ELBERT & HIGHWAY 86 METROPOLITAN DISTRICT NOTICE OF SPECIAL BOARD MEETING AND AGENDA

Wednesday, December 6, 2023-6:30 PM

NOTICE IS HEREBY GIVEN that a Regular Meeting of the Board of Directors of ELBERT & HIGHWAY 86 METROPOLITAN DISTRICT, Elbert County, Colorado, has been scheduled for December 6, 2023, at 6:30 PM at the location below for the purpose of addressing those matters in the Agenda set forth below.

Legacy Academy 1975 Legacy Circle Elizabeth, Colorado 80107

Please join my meeting from your computer, tablet, or smartphone.

https://video.cloudoffice.avaya.com/join/709049040

You can also dial in using your phone.
United States: +1 (213) 463-4500
Access Code: 709-049-040

DIRECTORS:

Jeffrey Massey, President, Term to 2025 Larry Gable, Vice President, Term to 2027 Bradford Eidt, Secretary/Treasurer – Term to 2027 Ronald Renk, Jr., Assistant Secretary -Term to 2025 Steve Christofferson, Assistant Secretary -Term to 2025

AGENDA

1) ADMINISTRATIVE MATTERS

- a) Call to Order & Declaration of Quorum
- b) Confirm any Potential Conflicts of Interest
- c) Discussion and Approval of the Agenda
- d) Approval of Minutes November 1, 2023

2) FINANCIAL MATTERS

- a) Review of Unaudited Financial Statement (Enclosure)
- b) Conduct Public Hearing to Consider Adopting 2024 Budget (Enclosure)

3) OLD BUSINESS

a) Discussion of Bond Buyback

4) NEW BUSINESS

a) Discuss Monument Lighting

5) PUBLIC COMMENT

Comments will be limited to 3 minutes.

6) ADJOURNMENT





MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE ELBERT & HIGHWAY 86 METROPOLITAN DISTRICT HELD NOVEMBER 1, 2023 AT 5:30 PM

Pursuant to posted notice, the special meeting of the Board of Directors of the Elbert and Highway 86 Metropolitan District was held on Wednesday, November 1, 2023 at 5:30 PM, at 1975 Legacy Circle, Elizabeth, CO 80107, and virtually via video teleconference.

ATTENDANCE

In attendance were Directors:
Jeffrey Massey, President
Larry Gable, Vice President
Bradford Eidt, Secretary/Treasurer
Ronald Renk Jr., Director
Steve Christofferson, Director

Also in attendance were: Adam Noel, WSDM Rebecca Harris, WSDM Brian Lathrop, Resident

Jenn, Resident Doug, Resident

1. ADMINISTRATIVE MATTERS

- a. Call to Order & Declaration of Quorum: President Massey called the meeting to order at 5:30 p.m. and declared a quorum was present.
- b. Confirm any Potential Conflicts of Interest: The Directors each confirmed they had no conflicts. The Board had previously filed Disclosure of Potential Conflict of Interest Statements with the Board and with the Secretary of State at least seventy-two (72) hours in advance of the meeting in accordance with statutory requirements.
- c. Discussion and Approval of the Agenda: Mr. Noel added the approval of the June 6, 2023 Meeting Minutes under item 1.d. Director Gable moved to approve the Agenda as amended; seconded by Director Eidt. Motion passed unanimously.
- d. Approval of Minutes June 6, 2023 and July 7, 2023: After review, Director Renk Jr. moved to approve the June 6, 2023 and July 7, 2023 Meeting Minutes; seconded by Director Christofferson. Motion passed unanimously.

2. LEGAL MATTERS

a. Review and Consider Approval of the 2024 WSDM Engagement Letter: After review, Director Christofferson moved to approve the 2024 WSDM Engagement Letter; seconded by Director Eidt. Motion passed unanimously.

b. Review and Consider Approval of the 2024 Administrative Resolution: After review, President Massey moved to approve the 2024 Administrative Resolution; seconded by Director Eidt. Motion passed unanimously.

