

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

Tuesday, June 6, 2023-6:00 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 Tuesday, June 6, 2023, at 6:00 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

DIRECTORS:

Larry Gable, President, Term to 2027
Bradford Eidt, Secretary/Treasurer – Term to 2027
Ronald Renk, Jr., Director -Term to 2025
Jeffrey Massey, Director -Term to 2025
Steve Christofferson, 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) Organization of Board Positions
- e) Approval of Minutes – December 6, 2022

2) LEGAL MATTERS

3) FINANCIAL MATTERS

- a) Review of Unaudited Financial Statement

4) OLD BUSINESS

- a) Tender Offers on Current Bonds for Early Retirement of Debt
- b) Discussion of Tract P Easement
- c) Discussion of Street Signs to Comply with Elbert County Standards

5) NEW BUSINESS

- a) Asphalt Bid Review
- b) Discuss Fence Repairs Needed
- c) Pond Status
- d) Insurance Policy for Metro District
- e) Discuss Gazebo Improvements

6) PUBLIC COMMENT

Comments will be limited to 3 minutes.

7) ADJOURNMENT





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

Pursuant to posted notice, the special meeting of the Board of Directors of the Elbert and Highway 86 Metropolitan District was held on Tuesday, December 6, 2022 at 6:00 PM, at 1975 Legacy Circle, Elizabeth, CO 80107, and virtually via video teleconference.

ATTENDANCE

In attendance were Directors:

Larry Gable, President
Bradford Eidt, Secretary/Treasurer
Ronald Renk, Jr., Director
Jeffrey Massey, Director
Steve Christofferson, Director

Also in attendance were:

Jason Downie, Esq., Susemihl, McDermott, & Downie, P.C.
Kevin Walker, WSDM
Adam Noel, WSDM
Members of the Public

1. ADMINISTRATIVE MATTERS

- a. Call to Order & Declaration of Quorum: Mr. Noel called the meeting to order at 6:05 PM and declared a quorum.
- 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 May 17, 2022: Director Christofferson moved to approve the May 17, 2022 Meeting Minutes as presented; seconded by Director Eidt. Motion passed unanimously.

2. LEGAL MATTERS

- a. Discussion of Facility Fee at 295 High Meadow Loop: The Board discussed the Facility Fee at 295 High Meadow Loop with legal counsel. Director Eidt moved to direct Mr. Downie to prepare and send the Notice of Intent to Lien for 295 High Meadow Loop; seconded by President Gable. Motion passed unanimously.
- b. Review and Consider Approval of the 2023 Election Resolution: Mr. Noel presented the 2023 Election Resolution and noted it designates Kevin Walker with WSDM as the Designated Election Official. After review, Director Eidt moved to approve the 2023 Election Resolution; seconded by Director Christofferson. Motion passed unanimously.

- c. Review and Consider Approval of the 2023 WSDM Engagement Letter: The Board amended the 2023 WSDM Engagement Letter to reflect the new cost of \$2,500 per month. Director Eidt moved to approve the 2023 WSDM Engagement Letter as amended; seconded by Director Christofferson. Motion passed unanimously.
- d. Review and Consider Approval of the BiggsKofford 2022 Audit Letter: The Board requested Mr. Walker negotiate a lower fee with BiggsKofford. The Board tabled this item.
- e. Review and Consider Approval of the 2023 Administrative Resolution: Mr. Walker presented the 2023 Administrative Resolution. The Board designated a physical posting location, scheduled 2023 Board meetings on an as-needed basis, and opted out of the Workers Comp. After review, Director Renk moved to approve the 2023 Administrative Resolution as amended; seconded by Director Eidt. Motion passed unanimously.

3. FINANCIAL MATTERS

- a. Review of Unaudited Financial Statements: Mr. Noel presented the Unaudited Financial Statements. After review, President Gable moved to accept the Unaudited Financial Statements through November as presented; seconded by Director Renk. Motion passed unanimously.
- b. Approval of Current Payables: Mr. Noel noted the payables will be sent via email and Bill.com around the 15th of the month for approval.
- c. Conduct Public Hearing to Consider Adopting 2023 Budget: Director Renk moved to open the Public Hearing for consideration of adopting the 2023 Budget; seconded by Director Eidt. Motion passed unanimously. After no public comment, Director Eidt moved to close the Public Hearing; seconded by Director Renk. Motion passed unanimously. Mr. Noel presented the 2023 Budget and noted the O&M mill levy is 14 and the debt service mill levy is 39 for a total of 53. Director Renk moved to approve the 2023 Budget as presented; seconded by President Gable. Motion passed unanimously.

