

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
SKY DANCE METROPOLITAN DISTRICT NO. 2
HELD
NOVEMBER 21, 2023**

A Regular Meeting of the Board of Directors of the Sky Dance Metropolitan District No. 2 (referred to hereafter as "Board") was convened on Tuesday, the 21st day of November, 2023, at 10:00 A.M. This District Board meeting was held via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Paige Langley, President
Andrew R. Klein, Treasurer
Megan Waldschmidt, Assistant Secretary (for a portion of the meeting)
Blake Amen, Assistant Secretary

Also In Attendance Were:

David Solin; Special District Management Services, Inc.

Megan Becher, Esq. and Tim O'Connor, Esq.; McGeady Becher P.C.

Joy Tatton; Simmons & Wheeler, P.C.

**ADMINISTRATIVE
MATTERS**

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 and to the Secretary of State.

Mr. Solin 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. Attorney Becher noted for the record that there were no new disclosures made by the Directors present at the meeting and incorporated for the record those applicable disclosures made by the Board Members prior to this meeting and in accordance with the statutes.

Location/Manner of Meeting and Posting of Notices: 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 meeting was held by video/telephone conference (Zoom). The Board further noted that notice providing the Zoom access information was duly posted and that they have not received any objections or any requests that the means of hosting the meeting be changed by taxpaying electors within the District's boundaries.

RECORD OF PROCEEDINGS

Designation of 24-Hour Posting Location: Following discussion, upon motion duly made by Director Klein, seconded by Director Langley, 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 on the District website at least 24-hours prior to each meeting.

Agenda: The Board reviewed a proposed Agenda for the District's Regular Meeting.

Following discussion, upon motion duly made by Director Klein, seconded by Director Langley and, upon vote, unanimously carried, the Agenda was approved.

Secretary to the Board: The Board discussed the resignation of Ann Finn as Secretary to the Board and the appointment of David Solin as Secretary to the Board.

Following discussion, upon motion duly made by Director Klein, seconded by Director Langley and, upon vote, unanimously carried, the Board acknowledged the resignation of Ann Finn and appointed David Solin as Secretary to the Board.

May 2, 2023 Election: Mr. Solin informed the Board that the election was canceled pursuant to Section 1-13.5-513, C.R.S., because there were not more candidates than seats available on the Board. It was noted that Blake Amen, Megan Waldschmidt and Paige Langley were each deemed elected by acclamation to 4-year terms ending in May, 2027.

Director Fees: The Board discussed the payment of Director Fees.

Following discussion, upon motion duly made by Director Klein, seconded by Director Langley and, upon vote, unanimously carried, the Board approved paying Director Fees of \$100 per meeting.

Board Resignation: The Board acknowledged the resignation of Otis C. Moore, III, from the Board of Directors, effective July 26, 2023.

Board Vacancy: The Board discussed the vacancy on the Board. It was noted that pursuant to Section 32-1-808(2)(a)(I), C.R.S., publication of a Notice of Vacancy on the Board was published in a newspaper having general circulation in the District and that no Letters of Interest from qualified eligible electors were received within ten (10) days of the date of such publication.

RECORD OF PROCEEDINGS

Appointment of Officers: Following discussion, upon motion duly made by Director Klein, seconded by Director Langley and, upon vote, unanimously carried, the following slate of officers were appointed:

President	Paige Langley
Treasurer	Blake Amen
Secretary	David Solin
Assistant Secretary	Megan Waldschmidt
Assistant Secretary	Andrew R. Klein

Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices: The Board determined to schedule its regular 2024 meeting on the 3rd Tuesday of November, 2024 at 10:00 a.m. via Zoom.

Following discussion, upon motion duly made by Director Klein, seconded by Director Amen and, upon vote, unanimously carried, the Board adopted the Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices.

Insurance Matters: The Board discussed insurance matters.

Cyber Security and Increased Crime Coverage: The Board discussed cyber security issues and a proposed increase to the District's crime coverage limit.

Insurance Committee: The Board discussed the establishment of an insurance committee and determined it was not necessary.

Renewal of the District's insurance and Special District Association (SDA) membership for 2024: The Board discussed renewal of the District's insurance coverage and Special District Association (SDA) membership for 2024.

Following discussion, upon motion duly made by Director Klein, seconded by Director Langley and, upon vote, unanimously carried, the Board authorized renewal of the District's insurance coverage, including an increase in the crime coverage limit to \$150,000 and renewal of the District's SDA membership for 2024.