3. FINANCIAL MATTERS

- a. Review of Unaudited Financial Statement: Mr. Noel presented the Unaudited Financial Statements as of September 30, 2023. Director Eidt confirmed he has reviewed the Financials. After review, President Massey moved to approve the Unaudited Financial Statements as of September 30, 2023; seconded by Director Christofferson. Motion passed unanimously.
- b. Ratification of Approved Payables: Mr. Noel presented the payables to be ratified. Mr. Noel explained the payables review and approval process. After review, Director Christofferson moved to ratify the approved payables; seconded by Director Gable. Motion passed unanimously.
- c. Conduct Public Hearing to Consider Adopting 2024 Budget: Director Gable moved to open the Public Hearing on the 2024 Budget; seconded by Director Eidt. Motion passed unanimously. The Board reviewed the proposed 2024 Budget. The Board discussed postponing the 2024 Budget Hearing and approval until the next meeting to allow residents additional time to review. President Massey moved to schedule a special meeting on December 6, 2023 to consider approval of the 2024 Budget and certify the mill levy; seconded by Director Gable. Motion passed unanimously. The Board unanimously closed the Public Hearing.
- d. Status of Lot Fee Payments: The Board briefly discussed that the \$14,000 Lot Fee payments go into the General Fund.

4. OLD BUSINESS

- a. Discussion of Street Signs to Comply with Elbert County Standards: The Board discussed that the County accepted the street signs when they accepted the roads, so they would be responsible to replace the wooden posts with their standard posts or the District could agree to maintain the wooden posts. A formal letter was sent to the County regarding this matter, and it is still a pending item.
- b. Discussion of Bond Buyback: There was no additional discussion.
- c. Discuss Equestrian Trail Easement Reduction: The Board discussed the equestrian trail easement reduction from 100' to 30' that could move forward if the majority of residents agree.

5. NEW BUSINESS

- a. Review and Consider Approval of 2024 Insurance Renewal with TCW/CSD Pool: Mr. Noel presented the 2024 Insurance Renewal and noted the mailbox clusters were added. The Board discussed broker services for 2024 and agreed to review the CSD Pool options. After review, President Massey moved to approve the 2024 Insurance Renewal; seconded by Director Christofferson. Motion passed unanimously.
- b. Review and Consider Approval of Workers' Compensation: Mr. Noel and Ms. Harris presented the option of Workers' Compensation coverage. After review, President Massey moved to approve Workers' Compensation; seconded by Director Christofferson. Motion passed.
- c. Discuss Monument Lighting: The Board discussed that there are monument lights that need to be repaired and replaced.
- d. Discuss Landscaping Irrigation: The Board discussed that the landscaping irrigation near the west mailboxes and by the east monuments will cost several hundred dollars a month.

Director Eidt noted the irrigation had been off for two years and the trees did fine. The Board agreed to discuss further at the next meeting.

6. PUBLIC COMMENT: The meeting was opened for public comment.

A resident asked if the District is involved with water billing. The Board explained that the Commercial District is responsible for the water billing and is separate from the Metro District.

A resident commented that the Board should discuss the poor road conditions with the County. Director Eidt explained there is an online form where you can report poor roads and submit pictures to the County.

7. ADJOURNMENT: There being no further business to come before the Board at this time, Director Eidt moved to adjourn the meeting at 7:30 PM; seconded by Director Christofferson. Motion passed unanimously.

Respectfully Submitted,	
Secretary for the Meeting	



Elbert & Highway 86 Metro District Balance Sheet

As of October 31, 2023

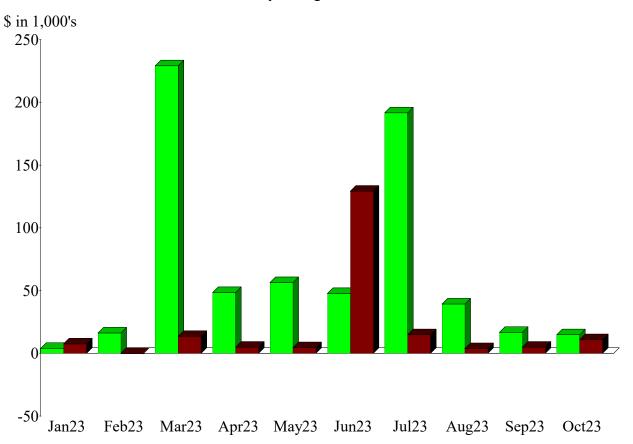
ASSETS Current Assets Checking/Savings Colo Trust 4001 Colo Trust 8002	
Checking/Savings Colo Trust 4001	
Colo Trust 4001	
Colo Trust 8002	13,425.56
3310 11u3t 0002	1,088,748.20
First Bank Checking	12,447.24
UMB-2016 Revenue Fund 131.2	1,933.93
UMB-2016 Bond Fund 131.1	4,075.46
UMB-2016 Reserve Fund 131.3	381,585.68
Total Checking/Savings	1,502,216.07
Total Current Assets	1,502,216.07
Fixed Assets	
Fish Pond	16,594.00
Gazebo	34,791.00
Entry Monuments	146,287.00
Water Cistem	5,765.00
Landscape Improvements	5,247.00
Accumulated Depreciation	-74,374.00
Total Fixed Assets	134,310.00
TOTAL ASSETS	1,636,526.07
LIABILITIES & EQUITY Liabilities Current Liabilities Accounts Payable Accounts Payable	9,799.88
Total Accounts Payable	9,799.88
Total Current Liabilities	9,799.88
Long Term Liabilities	
Bond Payable	100,000.00
Series 2016 Bonds	4,820,000.00
Series 2016 Bond Premium	400,296.00
Series 2016 Bond Prem - AA	-113,347.00
Total Long Term Liabilities	5,206,949.00
Total Liabilities	5,216,748.88
Equity	
Opening Balance Equity	-4,153,444.01
Retained Earnings	102,186.70
Net Income	471,034.50
Total Equity	-3,580,222.81
Total Equity	