4. NEW BUSINESS

- a. Discussion of Tract P Easement: The Board discussed the Tract P easement and options. Mr. Walker noted they have asked a Surveyor for a proposal regarding the option of repurposing the easement. Mr. Walker will report back on this issue.
- b. Tender Offers on Current Bonds for Early Retirement of Debt: The Board discussed tender offers on current bonds for early retirement of debt. Mr. Walker will reach out to DA Davidson to see how the District could tender offers and will report back to the Board.
- c. Discussion of Street Signs to Comply with Elbert County Standards: Mr. Walker reported that he will get a proposal for street signs. The Board discussed the option of refurbishing the current street signs.
- d. Discussion of Traffic Signal at Legacy Circle and Highway 86: The Board discussed new traffic signals going in at Highway 86 and the west side of Legacy Circle.

5. **PUBLIC COMMENT:** A member of the public discussed traffic concerns in the area and poorly designed traffic flow. He asked if the District was involved with the water. The Board explained the Commercial District manages the water and handles the water billing. He noted issues with the water meters.

A member of the public complimented the Board and noted how much better things are now than they were a couple years ago.

6. **ADJOURNMENT:** There being no further business to come before the Board at this time, Director Eidt moved to adjourn the meeting at 7:03 PM; seconded by Director Renk. Motion passed unanimously.

Respectfully Submitted,

Secretary for the Meeting



Elbert & Highway 86 Metro District

05/09/23

Balance Sheet

Accrual Basis

As of April 30, 2023

	<u>Apr 30, 23</u>
ASSETS	
Current Assets	
Checking/Savings	
Colo Trust 4001	9,561.17
Colo Trust 8002	897,026.15
First Bank Checking	11,577.06
UMB-2016 Revenue Fund 131.2	1,884.54
UMB-2016 Bond Fund 131.1	4,788.49
UMB-2016 Reserve Fund 131.3	379,820.85
Total Checking/Savings	<u>1,304,658.26</u>
Accounts Receivable	
Accounts Receivable	14,000.00
Total Accounts Receivable	<u>14,000.00</u>
Other Current Assets	
Property Tax Rec -General Fund	48,695.06
Property Tax Rec-Debt Service	209,389.16
Total Other Current Assets	<u>258,084.22</u>
Total Current Assets	<u>1,576,742.48</u>
TOTAL ASSETS	<u>1,576,742.48</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	3,166.81
Total Accounts Payable	<u>3,166.81</u>
Other Current Liabilities	
Deferred Property Tax Rev-Gen	48,695.06
Deferred Property Tax Rev-Debt	209,389.16
Interest Payable	22,338.50
Total Other Current Liabilities	<u>280,422.72</u>
Total Current Liabilities	<u>283,589.53</u>
Long Term Liabilities	
Bond Payable	100,000.00
Series 2016 Bonds	4,820,000.00
Total Long Term Liabilities	<u>4,920,000.00</u>
Total Liabilities	<u>5,203,589.53</u>
Equity	
Opening Balance Equity	-4,153,444.01
Retained Earnings	254,825.70
Net Income	271,771.26
Total Equity	<u>-3,626,847.05</u>
TOTAL LIABILITIES & EQUITY	<u>1,576,742.48</u>

