
RECORD OF PROCEEDINGS

Minutes of the Special Meeting of the Board of Directors of the Red Sky Ranch Metropolitan Districts October 17, 2017

The Special Meeting of the Board of Directors of the Red Sky Ranch Metropolitan District, Eagle County, Colorado, was held Tuesday, October 17, 2017, at 4:00 p.m., in the conference room at 1099 Red Sky Road, Wolcott, Eagle County, Colorado.

Attendance **The following Directors were present:**

- Beth McGregor
- Frederick Hudoff
- Steve Stroker
- James Benedict (via phone)
- Jim Malernee (via phone)

Also in attendance were:

- Bill Ankele, Esq. White Bear Ankele Tanaka and Waldron, PC (via phone)
- Ken Marchetti, CPA, Marchetti & Weaver LLC
- Kathy Lewensten, Recording Secretary
- Tim Baker, VR Director of Base Area Operations
- Mike Connell, RSR Property Owner
- Peter Mason, RSR Property Owner (via phone)

Call to Order The Special Meeting of the Board of Directors of the Red Sky Ranch Metropolitan District was called to order at 4:00 p.m. by Director McGregor noting a quorum was present.

Potential Conflicts The Board reviewed the agenda for the meeting. The Board confirmed that nothing appeared on the agenda for which disclosure certificates had not been filed. The Board noted, for the record, that these disclosures are restated at this time with the intent of fully complying with laws pertaining to potential conflicts.

Minutes The Board reviewed the minutes of the September 18, 2017 Special Meeting. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes of the September 18, 2017 Special Meeting as revised.

Accounts Payable Upon motion duly made and seconded, it was unanimously

RESOLVED to approve and ratify the accounts payable listing as presented.

RECORD OF PROCEEDINGS

Red Sky Ranch Metropolitan District October 17, 2017 Meeting Minutes

Future Meetings The November 20th meeting was cancelled. A special meeting was scheduled Monday, November 27, 2017 at 4:00 p.m. in the same location.

Public Input Mr. Baker stated VR continues to internally discuss matters but is not ready to present anything to the RSRMD Board. He will contact Director McGregor when VR is ready to meet.

Legal **Capital Improvement Fee Promissory Note Renewal:** Mr. Ankele requested consideration of renewal of the Capital Improvement Fee Promissory Note. The note relates to the capital improvement fee advances made by VR to the District to cover debt payments related to the Holland Creek 2001 Bonds. Several attendees requested additional time to review the documents in more detail. The Board tabled the matter to the next meeting.

Annual Administrative Resolution: Mr. Ankele reviewed the 2018 Annual Administrative Matters Resolution. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the 2018 Annual Administrative Matters Resolution.

Public Records Request Policy: Mr. Ankele reviewed the public records policies that had been included in the packet. He explained the policies presented meet current state statutes. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the Public Records Request Policies as presented.

**May 2018
Election:**

Mr. Ankele presented the May 8, 2018 Election Resolution noting it is a Board of Directors election. Upon motion duly made and seconded, it was unanimously,

RESOLVED to approve the May 8, 2018 Election Resolution.

Sales Tax Resolution Mr. Marchetti requested consideration for approval of the Resolution Establishing a Sales Tax. This resolution will need to be provided to the CO Department of Revenue by November 16th if the Sales Tax Election passes on November 7th. It authorizes collection and remittance of the sales tax. If the

RECORD OF PROCEEDINGS

Red Sky Ranch Metropolitan District October 17, 2017 Meeting Minutes

election does not pass, the resolution will be null. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the Resolution Establishing a Sales Tax.

Financial Statements

Mr. Marchetti presented the preliminary September 2017 financial statements which included the 2018 preliminary budget. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the preliminary September 2017 financial statements as presented.

2018 Budget

The continued 2018 budget public hearing was opened. Mr. Baker stated the Alpine Engineering roadway study was complete. He provided the final report to Director McGregor and Mr. Connell via email. According to the report no significant road overlays are anticipated until 2019. HCMD adopted their 2018 budget at their October 12th meeting. The HCMD budget included a 3% increase in water/wastewater fees. The HCMD Board is expected to take formal action to increase the rates at their Nov 13th meeting.

Mr. Marchetti began review of the 2018 RSRMD budget. He explained the mill levy is reflected at 64 mills in total with a split of 27 mills for debt service and 37 mills for IGA contractual obligations. He reminded the Board that in anticipation of the November election for implementation of a sales tax both the related sales tax revenue and transfer of the same to HCMD are included in the general fund. The public hearing was closed. Upon motion duly made and seconded, it was unanimously

RESOLVED to adopt the Red Sky Ranch Metropolitan District 2018 budget, and

FURTHER RESOLVED to appropriate the sums of money for 2018, and

FURTHER RESOLVED to certify the mill levy at 64.000 mills.

Directors Malernee and Benedict stated they were in favor of the motion.

Mr. Baker left the meeting at 4:45p.m.

Executive Session Upon motion duly made and seconded, it was unanimously

RECORD OF PROCEEDINGS

Red Sky Ranch Metropolitan District October 17, 2017 Meeting Minutes

RESOLVED to enter into executive session citing §24-6-402(4)(b) and (e) for the purpose of receiving legal advice and developing positions related to negotiations for debt management and water matters. Furthermore, pursuant to §24-6-402(2(d.5)(II)(B), C.R.S., no record or electronic recording will be kept of those portions of the executive session that, in the opinion of the Board's attorney, constitute privileged attorney-client communication pursuant to §24-6-402(4)(b). The Board entered into executive session at 4:45 p.m. and adjourned the executive session at 5:15 p.m.

Adjourn

Upon motion duly made and seconded, it was unanimously

RESOLVED to adjourn the October 17, 2017 Special Meeting of the Red Sky Ranch Metropolitan District Board of Directors.

Respectfully submitted,
Kathy Lewensten
Recording Secretary