11:33 AM 11/17/23 **Accrual Basis**

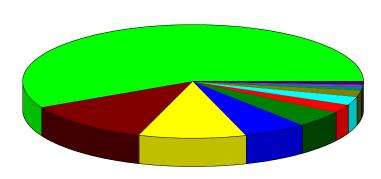
Elbert & Highway 86 Metro District Profit & Loss Budget vs. Actual January through October 2023

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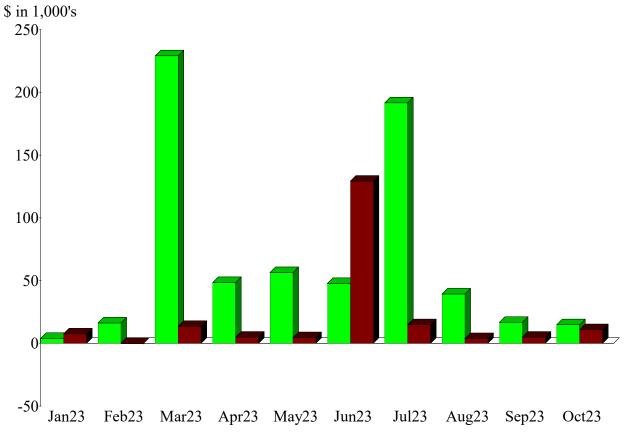
	Oct 23	Jan - Oct 23	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense					
Income					
Tax Collections					
Current - O&M	0.00	92,118.68	77,518.34	14,600.34	118.84%
Current - Debt	0.00	396,110.32	333,329.16	62,781.16	118.84%
SOT - O&M	1,485.43	11,198.49	5,426.66	5,771.83	206.36%
SOT - Debt	6,387.34	48,153.48	23,333.34	24,820.14	206.37%
Delinquent Interest - O&M	0.00	105.77			
Delinquent Interest - Debt	0.00	454.75			
Senior/Vet Exemption - O&M	0.00	903.53			
Senior/Vet Exemption - Debt	0.00	3,885.16			
Total Tax Collections	7,872.77	552,930.18	439,607.50	113,322.68	125.78%
Facility Fees	0.00	56,000.00			
Interest Income - Debt Service	6,950.75	55,229.02	6,250.00	48,979.02	883.66%
Interest Income	53.41	507.69	125.00	382.69	406.15%
Total Income	14,876.93	664,666.89	445,982.50	218,684.39	149.03%
Gross Profit	14,876.93	664,666.89	445,982.50	218,684.39	149.03%
Expense					
Audit	0.00	9,325.00	7,500.00	1,825.00	124.33%
Bank Service Charges					
Bank Fees - Debt	78.92	770.75			
Lender/ Trustee Fees	1,500.00	3,000.00	2,500.00	500.00	120.0%
Bank Service Charges - Other	1.14	23.84			
Total Bank Service Charges	1,580.06	3,794.59	2,500.00	1,294.59	151.78%
Bond Expense					
Debt Service Principal	0.00	0.00	83,333.32	-83,333.32	0.0%
Debt Service Interest	0.00	111,692.75	223,385.00	-111,692.25	50.0%
Total Bond Expense	0.00	111,692.75	306,718.32	-195,025.57	36.42%
Copies & Postage	0.00	152.90			
Dues and Subscriptions	6.18	634.43	8,333.32	-7,698.89	7.61%
Election	0.00	53.76	1,666.66	-1,612.90	3.23%
Fees Due	41.40	41.40			
Insurance	4,425.00	4,875.00	6,666.66	-1,791.66	73.13%
Miscellaneous	0.00	30.08	4,166.66	-4,136.58	0.72%
Professional Fees					
District Mmgt / Accounting	2,500.00	25,000.00	25,000.00	0.00	100.0%
Landscaping Maintenance	0.00	0.00	6,250.00	-6,250.00	0.0%
Legal	103.50	-1,186.70	8,333.34	-9,520.04	-14.24%
Total Professional Fees	2,603.50	23,813.30	39,583.34	-15,770.04	60.16%
Repairs & Replacements	907.00	19,889.00			
Road Repairs & Maintenance	0.00	0.00	8,333.32	-8,333.32	0.0%
Treasurer's Collection Fee - GF	0.00	2,766.72	3,255.82	-489.10	84.98%
Treasurers Collection Fee - DS	0.00	11,896.95	9,070.00	2,826.95	131.17%
Utilities	1,388.31	4,666.51	1,250.00	3,416.51	373.32%
Total Expense	10,951.45	193,632.39	399,044.10	-205,411.71	48.52%
Net Ordinary Income	3,925.48	471,034.50	46,938.40	424,096.10	1,003.52%
et Income	3,925.48	471,034.50	46,938.40	424,096.10	1,003.52%



