

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE HARVEST CROSSING METROPOLITAN DISTRICT NO. 2 HELD AUGUST 14, 2023

A Special Meeting of the Board of Directors (the “Board”) of the Harvest Crossing Metropolitan District No. 2 (referred to hereafter as the “District”) was convened on Monday, August 14, 2023 at 9:00 a.m. The meeting was open to the public via conference call.

ATTENDANCE

Directors In Attendance Were:

Daniel Frank
Marc L. Cooper
Richard Frank

Also In Attendance Were:

David Solin and Steve Solin; Special District Management Services, Inc.

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

Angie Chapman, Esq. and Rebecca Vines. Esq. ; Moye White LLP

Jerry Richmond, Board Candidate

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.

ADMINISTRATIVE MATTERS

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

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

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 Cooper, seconded by Director R. 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, location 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.

District No. 2 Returning to Active Status: The Board discussed the District returning to active status and considered adoption of a Resolution regarding the Districts' Intent to Return to Active Status and authorizing necessary actions associated therewith.

Following discussion, upon motion duly made by Director Cooper, seconded by Director R. Frank and, upon vote, unanimously carried, the Board approved the District returning to active status and adopted the Resolution regarding the Districts' Intent to Return to Active Status and authorizing necessary actions associated therewith.

May 2, 2023 Regular Directors' Election: Mr. Solin advised the Board that the May 2, 2023 election was cancelled, as allowed under Colorado law, by the Designated Election Official because there were not more candidates than positions available on the Board of Directors. It was noted there are two vacant positions on the Board of Directors.

Vacancies on the Board of Directors: The Board discussed the vacancies on the Board of Directors and considered appointment of Jerry B. Richmond, III to the Board of Directors.

Following discussion, upon motion duly made by Director Cooper, seconded by Director D. Frank and, upon vote, unanimously carried, the Board appointed Jerry B. Richmond, III to the Board of Directors.

Appointment of Officers: The Board entered into discussion regarding the appointment of officers.

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Following discussion, upon motion duly made by Director Cooper, seconded by Director D. Frank and, upon vote, unanimously carried, the following slate of officers was appointed:

President	Daniel Frank
Treasurer	Marc L. Cooper
Secretary	David Solin
Assistant Secretary	Richard Frank
Assistant Secretary	Jerry Richmond

FINANCIAL MATTERS

2023 Budget Hearing: The President opened the continued public hearing to consider the proposed 2023 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption 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 or at this public hearing. No public comments were received, and the President closed the public hearing.

Following discussion, the Board considered the adoption of Resolution No. 2023-08-01 to Adopt the 2023 Budget and Appropriate Sums of Money. Upon motion duly made by Director D. Frank, seconded by Director R. Frank and, upon vote, unanimously carried, the Resolutions was adopted. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference

2024 Budget Hearing: The Board discussed setting the date for a Public Hearing to adopt the 2024 Budget.

Following discussion, upon motion duly made by Director D. Frank, seconded by Director Cooper and, upon vote, unanimously carried, the Board set the date for a Public Hearing to adopt the 2024 Budget for November 13, 2023, at 1:00 p.m., to be held via conference call.

LEGAL MATTERS

There were no legal matters discussed.

OPERATION AND MAINTENANCE

There were no operations and maintenance matters discussed.

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OTHER MATTERS

Inactive Status of District No. 2: The Board discussed the Inactive Status of District 2 and consider adoption of a Resolution Declaring the District Inactive and authorizing staff to perform all necessary actions in connection therewith. Following discussion, upon motion duly made by Director D. Frank, seconded by Director Cooper and, upon vote, unanimously carried, the Board approved the inactive status of District 2 and adopted the Resolution Declaring the District Inactive and authorizing staff to perform all necessary actions in connection therewith.

ADJOURNMENT

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

Respectfully submitted,

By: 
Secretary for the Meeting