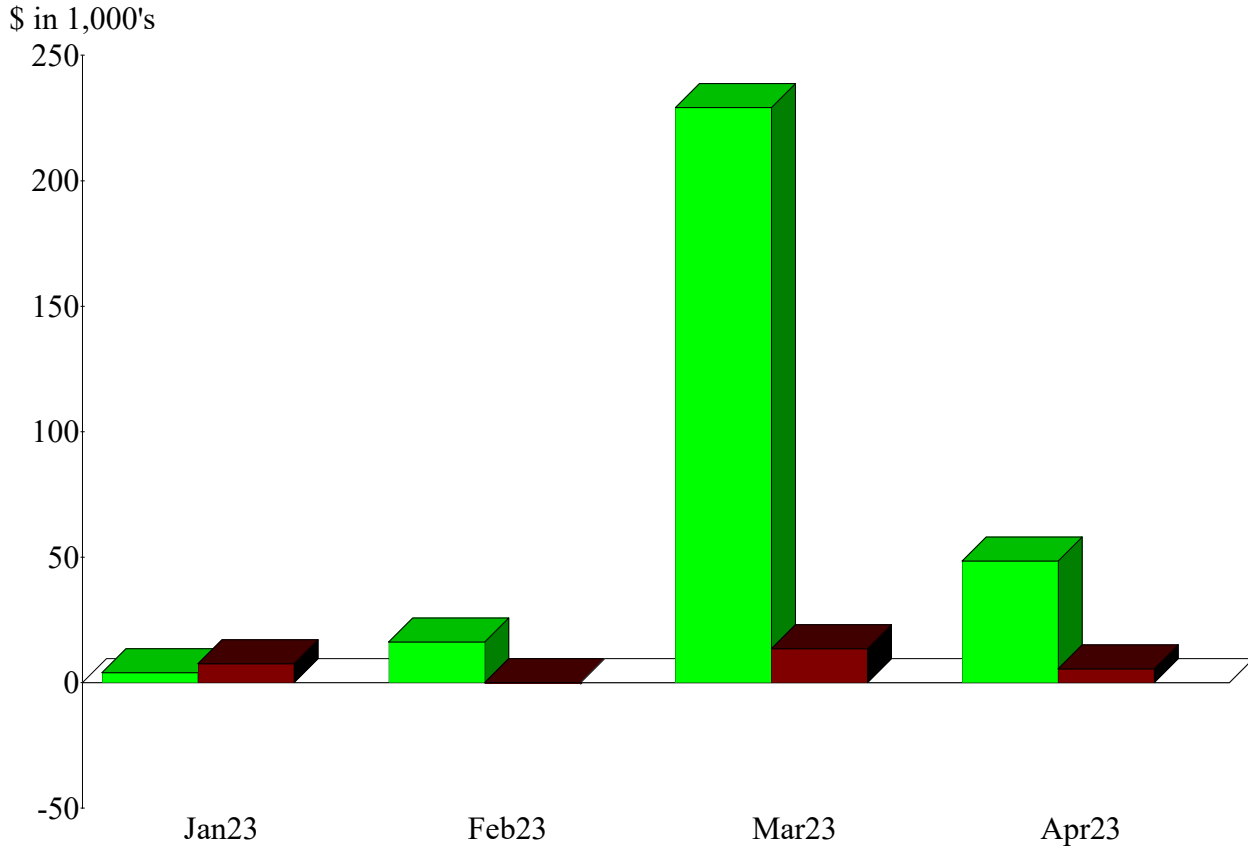
Elbert & Highway 86 Metro District Profit & Loss Budget vs. Actual January through April 2023

	TOTAL							
	Apr 23	Budget	\$ Over Budget	% of Budget	Jan - Apr 23	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense								
Income								
Tax Collections								
Current - O&M	4,417.85	10,852.59	-6,434.74	40.71%	44,326.94	43,410.28	916.66	102.11%
Current - Debt	18,996.75	30,232.25	-11,235.50	62.84%	190,605.84	120,929.00	69,676.84	157.62%
SOT - O&M	1,106.18	759.67	346.51	145.61%	3,185.91	3,038.64	147.27	104.85%
SOT - Debt	4,756.56	2,116.25	2,640.31	224.76%	13,699.38	8,465.00	5,234.38	161.84%
Delinquent Interest - O&M	6.68				6.68			
Delinquent Interest - Debt	28.68				28.68			
Total Tax Collections	29,312.70	43,960.76	-14,648.06	66.68%	251,853.43	175,842.92	76,010.51	143.23%
Fees								
Facility Fees	14,000.00				28,000.00			
Total Fees	14,000.00				28,000.00			
Interest Income - Debt Service	5,118.31	625.00	4,493.31	818.93%	17,882.09	2,500.00	15,382.09	715.28%
Interest Income	38.94	12.50	26.44	311.52%	105.41	50.00	55.41	210.82%
Total Income	48,469.95	44,598.26	3,871.69	108.68%	297,840.93	178,392.92	119,448.01	166.96%
Expense								
Audit	0.00	750.00	-750.00	0.0%	0.00	3,000.00	-3,000.00	0.0%
Bank Service Charges								
Bank Fees - Debt	78.64				299.59			
Lender/ Trustee Fees	1,500.00	250.00	1,250.00	600.0%	1,500.00	1,000.00	500.00	150.0%
Bank Service Charges - Other	1.28				2.56			
Total Bank Service Charges	1,579.92	250.00	1,329.92	631.97%	1,802.15	1,000.00	802.15	180.22%
Bond Expense								
Debt Service Principal	0.00	8,333.33	-8,333.33	0.0%	0.00	33,333.32	-33,333.32	0.0%
Debt Service Interest	0.00	22,338.50	-22,338.50	0.0%	0.00	89,354.00	-89,354.00	0.0%
Total Bond Expense	0.00	30,671.83	-30,671.83	0.0%	0.00	122,687.32	-122,687.32	0.0%
Copies & Postage	0.00				152.90			
Dues and Subscriptions	6.18	833.33	-827.15	0.74%	597.35	3,333.32	-2,735.97	17.92%
Election	0.00	166.66	-166.66	0.0%	25.00	666.64	-641.64	3.75%
Insurance	0.00	666.66	-666.66	0.0%	0.00	2,666.64	-2,666.64	0.0%
Miscellaneous	0.00	416.66	-416.66	0.0%	30.08	1,666.64	-1,636.56	1.81%

