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# RECORD OF PROCEEDINGS

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## Minutes of the Special Meeting of the Board of Directors of Sunlight Metropolitan District May 19, 2022

A Special Meeting of the Board of Directors of Sunlight Metropolitan District, Routt County, Colorado, was held Thursday, May 19, 2022 at 8:30 a.m. This meeting was held virtually via Zoom.

**Attendance**           The following Directors were present and acting:

- Bert Svendsen
- Jeremy MacGray
- Tom Fox
- Matt Tredway
- Genevieve Kalmes
- Gregory Patton

Also in attendance were:

- Joe Hoover, Property Owner
- Molly Hamsher, Property Owner
- Ben Wilhelm & Bryan Ayer, Commercial Property Group
- Alan Pogue, Icenogle Seaver Pogue
- Eric Weaver, Marchetti & Weaver, LLC
- Debbie Braucht, Marchetti & Weaver, LLC, Secretary for the Meeting

**Call to Order**           The Meeting of the Board of Directors of Sunlight Metropolitan District was called to order by Chairman Svendsen, noting a quorum was present.

**Conflicts of Interest**   The requirements of Colorado law are to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. It was noted that disclosures of potential conflicts of interest were filed with the Secretary of State for Directors Svendsen, MacGray, Fox and Tredway.

**Consideration of Agenda**

No changes were made to the Agenda.

**Public Comment**

No public comment.

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### Minutes

Upon review and by motion duly made and seconded it was unanimously

**RESOLVED** to approve the October 14 and November 17, 2021 meeting minutes as presented.

### Oaths of Office

Jeremy MacGray, Genevieve Kalmes and Gregory Patton were administered their Oaths of Office. Immediately upon execution they were emailed to the Routt County Clerk and Recorder's Office.

### Election of Officers

Mr. Weaver explained the different officer positions and their responsibilities for a Metro District. After discussion and by motion duly made and seconded it was unanimously

**RESOLVED** to elect the following officers:  
Jeremy MacGray- Chairman/President  
Genevieve Kalmes-Treasurer  
Gregory Patton-Vice President & Secretary

### Consideration of Board Member Vacancy

There were not enough self-nomination forms to fill all the seats available so there is currently a vacancy on the Board. Director Fox stated his property is under contract and is set to close in June so he will become disqualified at that time. This will create an additional vacancy.

### Operations Manager Report

Mr. Ayer with Commercial Property Group updated the Board on the past snowplowing season. He stated there really weren't any complaints with the roads or sidewalks but there was an equipment breakdown during a big storm. They've been storing snow in the dog park.

It's full-blown construction season and they've started landscaping. They've turned on the irrigation and fixed leaks, one major leak by the park. The developer of Phase III is paying them to water the trees by hand while construction is ongoing up there. Five trees are dead or dying and need to be replaced.

There's an area of the road that is beginning to slump likely because of water seepage from the hill. Engineers have the data on the slump but

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Director Fox hasn't seen the data yet. The snow storage could contribute to that but they don't know where the water is coming from

The 2<sup>nd</sup> lift of the paving was failed by the City so it will have to be rotomilled then overlaid again. That is scheduled for the last week of June and is under warranty from Elam. The asphalt came all the way from Silverthorne which may have had something to do with it.

Molly Hamsher joined the meeting.

## **Lot 60 Hillside Excavation**

Mr. Hoover is the owner of Lot 60 with height restrictions and where his lot is on the hill his house construction has caused there to be an eighteen-to-twenty-foot drop from the back of the dog park to his property. He is obviously concerned with the safety and liability of people in the park even though it is outside of the park. Additionally the trail will be impacted and will need to be relocated. There was discussion of the impact this will have when owners of lots 61 and 62 get ready to build, lot 59 will not be affected. There was discussion of getting all three of the lot owners together so everyone is on the same page and a grading plan could be drawn up. Director MacGray will coordinate with the general contractor and a civil engineer and once a plan is drawn up it can be presented to the Board. The discussion was tabled until more information is presented for the Board to consider.

## **2021 Audited Financial Statements**

Mr. Weaver stated this is the 2<sup>nd</sup> year the District has been audited. The audit firm of Chadwick Steinkirchner Davis has provided a clean opinion and encountered no problems. Director Patton asked what the philosophy was on the District's long-term debt. Mr. Weaver explained the debt to assessed ratio and the possibility of issuing or refunding the debt. There has been a lot of building and values are goods so they can look at this when the Bonds are available to be called. He wanted to note property tax collections lag construction by two years due to the way properties are valued state-wide. Upon motion duly made and seconded it was unanimously

**RESOLVED** to accept the 2021 Audited Financial Statements.

## **Financial Statements**

Mr. Weaver reviewed the March 31, 2022 Financial Statement with the Board and stated the District was in reasonable financial health.

Joe Hoover left the meeting.

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## Accounts Payable

An Accounts Payable listing was provided to the Board prior to the meeting and upon motion duly made and seconded it was unanimously

**RESOLVED** to ratify the Accounts Payable and add the three new Board members to the District's bank accounts.

## Adjournment

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

**RESOLVED** to adjourn the meeting of the Sunlight Metropolitan District Board of Directors held May 19, 2022.

Respectfully Submitted,



Secretary to the Meeting