

# RECORD OF PROCEEDINGS

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## MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE HARVEST CROSSING METROPOLITAN DISTRICT NO. 3 HELD APRIL 8, 2024

A Regular 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. 1, referred to hereafter as the “District”) was convened on Monday, April 8, 2024, at 1:00 p.m. The meeting was open to the public.

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### ATTENDANCE

#### Directors In Attendance Were:

Jerry Richmond, III, President  
Aaron Clutter, Treasurer  
Kurtis Williams, Assistant Secretary  
Eric Lee, Assistant Secretary

#### Also In Attendance Were:

David Solin and Kaitlyn Toman; Special District Management Services, Inc.  
  
Paula Williams, Esq. and Tim O’Connor, Esq.; McGeady Becher P.C.  
  
Rebecca Givens, Esq.; Frost Brown Todd LLP

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### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

**Disclosure of Potential Conflicts of Interest / Quorum:** The Board discussed the requirements pursuant to the Colorado law 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 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. It was noted by Attorney Williams that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors, and no additional conflicts were disclosed.

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### PUBLIC COMMENT

There were no public comments.

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### ADMINISTRATIVE MATTERS

**Quorum/Confirmation of Meeting Location/Posting of Notice:** Mr. Solin confirmed the presence of a quorum.

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

Following discussion, upon motion duly made by Director Richmond, seconded by Director Clutter and, upon vote unanimously carried, the Agenda for the Regular Meeting was approved.

**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 meeting.

Following discussion, upon motion duly made by Director Richmond, seconded by Director Clutter and, upon vote unanimously carried, the Board determined to hold the Board meeting by video/teleconference. The Board further noted that notice of the time, date, location and video/teleconference information was duly posted and no objections, or any requests that the means of hosting the meeting be changed by taxpaying electors within the boundaries of the District have been received.

**Minutes of January 8, 2024 Regular Meeting:** The Board reviewed the Minutes from the January 8, 2024 Regular Meeting.

Following discussion, upon motion duly made by Director Richmond, seconded by Director Williams and, upon vote unanimously carried, the Board approved the Minutes from the January 8, 2024 Regular Meeting, as presented.

**FINANCIAL MATTERS**

**Claims:** The Board considered the payment of claims as follows:

Fund	Period Ending Jan. 31, 2024 Special Payment	Period Ending Jan. 31, 2024 Special Payment	Period Ending Jan. 31, 2024	Period Ending Feb. 29, 2024
General	\$ 650.00	\$ -0-	\$ 5,406.00	\$ 9,726.60
Debt	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital	\$ -0-	\$ 26,847.94	\$ 16,845.86	\$ 14,589.90
<b>Total</b>	<b>\$ 650.00</b>	<b>\$ 26,847.94</b>	<b>\$ 22,251.86</b>	<b>\$ 24,316.50</b>

Fund	Period Ending March 31, 2024
General	\$ 6,149.55
Debt	\$ -0-
Capital	\$ 11,973.08
<b>Total</b>	<b>\$ 18,122.63</b>

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Following discussion, upon motion duly made by Director Richmond, seconded by Director Clutter and, upon vote unanimously carried, the Board ratified approval of the payment of claims.

**Unaudited Financial Statements:** The Board reviewed the unaudited financial statements through the period ending December 31, 2023.

Following discussion, upon motion duly made by Director Richmond, seconded by Director Williams and, upon vote unanimously carried, the Board accepted the unaudited financial statements through the period ending December 31, 2023 as presented.

**Cost Certification from Independent District Engineering Services, LLC (“IDES”):** The Board reviewed Cost Certification No. 8 from IDES.

Following discussion, upon motion duly made by Director Clutter, seconded by Director Richmond and, upon vote unanimously carried, the Board approved Cost Certification No. 8 from IDES.

### **LEGAL MATTERS**

**IDES Task Order No. 3:** The Board reviewed IDES Task Order No. 3 under the Master Service Agreement for Cost Certification Services.

Following discussion, upon motion duly made by Director Richmond, seconded by Director Clutter and, upon vote unanimously carried, the Board approved IDES Task Order No. 3 under the Master Service Agreement for Cost Certification Services.

### **CONSTRUCTION MATTERS**

**Status of Construction of Harvest Road:** Director Richmond updated the Board on the status of construction of the Harvest Road Project.

### **OPERATIONS AND MAINTENANCE MATTERS**

There were no updates at this time.

### **OTHER MATTERS**

There were no other matters at this time.


### **ADJOURNMENT**

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

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Respectfully submitted,

By:   
Secretary for the Meeting