

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF
HOMETOWN METROPOLITAN DISTRICT NO. 2
HELD
OCTOBER 26, 2020

A special meeting of the Board of Directors of Hometown Metropolitan District No. 2 (referred to hereafter as "Board") was convened on Monday, October 26, 2020, at 9:00 A.M. Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board meeting was held via Zoom Videoconference and telephone. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Audrey Spaen

Also In Attendance Were:

Elisabeth A. Cortese, Esq.; McGeady Becher P.C.

Diane Wheeler; Simmons & Wheeler, P.C.

Matt Smith, District Resident and Board Candidate

ADMINISTRATIVE MATTERS

Confirm Quorum and Present Disclosures of Potential Conflicts of Interest: 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. Attorney Cortese noted that a quorum was present and requested members of the Board 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 the statute. Director Spaen disclosed that she serves on the Board of the Hometown Community Homeowners Association, Inc. (the "HOA")

Agenda: The Board reviewed the proposed Agenda for the District's special meeting. Following discussion, upon motion duly made and seconded by Director Spaen, the Board approved the Agenda as amended.

Approval of Meeting Location: 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. Following discussion, upon motion duly made and seconded by Director Spaen, and upon vote unanimously carried, the Board determined that due to concerns regarding the spread of COVID-19 and the benefit to the control of the spread of the virus by limiting in-person contact, this meeting was conducted via Zoom videoconference and encouraged public participation via Zoom. The Board noted that notice of this meeting and Zoom meeting information was duly posted and the Board

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had not received any objections to the Zoom meeting or any requests that the meeting be changed by taxpaying electors within the District's boundaries.

Designation of 24-Hour Posting Location: Following discussion, upon motion duly made and seconded by Director Spaen, and upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted within the boundaries of the District as least 24 hours prior to each meeting at the following location: bank of mailboxes within the District.

Public Comment: There was no public comment.

May 5, 2020 Regular Election: It was noted that the May 5, 2020 Regular Director Election was cancelled as allowed by statute, as there were not more nominations received than seats available. Director Spaen was deemed elected to a 2-year term to May 3, 2022 and Larry Roggenkamp was deemed elected to a 3-year term to May 2, 2023.

Board Resignation: The Board acknowledged the resignation of Susan Hoskins and Larry Roggenkamp effective September 8, 2020.

Board Vacancies/Appointment: The Board discussed the current vacancies on the Board. Resident and District eligible elector Matt Smith expressed his interest in serving on the Board of Directors. Following discussion, upon motion duly made and seconded by Director Spaen, the Board appointed Matt Smith to the Board of Directors.

Appointment of Officers: Following discussion, upon motion duly made and seconded by Director Spaen, the following slate of officers were appointed for the District:

President:	Audrey Spaen
Secretary/Treasurer:	Matt Smith

Minutes: The Board reviewed the minutes of the October 7, 2019 regular meeting. Following discussion, upon motion duly made and seconded by Director Spaen, the Board approved the minutes from the October 7, 2019 regular meeting.

District Insurance: The Board discussed renewal of insurance and Special District Association ("SDA") Membership for 2021. Following discussion, upon motion duly made and seconded by Director Spaen, the Board approved the renewal of insurance and SDA Membership.

District Website: Attorney Cortese reported to the Board that the paperwork has been submitted to the State of Colorado Statewide Internet Portal Authority (SIPA) for the

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creation of a website. SIPA is currently backlogged with website requests and they expect to have the website created in the first quarter of 2021.

Resolution No. 2020-10-01 Establishing 2021 Meeting Dates, Time, Location, and Designating 24-Hour Notice Posting Location: The Board discussed the business to be conducted in 2021 and scheduled a regular meeting for October 25, 2021 at 9:00 a.m., to be held at the West Woods Community Police Station, 6644 Kendrick Dr., Arvada, Colorado. Following discussion, upon motion duly made and seconded by Director Spaen, the Board adopted Resolution No. 2020-10-01.

FINANCIAL MATTERS

Signers on District Bank Account: Following discussion, upon motion duly made and seconded by Director Spaen, the Board authorized all Board members to be signers on the District bank account.

Payment of Claims: Ms. Wheeler reviewed the payment of claims to be ratified and approved. Following discussion, upon motion duly made and seconded by Director Spaen, the Board ratified the payment of claims in the amounts of \$9,225.43 and \$9,173.76 and approved the payment of claims in the amount of \$2,921.67.

Unaudited Financial Statements: Ms. Wheeler reviewed the unaudited financial statements dated July 31, 2020. Following discussion, upon motion duly made and seconded by Director Spaen, the Board accepted the unaudited financial statements dated July 31, 2020.

2019 Audit Exemption Application: Following discussion, upon motion duly made and seconded by Director Spaen, the Board ratified approval of the 2019 Audit Exemption Application.

Potential Refunding of District Debt: Attorney Cortese reported that D.A. Davidson & Co. continues to monitor the market for favorable refunding options, but there are none at this time.

2020 Budget Amendment Hearing: The President opened the public hearing to consider amendment to the 2020 Budget.

It was noted that Notice stating that the Board would consider amending the 2020 Budget and the date, time and place of the public hearing was published in a newspaper having general circulation within the District, in accordance with statutory requirements. No written objections were received prior to the public hearing.

No public comments were received, and the public hearing was closed.

It was noted the 2020 Budget did not require an amendment at this time.

2021 Budget Hearing: The President opened the public hearing to consider the

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proposed 2021 Budget and discuss related issues.

It was noted that Notice stating that the Board would consider adoption of the 2021 Budget and the date, time and place of the public hearing was published in a newspaper having general circulation within the District, in accordance with statutory requirements. No written objections were received prior to the public hearing.

No public comments were received, and the public hearing was closed.

