

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

THE PEAKS INDUSTRIAL METROPOLITAN DISTRICT

Held: Friday, November 18, 2022, at 9:02 A.M. via Zoom Teleconference.

<https://us02web.zoom.us/j/86907065777?pwd=WVpWVFZ5Qkl6ejlqRUR0bkVKd0toQT09&from=addon>
Meeting ID: 869 0706 5777 Password: 256924 Telephone: 1 719 359 4580

Attendance

The special meeting of the Board of Directors of the The Peaks Industrial Metropolitan District was called and held, as shown, in accordance with Colorado law. The following directors confirmed their qualification to serve on the Board:

Dianne Leta Benitez
Robert James Benitez

Also present was: Dianne Miller Sonja Steele and Rhonda Bilek, Miller & Associates Law Offices, LLC;

Call to Order

Ms. Miller noted that a quorum of the Board was present and the Directors confirmed their qualification to serve.

Disclosure Matters

Ms. Miller advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. The Board reviewed the agenda for the meeting, following which each Board member confirmed the contents of written disclosures previously made, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting. Additionally, the Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

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Director D. Benitez disclosed her interests as a purchaser under a vacant land contract for property within the Districts under which she qualifies as a director. This disclosure is associated with approval of items on the agenda that may affect her interest.

Director R. Benitez disclosed his interests as a purchaser under a vacant land contract for property within the Districts under which he qualifies as a director. This disclosure is associated with approval of items on the agenda that may affect his interests.

Written disclosures of the interests of all of the directors were filed with the Secretary of State prior to the meeting.

Approval of Minutes – May 5, 2022 The minutes for the May 5, 2022 meeting were reviewed by the Board. The Board noted a typo. Upon motion by Director D. Benitez and second by Director R. Benitez, the Board unanimously approved the minutes with typo correction.

Public Hearing to Consider 2023 Budget Ms. Miller presented a proposed budget for 2023. Ms. Miller noted that notice of the public hearing for the budget was posted within the boundaries of the District and otherwise published in accordance with Colorado law. Upon motion of Director R. Benitez and second by Director D. Benitez, Director D. Benitez opened the public hearing. No one providing any comments to the budget, upon motion by Director R. Benitez and second by Director D. Benitez, Director R. Benitez closed the hearing.

Approval of 2032 Budget Ms. Miller advised the Board of the details of the 2023 budget. Upon review and discussion and upon the motion of Director D. Benitez and second by Director R. Benitez, the Board unanimously approved the proposed budget for 2032, subject to receipt of the final assessed value of the District by the County Assessor, and appropriated the funds therefore. Pursuant to Colorado law, a mill levy of 25.000 mills will be certified for collection in 2023. The Board also authorized the execution of its budget resolution containing details of the Board action.

Approval of 2023 Annual Administrative Resolution Ms. Miller presented the Board with the 2023 annual administrative resolution. Ms. Miller updated the Board on the website and it will be ready by the deadline of December 31, 2022. The physical location was verified by the Board. Upon motion of Director D. Benitez and second by Director R. Benitez, the Board unanimously approved the annual administrative resolution.

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Consider Resolution Waiving
Workers' Compensation
Insurance for 2023

Ms. Miller presented to the Board the Resolution Waiving Workers' Compensation Insurance for 2023. Upon motion by Director D. Benitez and second by Director R. Benitez, the Board unanimously approved the resolution.

Consider Resolution Calling
an Election for May 2, 2023

Ms. Miller presented to the Board the Resolution Calling an Election for May 2, 2023. Upon motion by Director D. Benitez and second by Director R. Benitez, the Board unanimously approved the resolution.

Other Business

There was no other business at this time.

Adjournment

There being no further business to come before the Board, upon motion and second, the Board unanimously adjourned the meeting at 9:14 AM.

DocuSigned by:

Robert Benitez

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Secretary for the District