
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Boards of Directors Haymeadow Metropolitan District Nos. 1-6 May 10, 2023

A Regular Meeting of the Boards of Directors of the Haymeadow Metropolitan District Nos. 1-6, Eagle County, Colorado was held on May 10, 2023 at 1:15 p.m., via a Zoom (public online platform) meeting, in accordance with the applicable statutes of the State of Colorado.

Attendance The following Directors were present and acting:

- Scott Schlosser
- Jens Werner

Absent and excused:

- Rick Pylman

Also in attendance were:

- David Greher, Cockrel Ela Glesne Greher & Ruhland, P.C.
- Ken Marchetti, CPA
- Kendra Nicholson, Recording Secretary for the Meeting
- Brandon Cohen, Abrika
- Michael Hood, Cairn Consulting
- K.C. Veio, Kline Alvarado Veio, P.C.
- Lindsay Conroy, Kline Alvarado Veio, P.C.

Call To Order

A Regular Meeting (regular date and time but by Zoom) of the Boards of Directors of the Haymeadow Metropolitan District Nos. 1-6 was called to order on the Zoom platform by Director Werner, on May 10, 2023, at 1:18 p.m. noting a quorum was present.

Conflicts Of Interest

It was noted that conflict of interest statements have been filed with the Districts and Colorado Secretary of State disclosing that each Board member works as an independent contractor for the developer and owner of the land in the Haymeadow Metropolitan District Nos. 1-6. In particular, disclosure was made related to the proposed issuance of Bonds by Haymeadow Metropolitan District No. 5, to reimburse costs advanced by the developer.

Additions to The Agenda

Addition of Engagement Letters for:
Marchetti & Weaver
King & Associates
MuniCap, Inc.

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Public Input There was no public input.

Legal None

May 2023

Elections

Oaths Mr. Greher stated a TABOR election was held for each District to increase debt limits, which all passed. He also stated that Director Schlosser was up for reelection and was elected. Oaths for Director Schlosser have been administered and filed.

Appointment to

Fill Board

Vacancies

Mr. Greher stated the purchase agreement for Michael Hood has been fully executed and the Board can appoint him to the Boards at this meeting. He then stated that he will not however be seated until the oath is filed with the County Clerk and Recorder after he takes the oath. Mr. Greher suggested that the oath be administered after the meeting. Upon motion duly made and seconded it was unanimously

RESOLVED to appoint Michael Hood to the Boards of Directors.

Election of Officers

Mr. Greher stated that it is a good idea for the Boards to elect officers after any Board member election. The Board members decide who will serve in what capacity between the Directors, with it being understood that Director Pylman has expressed interest in resigning. Director Schlosser nominated Director Werner to be President of the Boards, which Director Werner accepted. Director Schlosser was nominated as Secretary and Treasurer, which he also accepted. It was then decided that Michael Hood will become VP, Assistant Secretary, and Assistant Treasurer of the Boards. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the election of officers as stated above.

Roundabout Escrow

Agreement

Michael Hood stated that this agreement is the performance guarantee for the completion of the roundabout. It is an agreement between the Town of Eagle, Haymeadow Metropolitan District No. 6, and Abrika Properties, LLC. The Boards reviewed the Roundabout Escrow Agreement. By motion duly made and seconded it was unanimously

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RESOLVED to approve the Roundabout Escrow Agreement.

**Nottingham RMF-1
Phase 2 Infrastructure**

Mr. Hood stated that this is a change order for work on the Brush Creek Road and Sylvan Lake Road roundabout that couldn't be completed by Nottingham last year. It includes subgrade, road base, asphalt and curb and gutter. The change order will be split into pay applications by obligation between the developer and the Metro District. Upon review and by motion duly made and seconded it was unanimously

RESOLVED to approve the Nottingham RMF-1 Phase 2 Infrastructure change order in the total amount of \$804,121.67 with all costs that are not eligible public improvements to be billed and paid separately by the developer.

**Noxious Weed
Evaluation of Success**

Criteria Mr. Hood said this was a request by the Town of Eagle that references the District's noxious weed management. Mitigation of noxious weeds are required per the success criteria with no areas greater than 100 Sq Ft to include any noxious weeds. Director Schlosser stated he's ok with the memorandum version drafted by Birch Ecology be submitted to the Town of Eagle. By motion duly made and seconded it was unanimously

RESOLVED to approve the submission of the Evaluation of Success Criteria to the Town of Eagle.

