

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

TUESDAY, MAY 17, 2022-2:00 PM

NOTICE IS HEREBY GIVEN that a Special Meeting of the Board of Directors of ELBERT & HIGHWAY 86 METROPOLITAN DISTRICT, Elbert County, Colorado has been scheduled Tuesday May 17, 2022, at 2:00 PM via tele/videoconference at the platform below for the purpose of addressing those matters in the Agenda set forth below.

**** Please join the meeting from your computer, tablet or smartphone****

<https://global.gotomeeting.com/join/222939405>

By phone.

United States: +1 (408) 650-3123

Access Code: 222-939-405

DIRECTORS:

Larry Gable, President, Term to 2023

Bradford Eidd, Secretary/Treasurer – Term to 2023

Ronald Renk, Jr., Director -Term to 2025

Jeffrey Massey, Director -Term to 2025

Steve Christoffeson, Director -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 – March 28, 2022

2) FINANCIAL MATTERS

- a) Review of Unaudited Financial statement
- b) Approval of Current Payables

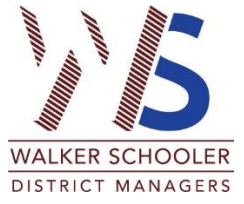
3) PUBLIC COMMENT

Comments will be limited to 3 minutes.

4) LEGAL MATTERS

- a) Pursuant to §24-6-402 (4)(b), CRS – Conference with District Counsel for the purpose of receiving legal advice on questions regarding matters related to previous expenditures for road maintenance.

7) ADJOURNMENT





**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
ELBERT & HIGHWAY 86 METROPOLITAN DISTRICT
HELD MARCH 28, 2022
AT 6:00 PM**

Pursuant to posted notice, the regular meeting of the Board of Directors of the Elbert and Highway 86 Metropolitan District was held on Monday, March 28, 2022 at 6:00 p.m., at Legacy Academy, 1975 Legacy Cir., Elizabeth, CO 80107 and via tele/videoconference at <https://global.gotomeeting.com/join/222939405>.

ATTENDANCE

In attendance were Directors:

Larry Gable, President - Term to 2023
Bradford Eidt, Secretary/Treasurer - Term to 2023
Laura Carno, Assistant Secretary - Term to 2022
Jay Hjellum, Assistant Secretary - Term to 2022
Steve Christoffeson, Assistant Secretary - Term to 2022

Also in attendance were:

Kevin Walker, Walker Schooler District Managers
Molly Gist, Walker Schooler District Managers
Jason Downie, Susemihl, McDermott, & Downie, P.C.
Members of the Public

1. ADMINISTRATIVE MATTERS

- a. Call to Order & Declaration of Quorum: President Gable called the meeting to order at 6:00 PM and declared a quorum with all Board members present.
- b. Confirm any Potential Conflicts of Interest: 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: The Board approved the Agenda as presented.
- d. Consider Approval of Meeting Minutes from September 23, 2021 and September 27, 2021: The Board unanimously approved the Meeting Minutes from September 23, 2021 and September 27, 2021.

2. FINANCIAL MATTERS

- a. Review of Unaudited Financial Statement: The Board reviewed the Unaudited Financial Statements.
- b. Approval of Current Payables: After review, the Board unanimously approved the current payables.