Expense Summary
January through October 2023

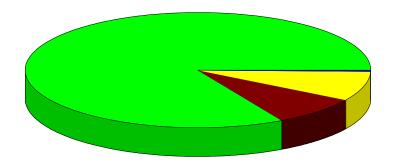


Bond Expense	57.68%
Professional Fees	12.30
Repairs & Replacements	10.27
Treasurers Collection Fee - DS	6.14
Audit	4.82
Insurance	2.52
Utilities	2.41
Bank Service Charges	1.96
Treasurer's Collection Fee - G	F 1.43
Dues and Subscriptions	0.33
Other	0.14
Total	\$193,632.39



Income Summary
January through October 2023

Tax Collections	83.19%
Fees	8.43
Interest Income - Debt Servic	e 8.31
Interest Income	0.08
Total	\$664,666.89





RESOLUTION ADOPTING BUDGET, IMPOSING MILL LEVY AND APPROPRIATING FUNDS

(2024)

The Board of Directors of Elbert and Highway 86 Metropolitan District (the "Board"), Elbert County, Colorado (the "District") held a special meeting via tele/video conference pursuant to their Emergency Declaration Resolution, on Wednesday, December 6, 2023, at the hour of 6:30 P.M.

Prior to the meeting, each of the directors was notified of the date, time and place of the budget meeting and the purpose for which it was called, and a notice of the meeting was posted or published in accordance with §29-1-106, C.R.S.

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NOTICE AS TO PROPOSED 2024 BUDGET

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET AND APPROPRIATING SUMS OF MONEY TO EACH FUND IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN FOR THE DISTRICT FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2024 AND ENDING ON THE LAST DAY OF DECEMBER 2024.

WHEREAS, the Board has authorized its accountant and/or legal counsel to prepare and submit a proposed budget to the Board in accordance with Colorado law; and

WHEREAS, the proposed budget has been submitted to the Board for its review and consideration; and

WHEREAS, upon due and proper notice, provided in accordance with Colorado law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on December 6, 2023, interested electors were given the opportunity to file or present any objections to said proposed budget at any time prior to final adoption of the budget by the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. <u>Adoption of Budget</u>. The budget attached hereto and incorporated herein is approved and adopted as the budget of the District for fiscal year 2024. In the event of recertification of values by the County Assessor's Office after the date of adoption hereof, staff is hereby directed to modify and/or adjust the budget and certification to reflect the recertification without the need for additional Board authorization. Any such modification to the budget or certification as contemplated by this Section 1 shall be deemed ratified by the Board.