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

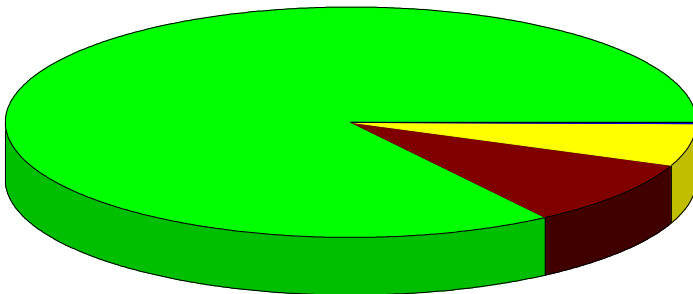
					TOTAL			
	<u>Apr 23</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>	<u>Jan - Apr 23</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Professional Fees								
District Mngt / Accounting	2,500.00	2,500.00	0.00	100.0%	10,000.00	10,000.00	0.00	100.0%
Landscaping Maintenance	0.00	625.00	-625.00	0.0%	0.00	2,500.00	-2,500.00	0.0%
Legal	0.00	833.34	-833.34	0.0%	0.00	3,333.36	-3,333.36	0.0%
Total Professional Fees	<u>2,500.00</u>	<u>3,958.34</u>	<u>-1,458.34</u>	<u>63.16%</u>	<u>10,000.00</u>	<u>15,833.36</u>	<u>-5,833.36</u>	<u>63.16%</u>
Repairs & Replacements	0.00				5,295.00			
Road Repairs & Maintenance	0.00	833.33	-833.33	0.0%	0.00	3,333.32	-3,333.32	0.0%
Treasurer's Collection Fee - GF	132.73	325.58	-192.85	40.77%	1,330.00	1,302.32	27.68	102.13%
Treasurers Collection Fee - DS	570.76	907.00	-336.24	62.93%	5,719.03	3,628.00	2,091.03	157.64%
Utilities	706.36	125.00	581.36	565.09%	1,118.16	500.00	618.16	223.63%
Total Expense	<u>5,495.95</u>	<u>39,904.39</u>	<u>-34,408.44</u>	<u>13.77%</u>	<u>26,069.67</u>	<u>159,617.56</u>	<u>-133,547.89</u>	<u>16.33%</u>
Net Income	<u><u>42,974.00</u></u>	<u><u>4,693.87</u></u>	<u><u>38,280.13</u></u>	<u><u>915.54%</u></u>	<u><u>271,771.26</u></u>	<u><u>18,775.36</u></u>	<u><u>252,995.90</u></u>	<u><u>1,447.49%</u></u>