3. PRESIDENT'S REPORT

- a. Landscaping work to be done by Wild Pointe Ranch HOA in 2022: President Gable reported that the HOA will be assuming all of the landscaping responsibilities.
- b. Pond-Safety Issues, Purpose, maintenance: President Gable explained the pond requires a constant pump for aeration and associated maintenance expenses. There have been past discussions regarding the idea to get rid of the pond, so a poll will be distributed to the community on the website to see if a majority agrees with getting rid of it. President Gable noted safety issues if someone were to fall in, and the pond serves no real purpose. Director Christoffeson pointed out there may be costs to fill in the pond or dirt could be relocated. President Gable confirmed there are no wetlands associated with it.
- c. Modify Equestrian Trails Easement-Current 100': President Gable discussed pursuing a modification to the equestrian trails' easement to 25 or 50 feet with the County. It will require agreements from the homeowners.
- d. Tract P- change use from future roadway. Email to county 3/3/2022: The Board tabled discussion on Tract P and instead discussed Tract R. President Gable explained that Tract R was conveyed to the commercial metro district in agreement for their resignations and control of the Board, and there are development guidelines that require additional research. The Board unanimously authorized legal counsel to inquire about Tract R. (Audio issues)

4. MANAGEMENT ITEMS

- a. Election Cancelled and New Elected Officials Notified: President Gable welcomed the new Board Members Ronald Renk and Jeffrey Massey. Director Christoffeson will be serving another 3-year term.
- b. Approve Special Board Meeting for May 5, 2022 at 6:00 PM: The Board unanimously approved a Special Board Meeting for May 5, 2022 at 6:00 PM.
- c. Award of Safety Funds Grant for Traffic Signal in the amount of \$1011.00: Ms. Gist reported an application was submitted with SDA and \$1,011 was awarded for the Safety Funds Grant as a reimbursement for the traffic signal and can also be used for stop signs and other safety items or general fund items.
- d. Annual Reporting Compliance: Mr. Walker reported that all annual reporting for compliance has been completed.
- e. Approve Audit Engagement Letter for 2021 Audit from BiggsKofford - Due July: Mr. Walker explained the required 2021 Audit could be done by BiggsKofford and the fee is \$8,825. President Gable noted the District only paid \$4,000 last year and requested another bid. Mr. Walker will provide the Board with an additional proposal.

5. **LEGAL MATTERS:** There was no discussion.

6. **PUBLIC COMMENT:** President Gable opened the meeting for public comment.

Mike Misheff asked about the hand-drawn easement on the map and if there is any progress on that. President Gable replied that he will discuss this with him after the meeting. Mr. Misheff asked if there have been complaints regarding water pressure. President Gable repeated a public comment that every evening at 1:00 AM, the water pressure drops. Mr. Misheff said during showers, the water pressure starts out relatively good but then decreases by 10-15%. He is going to have it tested with a water gauge but wanted to know if anyone else was experiencing a degradation in pressure. President Gable noted there is a pressure regulator that can be adjusted, so the plumber could check that as well.

Kennes Hendrickson asked is there a plan for development between Walmart and County Road 3 that the Elbert County News has called Elizabeth West. President Gable confirmed there is a plan,

but the District is not involved. He suggested contacting the town of Elizabeth and Rob Porter who is in our development and is one of the Planning Commissioners.

Jeff Massey asked if the District will be involved in the development of the roads. President Gable confirmed they will not be involved and do not have a say in that. The access road is a County road and will be determined by the County and the City. The monument is on land that is part of an easement and not owned by the District.

Director Eidt discussed the traffic signal going in at the corner of Highway 86 and Legacy Circle in Pinto. According to the commercial metro district, the State hopes to have it complete by the end of the year. They also anticipate that McDonalds may be open by the end of the year as well.

It was asked if the Board will take a position with the County or City on road development for the new planned development Elizabeth West. President Gable commented that it would be the people in the development and if they are concerned, they should get involved. He added that the Board's directive is to eradicate the debt as quickly as possible and save the taxpayers as much money as we can.

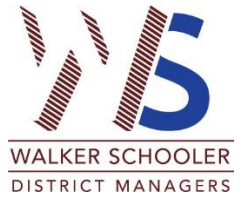
Director Carno discussed another development on the west side of County Road 3 and Highway 86 that is for 10-acre lots, which is exciting.

Mike H. requested the name of the parties who raised concerns about the density of the new development Elizabeth West. He would like to engage them as far as potential actions to speak to the density. President Gable confirmed it was Jeff Massey and Kennes Hendrickson.