Ms. Wheeler reviewed the estimated 2020 expenditures and proposed 2021 expenditures with the Board.

Following discussion, the Board considered the adoption of Resolution No. 2020-10-02 to Adopt the 2021 Budget and Appropriate Sums of Money and Resolution No. 2020-10-03 to Set Mill Levies at 30.000 mills (10.000 mills for the General Fund and 20.000 mills for the Debt Service Fund). Upon motion duly made and seconded by Director Spaen, Resolution Nos. 2020-10-02 and 2020-10-03 were adopted, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2020. Legal Counsel was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Jefferson County, not later than December 15, 2020. Legal Counsel was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2021.

Resolution Authorizing the Adjustment of the District Mill Levy in Accordance with the Colorado Constitution: The Board discussed the proposed Resolution Authorizing the Adjustment of the District Mill Levy in Accordance with the Colorado Constitution, Article X, Section 3 (Gallagher Adjustment). Following discussion, the Board determined that adoption of the Gallagher Adjustment Resolution was not needed.

DLG-70 Mill Levy Certification: Following discussion, upon motion duly made and seconded by Director Spaen, the Board authorized the District Accountant to prepare and sign the DLG-70 mill levy certification form, for certification to the Board of County Commissioners and other interested parties.

2020 Audit: Ms. Wheeler noted that a 2020 audit is required under the District's bond documents. Following discussion, upon motion duly made and seconded by Director Spaen, the Board engaged Wipfli, LLP to perform the 2020 Audit for an amount not to exceed \$3,500.

2022 Budget: Following discussion, upon motion duly made and seconded by Director Spaen, the Board appointed Simmons & Wheeler, P.C. to prepare the 2022 budget and directed that the 2022 draft budget be the same as the 2021 adopted budget

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unless a Board member provides input to otherwise adjust those assumptions.

LEGAL MATTERS

Resolution No. 2019-10-05 Calling May 5, 2020 Election: Following discussion, upon motion duly made and seconded by Director Spaen, the Board ratified adoption of Resolution No. 2019-10-05 Calling a May 5, 2020 Directors' Election.

Update on McGeady Becher P.C. Document Retention Policy: Attorney Cortese discussed the update regarding McGeady Becher P.C.'s District Document Retention Policy with the Board. Following discussion, upon motion duly made and seconded by Director Spaen, the Board approved the update and directed a copy of the approved McGeady Becher P.C. Document Retention Policy be attached to the Minutes for the meeting. Accordingly, a copy of the updated Document Retention Policy is attached hereto and is incorporated herein by this reference.

Transparency Notice Required Under Section 32-1-809, C.R.S.: Attorney Cortese informed the Board of the required transparency notice under Section 32-1-809, C.R.S. The Board directed District Counsel to post the required notice on the Special District Association website, the District's website once it is activated, as well as the HOA (Hometown Community Association, Inc.) website.

OTHER MATTERS

Board Member Items: Directors Spean and Smith noted that they will work to find additional Board members. Director Spaen noted she would provide Director Smith with historical District documents and noted that Advance HOA now manages the HOA.

ADJOURNMENT

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

Respectfully submitted,

By Matthew D. Smith
Secretary for the Meeting

McGeady Becher P.C.
Document Retention Policy

Types of Documents

In representing you we will or may take possession of, create, and/or keep various types of documents. These consist of documents you provide to us, documents which constitute the District's official public record, and internal documents we create to assist us in providing services to you.

Documents You Provide to Us

It is our policy to copy and return original documents you provide to us as soon as practicable. Exceptions to this policy are original documents which should be kept as part of the District's official public record, instances where we must have an original document to represent you, or cases where we have affirmatively agreed retain a document for safekeeping.

The District's Record

As a part our engagement, we will maintain the District's official public Record (the "Record"). The Record is a highly useful and detailed compilation of documents reflecting the official actions of the District and serves multiple functions. First, it collects those documents which the public is entitled to inspect and copy under various state and federal public records and freedom of information statutes. Second, it organizes the records of the District – such as its contracts, land and title records, and easements - in a manner which is useful in conducting the ongoing business of the District. Third, the Record helps expedite the District's annual audit process. Fourth, in the event you should change legal counsel or employ in-house counsel, the Record will enable that counsel to understand the status and assume representation of the District with maximum efficiency.

The Record includes the District's organizational documents, fully-executed agreements which are still in effect, rules, regulations, resolutions adopted by the District, official minutes books, meeting notices, agendas, insurance policies, District maps, election records, bond documents, audit documents, and many more. A comprehensive list of documents comprising the Record is available from us at any time upon request.

Creating and maintaining the Record is an important and complex task, and you agree to pay our actual costs and hourly fees associated with doing this.

Supplemental Documents

All other documents created in course of representing you are referred to as Supplemental Documents. These include our notes, drafts, memoranda, worksheets, electronic communications, and other electronic documents stored in various media or file servers.

Documents We Retain

Except as provided in this Document Retention Policy or an amendment thereto, we will keep the Record and any original documents accepted by us for safekeeping so long as we represent you.

Delivery of the Record

Once a matter is concluded or our has representation terminated, we deliver the original, printed Record, together with any original documents we have accepted for safekeeping, to you or the District's designee, provided our fees and costs have been paid in full. If you do not designate someone to receive these records, we will deliver them to a then-current officer or director of the District. If we are unable to deliver these documents because of your failure to designate a recipient, we may retain, destroy, or otherwise dispose of them in manner which assures their continued confidentiality within thirty (30) days following the conclusion of a matter or the termination of our representation.

We will also confidentially destroy the Record of any District in our possession if a final order of dissolution of the District is entered.

All other documents, including all Supplemental Documents, are routinely, periodically, confidentially, and permanently purged by us once they are no longer useful to us in providing services to you.