

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
ABILENE STATION METROPOLITAN DISTRICT NO. 1
(THE "DISTRICT")
HELD
NOVEMBER 19, 2024

A special meeting of the Board of Directors (referred to hereafter as the "Board") of the District was convened on Tuesday, November 19, 2024, at 9:00 a.m., via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

David Erb, President
Marilyn Erb, Secretary/Treasurer

Also In Attendance Were:

AJ Beckman; Public Alliance LLC
Megan Becher, Esq.; McGeady Becher Cortese Williams P.C.
Daisey Garcia and Diane Wheeler; Simmons & Wheeler, P.C.

ADMINISTRATIVE MATTERS

Disclosures of Potential Conflicts of Interest: Director David Erb called the meeting to order. The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested 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 statute. It was noted by Attorney Becher that disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors, and no additional conflicts were disclosed at the meeting.

Quorum, Location of Meeting and Posting of Meeting Notice: A quorum was confirmed. 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 District Board meeting was held virtually via Zoom and public participation via Zoom was encouraged. The Board further noted that notice providing the date, time and meeting access information was duly posted and that no objections, or any requests that the means of hosting the meeting be changed by taxpaying electors within the District's boundaries were received.

Agenda: The Board reviewed the Agenda for the meeting. Following discussion, upon motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Agenda was approved, as amended.

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Public Comment: There was no public comment.

2025 Regular Meeting Schedule / Resolution Establishing Regular Meeting Dates, Time, and Location and Designating Location for Posting of 24-Hour Notices (“Regular Meeting Date and Posting Resolution”): The Board scheduled a regular meeting on October 21, 2025 at 9:00 a.m. to be held via virtual means. Following discussion, upon a motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board adopted the Regular Meeting Date and Posting Resolution.

Minutes from June 5, 2024 Special Meeting: Following review, upon a motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board approved the Minutes from the June 5, 2024 Special Meeting.

Renewal of District’s Insurance and Special District Association (“SDA”) Membership for 2025: Following discussion, upon motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board authorized renewal of the District’s insurance coverage, worker’s compensation coverage and SDA membership.

Website Accessibility Discussion:

Website Accessibility Matters: The Board entered into discussion regarding website accessibility matters.

Website Accessibility Committee to Make Final Determinations Regarding Engagement and/or Termination of Service Providers: The Board discussed establishing a Website Accessibility Committee to make final determinations regarding engagement and/or termination of service providers.

Following discussion, upon motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board authorized Public Alliance, LLC to provide website accessibility services.

Requirements of Section 32-1-809, C.R.S. and Compliance for 2025 (District Transparency Notice): Attorney Becher reviewed the requirements of Section 32-1-809, C.R.S. with the Board. Following discussion, the Board directed that the District Transparency Notice be posted and transmitted in compliance with statutory requirements.

**FINANCIAL
MATTERS**

Claims: Ms. Wheeler reviewed claims for the period ending September 30, 2024 with the Board.

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Following review, upon a motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board ratified and/or approved the payment of claims for the period ending September 30, 2024, in the total amount of \$45,790.94.

Unaudited Financial Statements: Ms. Wheeler presented the unaudited financial statements for the period ending September 30, 2024.

Following review, upon a motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board accepted the unaudited financial statements for the period ending September 30, 2024.

Corrected 2023 Application for Exemption from Audit: Following discussion, upon a motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board directed the District Accountant to file a Corrected Application for Exemption from Audit for 2023.

Public Hearing on Amending the 2024 Budget: Director David Erb opened the public hearing to consider the proposed 2024 Budget Amendment and to discuss related issues.

Mr. Beckman noted that Notice stating that the Board would consider amending the 2024 Budget and the date, time, and place of the public hearing was published pursuant to the statute. No written objections were received prior to the public hearing.

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

Following discussion, upon motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board adopted the Resolution to Amend the 2024 Budget.

