

## RECORD OF PROCEEDINGS

---

### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE SPRING VALLEY METROPOLITAN DISTRICT NO. 1 AND THE BOARD OF DIRECTORS OF THE SPRING VALLEY METROPOLITAN DISTRICT NO. 1 WATER AND SEWER ACTIVITY ENTERPRISE HELD JANUARY 19, 2023

A Regular Meeting of the Board of Directors of the Spring Valley Metropolitan District No. 1 (referred to hereafter as the "District") and the Board of Directors of the Spring Valley Metropolitan District No. 1 Water and Sewer Activity Enterprise (referred to hereafter as the "Enterprise," referred to hereafter collectively as the "Board"), was convened on Thursday, January 19, 2023 at 4:00 p.m. via Zoom video/telephone conference. The meeting was open to the public.

#### ATTENDANCE

#### Directors In Attendance Were:

James E. Marshall  
Holly Robinson

Following discussion, upon motion duly made by Director J. Marshall, seconded by Director Robinson and, upon vote, unanimously carried, the absence of Director Shelley Marshall was excused.

#### Also In Attendance Were:

James Ruthven; Special District Management Services, Inc. ("SDMS")

Erica Montague, Esq. and Craig Sorensen; McGeady Becher P.C.

Eric Weaver and Cheri Curtis; Marchetti & Weaver, LLC

Mike Murphy; Ramey Environmental Compliance, Inc.

Christopher ("CJ") Kirst; Tahoe Consulting, LLC

#### PUBLIC COMMENTS

There were no public comments.

#### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosures of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State.

## RECORD OF PROCEEDINGS

---

Mr. Ruthven noted that a quorum was present and requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute. Attorney Montague noted that Disclosure Statements have been filed for all directors. No additional conflicts were disclosed.

---

### ADMINISTRATIVE MATTERS

**Agenda:** Mr. Ruthven distributed, for the Board's review and approval, a proposed agenda for the District's Regular Meeting.

Following discussion, upon motion duly made by Director J. Marshall, seconded by Director Robinson and, upon vote, unanimously carried, the agenda was approved, as presented.

**Meeting Location and Posting of Meeting Notices:** The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting.

Following discussion, upon motion duly made by Director J. Marshall, seconded by Director Robinson and, upon vote, unanimously carried, the Board determined the meeting would be held by video/telephonic means, and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location was duly posted and that no objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District boundaries, have been received.

**Designation of 24-Hour Posting Location:** Following discussion, upon motion duly made by Director J. Marshall, seconded by Director Robinson, and upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted at least 24 hours prior to each meeting on the District's website at: <https://springvalleymd1-4.colorado.gov> or if posting on the website is unavailable, notice will be posted on the water tank site, 4200 County Road 174, Elizabeth, Colorado 80107.

**Minutes:** The Board reviewed the Minutes of the November 17, 2022 Regular Meeting.

Following discussion, upon motion duly made by Director J. Marshall, seconded by Director Robinson and, upon vote, unanimously carried, the Minutes of the November 17, 2022 Regular Meeting were approved.

---

## RECORD OF PROCEEDINGS

### FINANCIAL MATTERS

**Claims:** The Board considered ratifying the approval of the payment of claims as follows:

Fund	Period ending November 30,	Period ending December 31, 2022
General	\$ 9,632.80	\$ 13,811.65
Debt Service	\$ -0-	\$ -0-
Capital	\$ 38,176.73	\$ 6,652.70
Enterprise	\$ 98,986.50	\$ 62,863.36
<b>Total Claims</b>	<b>\$ 146,796.03</b>	<b>\$ 83,327.71</b>

Following discussion, upon motion duly made by Director J. Marshall, seconded by Director Robinson and, upon vote, unanimously carried, the Board ratified approval of the payment of claims, as presented.

**Cost Verification Report No. 35:** The Board reviewed Cost Verification Report No. 35 dated December 7, 2022, prepared by Schedio Group, LLC, verifying costs associated with the design and construction of public improvements in the amount of \$6,364.70.