CONSENT AGENDA The Board considered the following actions:

- Approval of Minutes of the March 10, 2023 Special Meeting; and

RECORD OF PROCEEDINGS

- §32-1-809, C.R.S., Transparency Notice reporting requirements and mode of eligible elector notification (2023 SDA Website).

Following discussion, upon motion duly made by Director Klein, seconded by Director Langley and, upon vote, unanimously carried, the Board approved the above Consent Agenda items/actions.

PUBLIC COMMENT

There were no public comments.

FINANCIAL MATTERS

Application for 2023 Audit Exemption: Following discussion, upon motion duly made by Director Klein, seconded by Director Langley and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the Application for Audit Exemption for 2023.

Public Hearing on Amendment to 2023 Budget: The President opened the public hearing to consider a Resolution to Amend the 2023 Budget.

It was noted that publication of Notice stating that the Board would consider amendment of the 2023 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received, and the public hearing was closed.

Following discussion, it was determined that no amendment to the 2023 Budget was required.

Public Hearing on 2024 Budget: The President opened the public hearing to consider the proposed 2024 Budget and to discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2024 Budget and the date, time and location of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to the Public Hearing. No public comments were received, and the Public Hearing was closed.

The Board reviewed the estimated 2023 expenditures and the proposed 2024 expenditures.

Following discussion, upon motion duly made by Director Klein, seconded by Director Langley and, upon vote, unanimously carried, the Board adopted the

RECORD OF PROCEEDINGS

Resolution to Adopt the 2024 Budget and Appropriate Sums of Money, and the Resolution to Set Mill Levies (General Fund: 10.000 mills; Debt Service Fund: 54.361 mills; Total: 64.361 mills), subject to adjustment as necessary per final legislative action, and authorized execution of the Certification of Budget. The District Accountant was directed to transmit the Certification of Tax Levies to the Board of County Commissioners of Adams County not later than January 10, 2024 and District Management was directed to transmit the Certification of Budget to the Division of Local Government not later than January 31, 2024.

DLG-70 Mill Levy Certification Form: Following discussion, upon motion duly made by Director Klein, seconded by Director Langley and, upon vote, unanimously carried, 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.

Resolution No. 2023-11-04 Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan: Following discussion, upon motion duly made by Director Klein, seconded by Director Langley and, upon vote, unanimously carried, the Board adopted the Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan, subject to final legal review.

Preparation of 2025 Budget: Following discussion, upon motion duly made by Director Klein, seconded by Director Langley and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2025 Budget.

LEGAL MATTERS

Status of the Issuance of the District's General Obligation (Limited Tax Convertible to Unlimited Tax) Bonds, Series 2023A and Subordinate General Obligation Limited Tax Bonds, Series 2023B: The Board deferred discussion of this matter.

Resolution Amending Policy on Colorado Open Records Act Requests: The Board discussed the Resolution Amending Policy on Colorado Open Records Act Requests.

Following discussion, upon motion duly made by Director Klein, seconded by Director Langley, and upon vote unanimously carried, the Board adopted the Resolution Amending Policy on Colorado Open Records Act Requests.

RECORD OF PROCEEDINGS

Amendments to Aurora Regional Transportation Authority Establishment Agreement by and among HM Metropolitan District Nos. 1, 3, 4, 5, 6, 7, 8 and 9; SLC Metropolitan District Nos. 1, 2, 3 and 4; Fitzsimons Village Metropolitan District Nos. 1, 2 and 3; Harvest Crossing Metropolitan District Nos. 1, 2, 3, and 4; Sagebrush Farm Metropolitan District Nos. 1, 2, 3, 4, 5 and 6; Abilene Station Metropolitan District Nos. 1 and 2; Park70 Metropolitan District; EastPark70 Metropolitan District; ACC Metropolitan District; Waterstone Metropolitan District Nos. 1 and 2; Bristol Metropolitan District; Aurora High Point at DIA Metropolitan District; Colorado International Center Metropolitan District Nos. 3, 4 and 5; East Bend Metropolitan District; Sky Dance Metropolitan District No. 1; the District; TBC Metropolitan District; Powhaton Road Metropolitan District Nos. 8, 9, 10 and 11; MJC Metropolitan District; and Tollgate Creek Commons Metropolitan District Nos. 1 and 2 (“Amendments to ARTA Establishment Agreement”): Following discussion, upon motion duly made by Director Klein, seconded by Director Langley and, upon vote, unanimously carried, the Board acknowledged approval of the Amendments to ARTA Establishment Agreement.

CONSTRUCTION MATTERS

District Projects: Director Waldschmidt updated the Board on the status of District Projects.


OTHER BUSINESS

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 Klein, seconded by Director Langley and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By 
Secretary for the Meeting