- 7. ADJOURNMENT:** There being no further business to come before the Board at this time, the Board unanimously adjourned the meeting at 6:53 PM.

Respectfully Submitted,

Secretary for the Meeting



Elbert & Highway 86 Metro District

05/12/22

Balance Sheet

Accrual Basis

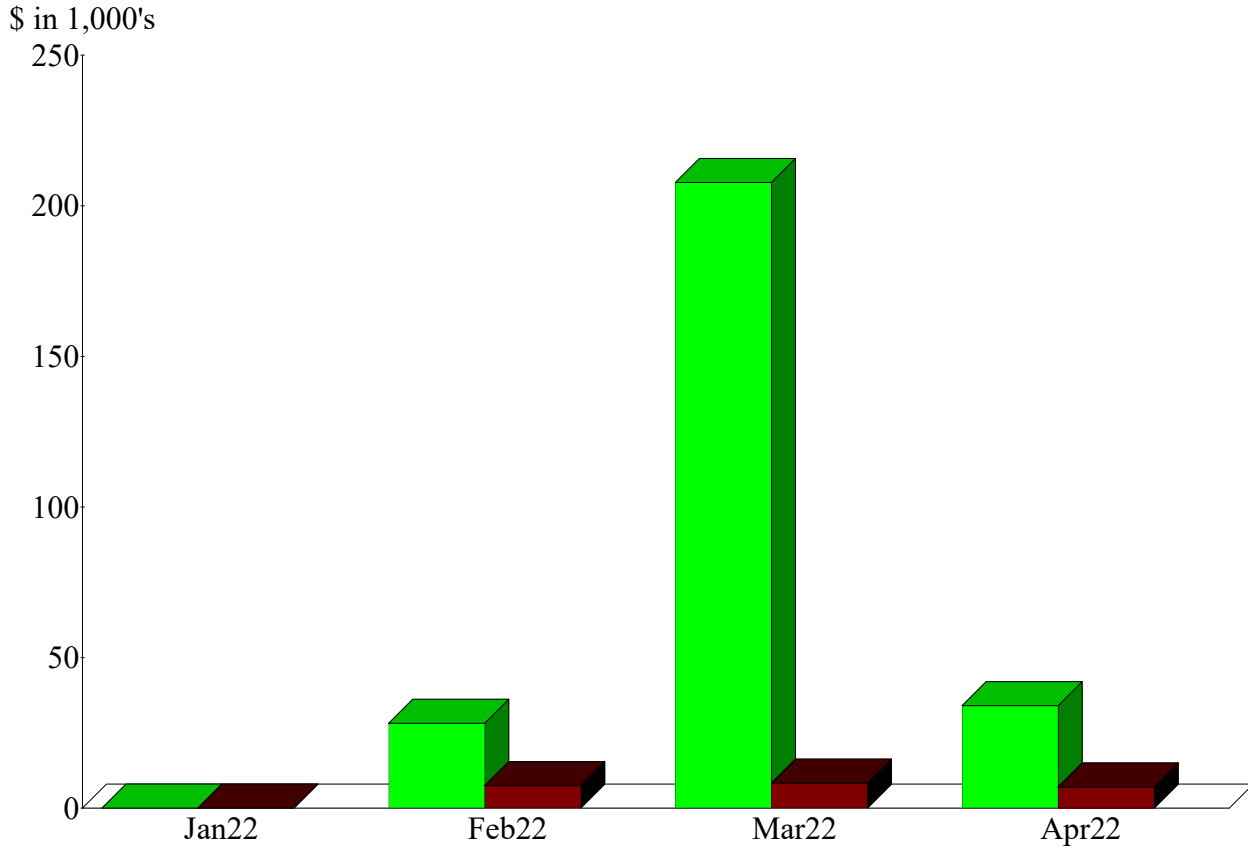
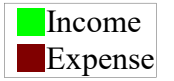
As of April 30, 2022

