

# RECORD OF PROCEEDINGS

---

## MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE HARVEST CROSSING METROPOLITAN DISTRICT NO. 3 HELD JANUARY 24, 2022

A special meeting of the Board of Directors (the “Board”) of the Harvest Crossing Metropolitan District No. 3 (formerly known as Villages at Murphy Creek Metropolitan District No. 2 (referred to hereafter as the “District”) was convened on Monday, January 24, 2022 at 3:30 p.m. This District meeting was held by conference call without any individuals (neither District representatives nor the general public) attending in person. The meeting was open to the public via conference call.

---

### ATTENDANCE

#### Directors In Attendance Were:

Daniel Frank  
Richard Frank

Following discussion, upon motion duly made by Director R. Frank, seconded by Director D. Frank and, upon vote, unanimously carried, the absence of Director Cooper was excused.

#### Also In Attendance Were:

David Solin; Special District Management Services, Inc.

Paula Williams, Esq. and Tim O’Connor, Esq.; McGeady Becher P.C.

---

### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

**Disclosure 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. Mr. Solin noted that a quorum was present and requested members of the Board disclose any potential conflicts of interest with regard to any matters scheduled for discussion at the meeting, and incorporated for the record those applicable disclosures made by the Board members prior to the meeting in accordance with the statute. No additional conflicts were disclosed.

---

### PUBLIC COMMENT

There were no public comments.

---

## RECORD OF PROCEEDINGS

---

### ADMINISTRATIVE MATTERS

**Agenda:** Mr. Solin reviewed a proposed Agenda for the District's Special Meeting with the Board.

Following discussion, upon motion duly made by Director R. Frank, seconded by Director D. Frank and, upon vote, unanimously carried, the Agenda for the Special Meeting was approved, as amended.

**Approval of Meeting Location:** The Board entered into discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District Board meetings.

Following discussion, upon motion duly made by Director R. Frank, seconded by Director D. Frank and, upon vote, unanimously carried, the Board determined that the District meeting was held by conference call. The Board further noted that notice of the time, date and conference bridge 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 boundaries of the District.

**Consent Agenda:** The Board considered the following actions:

- Ratify approval of Service Agreement with Independent District Engineering Services ("IDES") for Cost Verification Services.

Following discussion, upon motion duly made by Director D. Frank, seconded by Director R. Frank and, upon vote, unanimously carried, the Board ratified and/or approved, as appropriate, the Consent Agenda items.

---

### FINANCIAL MATTERS

**Cost Verification Report No. 1:** The Board reviewed Cost Verification Report No. 1 dated January 14, 2022, prepared by Independent District Engineering Services, LLC, verifying costs associated with the reimbursement from bond proceeds in the amount of \$186,716.89.

Following discussion, upon motion duly made by Director D. Frank, seconded by Director R. Frank and, upon vote, unanimously carried, the Board approved Cost Verification Report No. 1 dated January 14, 2022, prepared by Independent District Engineering Services, LLC, verifying the costs associated with the reimbursement from bond proceeds in the amount of \$186,716.89.

**Cost Verification Report No. 2:** The Board reviewed Cost Verification Report No. 2 dated January 17, 2022, prepared by Independent District Engineering Services, LLC, verifying costs associated with the reimbursement from bond proceeds in the amount of \$48,948.09.

## RECORD OF PROCEEDINGS

---

Following discussion, upon motion duly made by Director D. Frank, seconded by Director R. Frank and, upon vote, unanimously carried, the Board approved Cost Verification Report No. 2 dated January 17, 2022, prepared by Independent District Engineering Services, LLC, verifying the costs associated with the reimbursement from bond proceeds in the amount of \$48,948.09.

**Requisition No. 1:** The Board entered into discussion regarding Requisition No. 1 from the Project Fund for payment of Certified Costs.

Following discussion, upon motion duly made by Director D. Frank, seconded by Director R. Frank and, upon vote, unanimously carried, the Board approved Requisition No. 1 from the Project Fund for payment of Certified Costs, in the amount of \$235,664.98.

**Potential inclusions:** The Board entered into discussion regarding potential inclusions. No action was taken by the Board.

---

### **LEGAL MATTERS**

**Regional Improvements and Participation in Regional Infrastructure Authority:** The Board deferred discussion.

---

### **OTHER MATTERS**

None.

---

### **ADJOURNMENT**

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

Respectfully submitted,

By:   
Secretary for the Meetings