Following discussion, upon motion duly made by Director J. Marshall, seconded by Director S. Robinson and, upon vote, unanimously carried, the Board approved Cost Verification Report No. 35 dated December 7, 2022, prepared by Schedio Group, LLC, verifying the costs associated with the design and construction of public improvements in the amount of \$6,364.70. The Board further acknowledged Spring Valley Metropolitan District No. 6 Requisition No. 13 under the Series 2021(3) Bonds in the amount of \$6,364.70 for verified costs.

**Cost Verification Report No. 36:** The Board reviewed Cost Verification Report No. 36 dated January 11, 2023, prepared by Schedio Group, LLC, verifying costs associated with the design and construction of public improvements in the amount of \$12,405.20.

Following discussion, upon motion duly made by Director J. Marshall, seconded by Director S. Robinson and, upon vote, unanimously carried, the Board approved Cost Verification Report No. 36 dated January 11, 2023, prepared by Schedio Group, LLC, verifying the costs associated with the design and construction of public improvements in the amount of \$12,405.20. The Board further acknowledged Spring Valley Metropolitan District No. 6 Requisition No. 14 under the Series 2021(3) Bonds in the amount of \$12,405.20 for verified costs.

**2022 Audit:** The Board entered into discussion regarding a proposal from FredrickZink & Associates to prepare the 2022 Audit.

Following discussion, upon motion duly made by Director J. Marshall, seconded by Director Robinson and, upon vote, unanimously carried, the Board ratified

## RECORD OF PROCEEDINGS

---

approval of the engagement of FredrickZink & Associates to prepare the 2022 Audit, for an amount not to exceed \$6,500.

**Resolution No. 2023-01-01, Spring Valley Metropolitan District No. 1 Resolution to Adopt Updated Schedule of Fees and Charges:** The Board reviewed Resolution No. 2023-01-01, Spring Valley Metropolitan District No. 1 Resolution to Adopt Updated Schedule of Fees and Charges.

Following discussion, upon motion duly made by Director J. Marshall, seconded by Director Robinson and, upon vote, unanimously carried, the Board adopted Resolution No. 2023-01-01, Spring Valley Metropolitan District No. 1 Resolution to Adopt Updated Schedule of Fees and Charges.

### **LEGAL MATTERS**

There were no legal matters.

### **CAPITAL IMPROVEMENTS MATTERS**

**Report from Construction Committee:** Mr. Kirst provided a brief update.

**Adjustment to the Parameters of the Authority of the Construction Committee to Act:** The Board deferred discussion.

**November 21, 2022 Letter from the District to Great Plains Structures, LLC:** The Board entered into discussion regarding the November 21, 2022 letter from the District to Great Plains Structures, LLC formally requesting termination of that certain Agreement between the District and Great Plains Structures, LLC, Dated May 23, 2022, for the design and construction of a 2.1 Million Gallon Water Tank (the "Termination Letter").

Following discussion, upon motion duly made by Director J. Marshall, seconded by Director Robinson and, upon vote, unanimously carried, the Board ratified the approval and transmittal of the Termination Letter to Great Plains Structures, LLC.

**Bidding Process for Construction of the Water Well Site – Ornamental Security Fence:** Mr. Kirst discussed with the Board the status of the bidding process for construction of the Water Well Site – Ornamental Security Fence, noting that the pre-bid conference was held on January 19, 2023 and that bids are due by February 9, 2023.

### **OPERATIONS & MAINTENANCE**

**Monthly Activities Reports for November and December 2022:** Mr. Murphy discussed with the Board the Ramey Environmental Compliance monthly activities reports for November and December 2022.

## RECORD OF PROCEEDINGS

---

### OTHER BUSINESS

There was no other business.

---

### ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Robinson, seconded by Director J. Marshall, and upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By



\_\_\_\_\_  
Secretary for the Meeting