Section 2. <u>Levy for General Operating Expenses</u>. For the purpose of meeting all general operating expenses of the District during the 2024 budget year, there is hereby levied a

tax of 10.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 3. <u>Levy for Debt Service Obligations</u>. For the purposes of meeting all debt service obligations of the District during the 2024 budget year, there is hereby levied a tax of 33.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 4. <u>Levy for Contractual Obligation Expenses</u>. For the purposes of meeting all contractual obligations of the District during the 2024 budget year, there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 5. <u>Levy for Capital Project Expenses</u>. For the purposes of meeting all capital project obligations of the District during the 2024 budget year, there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 6. <u>Certification to County Commissioners</u>. The Board directs its legal counsel, manager, accountant or other designee to certify to the Board of County Commissioners of Elbert County, Colorado the mill levies for the District as set forth herein. Such certification shall be in compliance with the requirements of Colorado law.

Section 7. <u>Appropriations</u>. The amounts set forth as expenditures in the budget attached hereto are hereby appropriated.

Section 8. Filing of Budget and Budget Message. The Board hereby directs its legal counsel, manager or other designee to file a certified copy of the adopted budget resolution, the

budget and budget message with the Division of Local Government by January 31 of the ensuing year.

Section 9. <u>Budget Certification</u>. The budget shall be certified by a member of the District, or a person appointed by the District, and made a part of the public records of the District.

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ADOPTED THIS 6th DAY OF DECEMBER, 2023

ELBERT AND HIGHWAY 86 METROPOLITAN DISTRICT

Officer of District
ATTEST:
STATE OF COLORADO COUNTY OF ELBERT
ELBERT AND HIGHWAY 86 METROPOLITAN DISTRICT
I hereby certify that the foregoing resolution constitutes a true and correct copy of the record of proceedings of the Board adopted at a District meeting held on Wednesday, December 6, 2023, as recorded in the official record of the proceedings of the District.
IN WITNESS WHEREOF, I have hereunto subscribed my name this 6 th day of December 2023.

EXHIBIT A BUDGET DOCUMENT BUDGET MESSAGE

ELBERT & HIGHWAY 86 METROPOLITAN DISTRICT 2023 AMENDED AND 2024 BUDGET GENERAL FUND

	2022 2023		2023			2023		2024	2024		
		ACTUAL	ACTUAL		PROJECTED		BUDGET		BUDGET	(De	BUDGET crease Levy)
			9/26/2026								
GENERAL FUND BEGINNING BALANCE	\$	402,687	\$ 448,122	\$	448,122	\$	41,510	\$	463,363	\$	463,363
REVENUES											
PROPERTY TAXES	\$	95,337	\$ 91,526	\$	91,526	\$	93,022	\$	125,211	\$	125,211
SPECIFIC OWNERSHIP TAXES	\$	15,516	\$ 8,411	\$	8,411	\$	6,512	\$	8,765	\$	8,765
DELINQUENT INTEREST	\$	178	\$ 85	\$	85			\$	-	\$	-
SENIOR/VET EXEMPTION	\$	1,001	\$ 904	\$	904			\$	-	\$	-
INTEREST INCOME	\$	12,355	\$ 401	\$	401	\$	150	\$	500	\$	500
GRANT INCOME	\$	1,011		\$	-	\$	-	\$	-	\$	-
FACILITY FEE	\$	-	\$ 56,000					\$	-	\$	-
TOTAL REVENUES	\$	125,398	\$ 157,326	\$	101,327	\$	99,684	\$	134,476	\$	134,476
TOTAL OF BALANCE AND REVENUES	\$	528,085	\$ 605,448	\$	549,449	\$	141,194	\$	597,839	\$	597,839
EXPENDITURES											
ACCOUNTING	\$	-				\$	-	\$	-	\$	-
AUDIT	\$	8,825	\$ 9,325	\$	9,325	\$	9,000	\$	9,605	\$	9,605
BANK CHARGE	\$	371	\$ 613	\$	613	\$	-	\$	-	\$	-
BANK SERVICE CHARGE			\$ 22	\$	22	\$	-	\$	-	\$	-
COUNTY TREASURERS FEE	\$	2,865	\$ 2,767	\$	2,767	\$	2,791	\$	3,756	\$	3,756
DISTRICT MGMT/ACCOUNTING	\$	27,000	\$ 20,000	\$	30,000	\$	30,000	\$	30,000	\$	30,000
DUE & LICENSES	\$	637	\$ 622	\$	622	\$	1,000	\$	1,000	\$	1,000
ELECTION EXPENSE	\$	1,973	\$ 207	\$	207	\$	2,000	\$	-	\$	-
INSURANCE & BONDS	\$	8,476	\$ 450	\$	9,000	\$	8,000	\$	9,000	\$	9,000
LEGAL SERVICES	\$	19,114	\$ (1,290)	\$	10,000	\$	10,000	\$	10,000	\$	10,000
LENDER/ TRUSTEE FEES			\$ 1,500	\$	1,500	\$	-	\$	3,000	\$	3,000
MISCELLANEOUS	\$	274	\$ 30	\$	30	\$	5,000	\$	-	\$	-
CONTIGENCY								\$	-	\$	-
POSTAGE	\$	230	\$ -	\$	-	\$	-	\$	50	\$	50
LANDSCAPING/SNOW REMOVAL						\$	7,500	\$	7,500	\$	7,500
REPAIRS/REPLACEMENTS	\$	8,670	\$ 18,982	\$	20,000	\$	10,000	\$	10,000	\$	10,000
UTILITIES	\$	1,528	\$ 1,993	\$	2,000	\$	1,500	\$	2,000	\$	2,000
TOTAL EXPENDITURES	\$	79,963	\$ 55,220	\$	86,086	\$	86,791	\$	85,911	\$	85,911
		_						,		_	
ENDING FUND BALANCE	\$	448,122	\$ 550,228	\$	463,363	\$	54,403	\$	511,927	\$	511,927
EMERGENCY RESERVE 3%	\$	2,399	\$ 1,657	\$	2,583	\$	2,604	\$	2,577	\$	2,577
ASSESSED VALUATION	\$	9,633,770	\$ 9,302,220		9,302,220	\$	9,302,220		12,521,110		12,521,110
MILL LEVY		15.000	10.000		10.000		10.000		10.000		10.000