	<u>Apr 30, 22</u>
ASSETS	
Current Assets	
Checking/Savings	
Colo Trust 4001	33,662.51
Colo Trust 8002	625,297.68
First Bank Checking	3,551.66
UMB-2016 Revenue Fund 131.2	106,630.37
UMB-2016 Bond Fund 131.1	32.77
UMB-2016 Reserve Fund 131.3	373,097.94
Total Checking/Savings	<u>1,142,272.93</u>
Other Current Assets	
Property Tax Rec -General Fund	49,227.57
Property Tax Rec-Debt Service	211,777.17
Total Other Current Assets	<u>261,004.74</u>
Total Current Assets	<u>1,403,277.67</u>
TOTAL ASSETS	<u><u>1,403,277.67</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	2,250.00
Total Accounts Payable	<u>2,250.00</u>
Other Current Liabilities	
Deferred Property Tax Rev-Gen	49,227.57
Deferred Property Tax Rev-Debt	211,777.17
Interest Payable	272,063.00
Total Other Current Liabilities	<u>533,067.74</u>
Total Current Liabilities	<u>535,317.74</u>
Long Term Liabilities	
Bond Payable	100,000.00
Series 2016 Bonds	4,920,000.00
Total Long Term Liabilities	<u>5,020,000.00</u>
Total Liabilities	<u>5,555,317.74</u>
Equity	
Opening Balance Equity	-4,153,444.01
Retained Earnings	-245,577.86
Net Income	246,981.80
Total Equity	<u>-4,152,040.07</u>
TOTAL LIABILITIES & EQUITY	<u><u>1,403,277.67</u></u>

Elbert & Highway 86 Metro District Profit & Loss Budget vs. Actual January through April 2022