Income and Expense by Month
January through April 2023



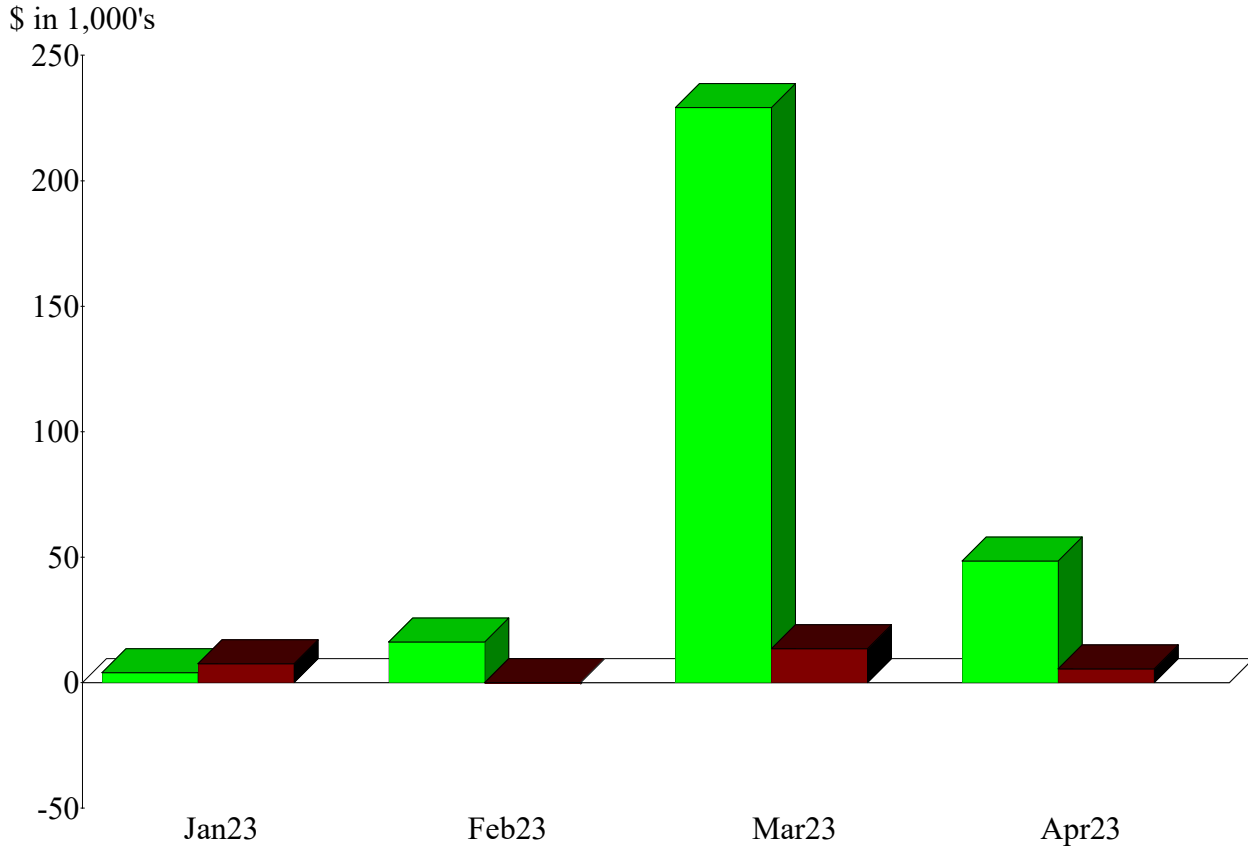
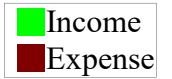
Income Summary
January through April 2023

Tax Collections	84.56%
Fees	9.40
Interest Income - Debt Service	6.00
Interest Income	0.04
Total	\$297,840.93



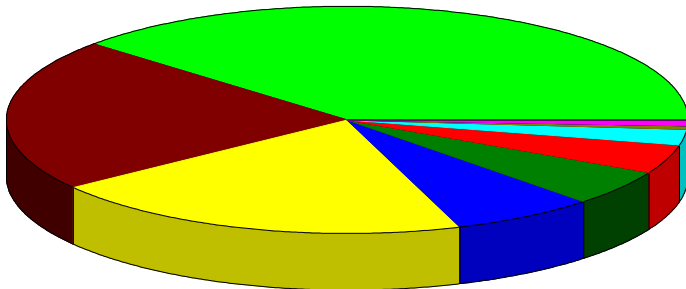
By Account

Income and Expense by Month
January through April 2023



Expense Summary
January through April 2023

Professional Fees	38.36%
Treasurers Collection Fee - DS	21.94
Repairs & Replacements	20.31
Bank Service Charges	6.91
Treasurer's Collection Fee - GF	5.10
Utilities	4.29
Dues and Subscriptions	2.29
Copies & Postage	0.59
Miscellaneous	0.12
Election	0.10
Total	\$26,069.67



By Account