ELBERT & HIGHWAY 86 METROPOLITAN DISTRICT 2023 AMENDED AND 2024 BUDGET

		2022		2023	2023		2023	2024		2024
		ACTUAL		ACTUAL	PROJECTED		BUDGET	BUDGET	(De	BUDGET crease Levy)
				9/26/2023						
DEBT SERVICE FUND BEGINNING BALANCE	\$	493,819	\$	595,599	\$ 595,599	\$	1,008,120	\$ 703,285	\$	703,285
REVENUES										
PROPERTY TAXES	\$	409,948	\$	393,564	\$ 393,564	\$	399,995	\$ 538,408	\$	413,197
SPECIFIC OWNERSHIP TAXES	\$	66,717	\$	36,170	\$ 36,170	\$	28,000	\$ 37,689	\$	28,924
DELINQUENT INTEREST	\$	762	\$	365	\$ 365	\$	-	\$ -	\$	-
SENIOR/VET EXEMPTION	\$	4,304	\$	3,885	\$ 3,885	\$	-	\$ -	\$	-
INTEREST INCOME	\$	7,883	\$	41,764	\$ 41,764	\$	7,500	\$ 20,000	\$	20,000
TOTAL REVENUES	\$	489,614	\$	475,747	\$ 475,748	\$	435,495	\$ 596,096	\$	462,120
EXPENDITURES										
BOND INTEREST	\$	272,063	\$	111,693	\$ 268,062	\$	268,062	\$ 264,063	\$	264,063
BOND PRINCIPAL	\$	100,000	\$	-	\$ 100,000	\$	100,000	\$ 105,000	\$	105,000
BANK FEES	\$	1,950	\$	-	\$ -	\$	-	\$ -	\$	-
CONTINGENCY	\$	-	\$	-	\$ -	\$	-	\$ -	\$	-
COUNTY TREASURERS FEE	\$	12,321	\$	1,992		\$	12,000	\$ 16,152	\$	12,396
PAYING AGENT FEE	\$	1,500	\$	-	\$ -	\$	3,000			
TOTAL EXPENDITURES	\$	387,834	\$	113,685	\$ 368,062	\$	383,062	\$ 385,215	\$	381,459
ENDING BALANCE	\$	595,599	\$	957,662	\$ 703,285	\$	1,060,553	\$ 914,166	\$	783,946
ASSESSED VALUATION	\$	9,633,770	\$	9,302,220	\$ 9,302,220	\$	9,302,220	\$ 12,521,110	\$	12,521,110
MILL LEVY	•	43.000	•	43.000	43.000	•	43.000	43.000	_	33.000
TOTAL MILL LEVY		53.000		53.000	53.000		53.000	53.000		43.000