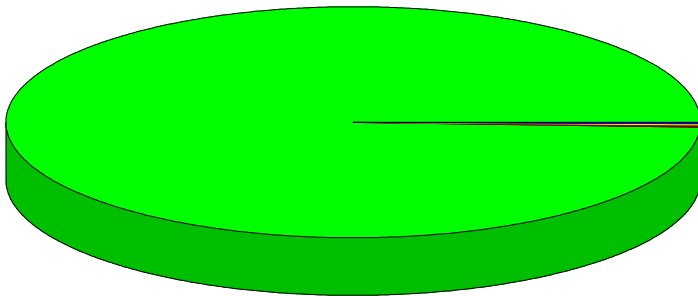
	TOTAL				
	Apr 22	Jan - Apr 22	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense					
Income					
Tax Collections					
Current - O&M	5,195.35	47,110.43	96,338.00	-49,227.57	48.9%
Current - Debt	22,339.98	202,574.83	414,252.00	-211,677.17	48.9%
SOT - O&M	1,147.30	3,916.76	9,656.00	-5,739.24	40.56%
SOT - Debt	4,933.38	14,756.54	41,425.00	-26,668.46	35.62%
Total Tax Collections	<u>33,616.01</u>	<u>268,358.56</u>	<u>561,671.00</u>	<u>-293,312.44</u>	<u>47.78%</u>
Fees					
Facility Fees	0.00	0.00	14,000.00	-14,000.00	0.0%
Total Fees	<u>0.00</u>	<u>0.00</u>	<u>14,000.00</u>	<u>-14,000.00</u>	<u>0.0%</u>
Grant Income	0.00	1,011.00			
Bond Reserve Interest Income	390.57	589.42	2,000.00	-1,410.58	29.47%
Interest Income	4.41	51.86	500.00	-448.14	10.37%
Total Income	<u>34,010.99</u>	<u>270,010.84</u>	<u>578,171.00</u>	<u>-308,160.16</u>	<u>46.7%</u>
Gross Profit	34,010.99	270,010.84	578,171.00	-308,160.16	46.7%
Expense					
Accounting	0.00	0.00	12,000.00	-12,000.00	0.0%
Audit	0.00	0.00	4,500.00	-4,500.00	0.0%
Bank Service Charges					
Lender/ Trustee Fees	0.00	0.00	3,000.00	-3,000.00	0.0%
Total Bank Service Charges	<u>0.00</u>	<u>0.00</u>	<u>3,000.00</u>	<u>-3,000.00</u>	<u>0.0%</u>
Bond Expense					
Debt Service Principal	0.00	0.00	100,000.00	-100,000.00	0.0%
Debt Service Interest	0.00	0.00	272,063.00	-272,063.00	0.0%
Total Bond Expense	<u>0.00</u>	<u>0.00</u>	<u>372,063.00</u>	<u>-372,063.00</u>	<u>0.0%</u>
Copies & Postage	0.00	229.93			
Dues and Subscriptions	0.00	0.00	600.00	-600.00	0.0%
Election	0.00	1,973.27	2,000.00	-26.73	98.66%
Insurance	0.00	0.00	6,000.00	-6,000.00	0.0%
Miscellaneous	0.00	0.00	5,000.00	-5,000.00	0.0%
Professional Fees					
District Management	2,250.00	9,000.00	15,000.00	-6,000.00	60.0%
Landscaping Maintenance	0.00	0.00	7,500.00	-7,500.00	0.0%
Legal	3,981.57	3,981.57	20,000.00	-16,018.43	19.91%
Total Professional Fees	<u>6,231.57</u>	<u>12,981.57</u>	<u>42,500.00</u>	<u>-29,518.43</u>	<u>30.55%</u>
Treasurer's Collection Fee - GF	155.86	1,413.31	2,890.00	-1,476.69	48.9%
Treasurers Collection Fee - DS	670.20	6,077.25	12,428.00	-6,350.75	48.9%
Utilities	51.53	353.71	1,500.00	-1,146.29	23.58%
Total Expense	<u>7,109.16</u>	<u>23,029.04</u>	<u>464,481.00</u>	<u>-441,451.96</u>	<u>4.96%</u>
Net Ordinary Income	<u>26,901.83</u>	<u>246,981.80</u>	<u>113,690.00</u>	<u>133,291.80</u>	<u>217.24%</u>
Net Income	<u><u>26,901.83</u></u>	<u><u>246,981.80</u></u>	<u><u>113,690.00</u></u>	<u><u>133,291.80</u></u>	<u><u>217.24%</u></u>