Minutes The April 12, 2023 Regular Meeting minutes for District Nos. 1-6 were reviewed. By motion duly made and seconded it was unanimously

RESOLVED to approve the April 12, 2023 Regular Meeting minutes for District Nos. 1-6 as presented.

**Accounts
Payable**

The Boards reviewed the May 2023 accounts payable lists. By motion duly made and seconded it was unanimously

RESOLVED to approve the May 2023 accounts payable list as presented.

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RMCL 2023

Contract The Boards reviewed the RMCL 2023 Brush Creek Rd. Landscape Maintenance Contract. Mr. Hood stated that the plantings that are out of spec will need to be replaced by RMCL if they fail. By motion duly made and seconded it was unanimously

RESOLVED to approve the RMCL 2023 Landscape Maintenance Contract.

Financial Statements

Mr. Marchetti stated that the financial statements for both District No. 5 and District No. 6 were included in the meeting packet because there are pending budget amendments for both Districts. By motion duly made and seconded it was unanimously

RESOLVED to approve the Haymeadow Metropolitan District No. 5 and the Haymeadow Metropolitan District No. 6 financial statements as presented.

District No. 6 2022 Budget

Amendment Mr. Marchetti explained the need for a post year end amendment to Haymeadow Metropolitan District No. 6's 2022 budget. Mr. Marchetti then stated that the extent of capital projects that were done in 2022 were not anticipated when the budget was originally set. Notice of Budget Amendment Hearing was published prior to today's meeting. A hearing for amendment of the 2022 budget was opened for public input but there being no public input, the hearing was closed. After the hearing was closed, by motion duly made and seconded it was unanimously

RESOLVED to adopt the Resolution Amending the 2022 Budget for Haymeadow Metropolitan District No. 6.

District No. 5 2023 Budget

Amendment Mr. Marchetti explained the need for an amendment to Haymeadow Metropolitan District No. 5's 2023 budget arising in connection with the issuance of bonds. The bond issuance has been added to the District No. 5 financials presented. Notice of Budget Amendment Hearing was published prior to today's meeting and the hearing was opened for any public input. No public input was offered and the hearing was closed. By motion duly made and seconded it was unanimously

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RESOLVED to approve the District No. 5 2023 Budget Amendment

District No. 5 Bond Resolutions

K.C. Veio reviewed the Bonds, how they are set up, and stated the limited mill levy for the District is being pledged to repay the Bonds. He also said there are pledge agreements going in place for District Nos. 1-4 and District No. 6, in compliance with the Districts' Service Plans, with the same limited mill levies being pledged in each of such Districts as in District No. 5. Mr. Veio stated that Piper Sandler is the placement agent for the District, King & Associates will be doing the market study, and MuniCap will be offering financial advisory services. He then asked the Board of District No. 5 to consider approving the Bond parameters Bond Resolution. By motion duly made and seconded by the Board of Haymeadow Metropolitan District No. 5, it was unanimously

RESOLVED to approve the Bond Resolution as presented, a copy of which is incorporated herein by this reference.

Pledge Agreement

Resolutions Mr. Greher stated that also included for consideration are the Resolutions of Districts Nos. 1-4 and District No. 6 to approve the Senior, Subordinate and Junior Lien Subordinate Pledge Agreements. The Resolutions and pledges of each of District Nos. 1-4 and 6 are the same, except that District No. 6 is not pledging to collect any taxes until and unless it contains taxable property within its boundaries which is not within any of District Nos. 1-5. By motion duly made and seconded by the Boards of Haymeadow Metropolitan District Nos. 1-4 and 6, it was unanimously

RESOLVED to approve the Resolutions authorizing the Pledge Agreements, copies of which Resolutions are incorporated herein by this reference.

Mr. Greher stated the bond closing is currently scheduled for May 18th.

Engagement Letters

Mr. Greher stated there needs to be an approval of engagement letters for Marchetti & Weaver, LLC, King & Associates, Inc. and MuniCap, Inc. The engagement letters had been circulated to the Board prior to the meeting. By motion duly made and seconded it was unanimously

RESOLVED to approve the engagement letters for Marchetti & Weaver, LLC, King & Associates, Inc. and MuniCap, Inc.

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Adjournment

There being no further business to come before the Boards, by motion duly made and seconded it was unanimously

RESOLVED to adjourn the meeting of the Haymeadow Metropolitan District Nos. 1-6 Boards of Directors this 10th day of May, 2023.

Respectfully submitted,

Kendra Nicholson
Recording Secretary for the Meeting