2025 Budget Hearing: Director David Erb opened the public hearing to consider the proposed 2025 Budget and to discuss related issues.

Mr. Beckman noted that Notice stating that the Board would consider adoption of the 2025 Budget and the date, time, and place of the public hearing was published pursuant to the statute. No written objections were received prior to the public hearing.

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

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Ms. Wheeler presented for the Board's review and consideration the estimated 2024 expenditures and the proposed 2025 expenditures.

Following discussion, upon motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board adopted the Resolution to Adopt the 2025 Budget and Appropriate Sums of Money and the Resolution to Set Mill Levies (General Fund: 40.000 mills, subject to final assessed valuation). The Board further authorized execution of the Certification of Budget and directed District Counsel to transmit the Certification of Tax Levies to the Board of County Commissioners of Arapahoe County not later than December 15, 2024. The District Manager was directed to transmit the Certification of Budget to the Division of Local Government no later than January 30, 2025.

DLG-70 Certification of Tax Levies form and Mill Levy Public Information form ("Certification"): Following discussion, upon motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board authorized the District Accountant to prepare and sign the Certification for certification to the Board of County Commissioners and other interested parties, no later than December 15, 2024.

Application for Exemption from Audit for 2024: Following discussion, upon a motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board directed the District Accountant to prepare and file an Application for Exemption from Audit for 2024.

District Accountant to Prepare 2026 Budget: Following discussion, upon motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board appointed the District Accountant to prepare the 2026 Budget.

LEGAL MATTERS

Resolution Calling May 6, 2025 Election for Directors: Following discussion, upon motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board adopted the Resolution Calling May 6, 2025 Election for Directors and authorized the Designated Election Official to perform all necessary tasks related to conduct of the Mail Ballot Election. It was determined that no ballot issues or questions would be voted at this time.

Service Agreement for Graffiti Removal Services by and between the District and Schedio Group LLC d/b/a Colorado Service Company: Following discussion, upon a motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board ratified approval of the Service Agreement for Graffiti Removal Services

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by and between the District and Schedio Group LLC d/b/a Colorado Service Company.

Service Agreement for Routine Pond Maintenance by and between the District and Roberts Treescaping, LLC d/b/a RTS Landscaping: Following discussion, upon a motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board ratified approval of the Service Agreement for Routine Pond Maintenance by and between the District and Treescaping, LLC d/b/a RTS Landscaping.

Change Order No. 1 to Service Agreement for District Management Services between the District, Abilene Station Metropolitan District No. 2 (“District No. 2”), and Public Alliance LLC: Mr. Beckman reviewed with the Board Change Order No. 1 to the Service Agreement for District Management Services between the District, District No. 2, and Public Alliance LLC.

Following review, upon a motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board approved Change Order No. 1 to the Service Agreement for District Management Services between the District, District No. 2, and Public Alliance LLC.

Reimbursement to Abilene Station LLC: Following discussion, upon motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board authorized reimbursement of excess general funds to Abilene Station LLC pursuant to the terms of the Operation Funding Agreement and/or Facilities Acquisition Agreement between the District and Abilene Station LLC.

MANAGER MATTERS

District Services for 2025: The Board discussed District services for 2025.

Service Agreement for Landscape and Pond Maintenance Services between the District and Roberts Treescaping, LLC d/b/a RTS Landscaping: Following discussion, upon a motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the Board approved of and directed District Counsel to prepare a Service Agreement for Landscape and Pond Maintenance Services between the District and Roberts Treescaping, LLC d/b/a RTS Landscaping.

OTHER MATTERS

Status of Development/Construction Outlook: Director David Erb provided an update to the Board and consultants.

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ADJOURNMENT

There being no further business to come before the Board at this time, following discussion, upon a motion duly made by Director David Erb, seconded by Director Marilyn Erb and, upon vote unanimously carried, the meeting was adjourned.

Respectfully submitted,

DocuSigned by:

Marilyn Erb

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Secretary for the Meeting