Income and Expense by Month
January through April 2022



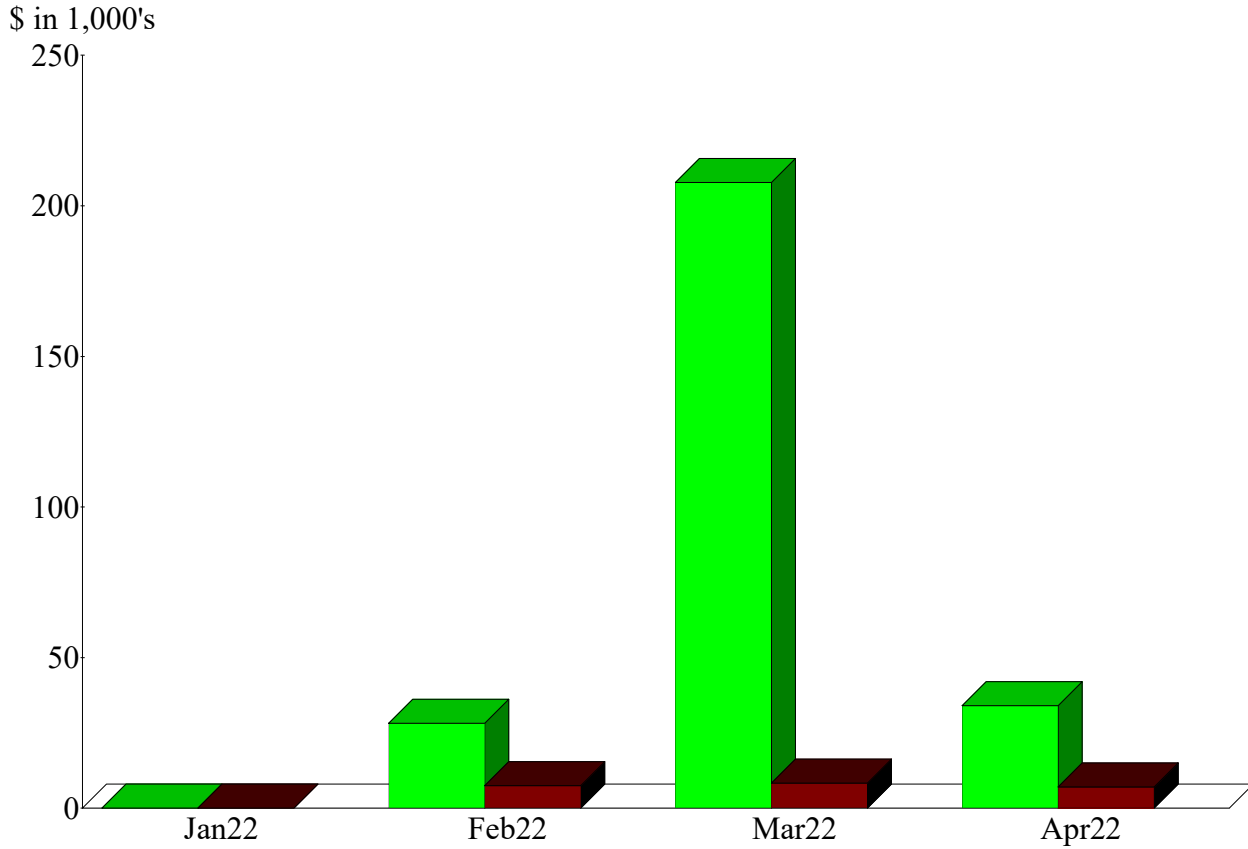
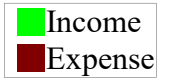
Income Summary
January through April 2022

Tax Collections	99.39%
Grant Income	0.37
Bond Reserve Interest Income	0.22
Interest Income	0.02
Total	\$270,010.84



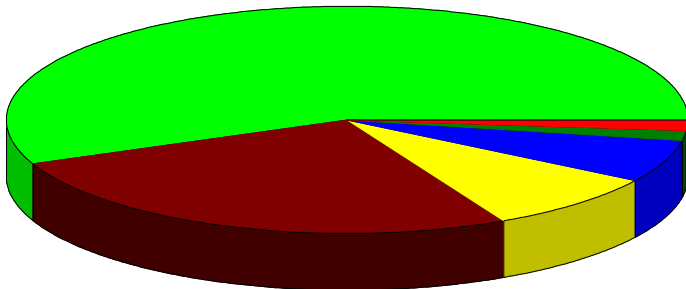
By Account

Income and Expense by Month
January through April 2022



Expense Summary
January through April 2022

Professional Fees	56.37%
Treasurers Collection Fee - DS	26.39
Election	8.57
Treasurer's Collection Fee - GF	6.14
Utilities	1.54
Copies & Postage	1.00
Total	\$23,029.04



By Account

Elbert & Highway 86 Metropolitan District

PAYMENT REQUEST

5/12/2022

GENERAL FUND

Company	Invoice	Date	Amount	Comments
Mountain View Electric	103535101	4/20/2022	\$ 36.68	Set Up for Auto Pay
Walker Schooler District Managers	7059	4/30/2022	\$ 2,250.00	
TOTAL			\$ 2,286.68	

Director