not necessary.

Public Hearing to Consider 2023 Budget

Ms. Miller noted that notice of the public hearing for the budget was posted in three locations within the boundaries of the District and otherwise published in accordance with Colorado law. Ms. Soendker presented a proposed budget for 2023. Ms. Soendker noted several items for 2023. The market value has decreased and is reflected in the budget. The mill levy is the same, The general fund at 5.25 and Debt service at 19.75 for a total of 25.000 mills. The abatement through the County is lower at 68,000. She also highlighted that starting in December early redemption to pay down the debt can be initiated. After discussion and upon motion of Director Lynass and seconded by Director Odewald, and upon vote, the Board unanimously approved the 2023 Budget subject to final AV from the County. Directors Lynass and Evancich are appointed to a committee for final review if necessary.

June 20, 2022, Financial Statements and Cash Report

Ms. Soendker presented the financial and cash report to the Board. Upon motion by Director Lynass and second by Director Odewald, and upon vote, the Bord unanimously approved the financials as presented.

Ratify Claims Listing

Ms. Soendker presented the ratify claims listing from 08/31/2022 to 10/17/2022. Upon motion by Director Lynass and second by Director Odewald, and upon vote, the Bord unanimously approved the financials as presented.

Consider Approval of the Master Service Agreement between CLA and the District

Ms. Miller noted that the minutes from the May 19, 2022, meeting stated the agreements were pending per legal review. Ms. Miller voice her concerns and legal opinion regarding the agreements from CLA. Ms. Soendker explained that this is the final agreement from CLA and if not signed by end of year CLA will not continue to provide accounting services to the District. The Board requested a telephone between legal counsel with two Directors be schedule. No action was taken on the agreements.

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2023 Annual Administrative Resolution

Ms. Miller presented the Annual Administrative Resolution to the Board. After discussion and upon motion of Director Lynass and seconded by Director Odewald, and upon vote, the Board unanimously approved the resolution.

Resolution Waving Workers' Compensation Insurance for 2023

Ms. Miller presented the Resolution to waive Workers' Compensation to the Board. Upon motion of Director Lynass and seconded by Director Kerns, and upon vote, the Board unanimously approved the resolution.

Resolution Calling an Election for May 2, 2023

Ms. Miller presented the Resolution Calling an Election for May to the Board. Ms. Miller noted that due to the appointments all positions are up in 2023 and that the self-nomination forms will be sent out in February 2023. Upon motion of Director Lynass and seconded by Director Odewald, and upon vote, the Board unanimously approved the resolution.

Other Business

Director Evancich noted the Albert sale of retail portion of the district and will be obtaining information on the new owners for possible positions on the Board.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 2:35 p.m. Upon motion of Director Lynass and seconded by Director Evancich, and upon vote, the meeting was adjourned.

DocuSigned by:

*John Lynass*

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Secretary for the District