

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF

THE CANYONS METROPOLITAN DISTRICT NO. 5

Held: Friday, February 24, 2023, at 9:15 a.m. via Zoom teleconference

**Attendance**

The special meeting of the Board of Directors of The Canyons Metropolitan District No. 5 was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following Directors were in attendance:

Brian Alpert  
Darren Everett  
Bradley Fryer

Director Jonathan Alpert was absent and excused.

Also present were Clint C. Waldron, Esq. and Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Carrie Beacom, CliftonLarsonAllen, LLP, District Accountant; and Kaitlin Crandell, Alpert Companies.

**Call to Order**

Director Brian Alpert called the meeting to order.

**Declaration of Quorum/Director Qualifications**

Mr. Waldron advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Waldron reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. Waldron inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

**Approval of Agenda**

The Board reviewed the proposed agenda. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda as presented.

**Public Comment**

None.

## **Consent Agenda**

The Board reviewed the items on the consent agenda. Ms. Murphy advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any director. No items were requested to be removed from the consent agenda. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved, ratified and adopted;

- November 14, 2022 Regular Meeting Minutes; and
- Claims in the amount of \$30,637.15.

## **Legal Matters**

Update on May 2, 2023 Election Ms. Murphy provided an update on the May 2, 2023 Election to the Board.

Other Legal Matters None.

## **Financial Matters**

Review Unaudited Financial Statements, Property Tax Statements and Schedule of Cash Position Ms. Beacom reviewed the Unaudited Financial Statements with the Board.

Ms. Beacom reviewed the Property Tax Statements and Schedule of Cash Position with the Board.

Consider Approval of Resolution Accepting Verified Costs No. 24 Ms. Beacom reviewed the Resolution Accepting Verified Costs No. 24 with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the Resolution Accepting Verified Costs No. 24.

Discuss Annual Increase in Facilities Fees Ms. Beacom discussed the Facilities Fees and current economic conditions with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously waived the Annual Increase for 2022 and 2023 and determined to keep the Facilities Fee at the current rate.

Other Financial Matters None.

## **Bond Matters**

Discuss Status of Bond Issuance Mr. Waldron noted the underwriter is continuing to monitor interest rates, but they feel it does not make sense to move forward with refinancing at this time.

Other Bond Matters

None.

**Other Business**

None.

**Adjourn**

There being no further business to come before the Board and following discussion and upon a motion duly made, seconded and unanimously carried, the Board determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting

*Brian Alpert*

Brian Alpert (May 19, 2023 11:15 MDT)

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Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 8<sup>th</sup> day of May, 2023.