

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
INDEPENDENCE OVERLAY METROPOLITAN DISTRICT,
HELD
January 11, 2024**

A Regular Meeting of the Board of Directors of the Independence Overlay Metropolitan District was held virtually on January 11, 2024, at 6:00 p.m. The meeting was open to the public.

ATTENDANCE:

In attendance were Directors:

Timothy Craft, President
Jim Yates, Secretary/Treasurer
Randy Roberts, Assistant Secretary
Kevin Haughn, Assistant Secretary

Director Guerard was not able to participate – excused absence.

Also, in attendance were:

Dianne Miller, Miller & Associates Law Offices, LLC
Kurt Schlegel, Special District Solutions, Inc.

CALL TO ORDER:

Ms. Miller stated that a quorum of the Board was present, and Director Craft called the meeting to order at 6:02 p.m.

**CONFLICTS &
DISCLOSURE
STATEMENTS:**

Ms. Miller stated that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors prior to this meeting and no new conflicts of interest were disclosed at the meeting.

APPROVAL OF AGENDA:

After review of the Agenda Director Yates moved that the Board approve the Agenda as presented. Upon a second by Director Craft a vote was taken, and the motion carried unanimously.

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CONSENT AGENDA:

Director Yates moved that the Board approve the Consent Agenda consisting of the following item, as presented:

1. Approval of Minutes from the Special Meeting of December 11, 2023

Upon a second by Director Craft a vote was taken, and the motion carried unanimously.

CORRESPONDENCE:

None

PUBLIC COMMENT:

None

UNFINISHED BUSINESS:

Architectural Control Committee (ACC): The Directors discussed a process for identifying residents that are interested in being appointed to an ACC and the appointment process. It was agreed that at least one (1) Director be a member of the ACC and function as a liaison for the ACC to the District's Board of Directors. Director Yates requested that Counsel develop a Resolution for the Board's consideration for the appointment of an ACC for Filing No. 1. Ms. Miller will develop draft language for the Board's consideration at a later date.

Exterior Lighting Standards: The Directors discussed the issue of "Jelly Lights" that have been installed by some residents on their homes without architectural review or approval. Mr. Schlegel presented the District's current criteria for exterior lighting and stated that he has not yet been able to obtain specific criteria for Jelly Light installations, such as intensity of lighting devices, how to measure intensity, etc. Mr. Schlegel also stated that management has not received any complaints from residents regarding homes that have Jelly Lights installed. The Directors discussed the possibility of limiting the use of these lights to specific holiday seasons and hours of operation. Following discussion, the Board members requested that management obtain a list of homes where these lights have been installed, then connect with these owners and request that they submit an application for these installations to be reviewed and considered by the ACC.

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NEW BUSINESS:

2024 Annual Administrative Resolutions: Mr. Schlegel presented for the Board's review and consideration an Annual Administrative Resolution for the Independence Overlay Metropolitan District for 2024. Following discussion, Director Yates moved that the Board adopt the Annual Administrative Resolution, as presented. Upon a second by Director Craft a vote was taken, and the motion carried unanimously.

Workers' Compensation Insurance Waiver Resolutions: Mr. Schlegel presented for the Board's review and consideration a Resolution waiving Worker's Compensation Insurance for 2024. Following discussion, Director Yates moved that the Board adopt the Worker's Compensation Insurance Waiver Resolution, as presented. Upon a second by Director Craft a vote was taken, and the motion carried with three (3) Directors voting YES and Director Haughn abstaining from the vote.

Community Center & Pool Management: Mr. Schlegel presented a proposed professional services agreement for the maintenance and management of the Community Center and Pool and stated that Counsel has reviewed and approved the proposed agreement as to form. Director Yates moved that the Board approve the 2024 Professional Services Agreement with Front Range Recreation, subject to final legal review. Upon a second by Director Haughn a vote was taken, and the motion carried unanimously.

2024 Trash & Recycling Services: Mr. Schlegel presented a proposed professional services agreement with HBSCO LLC for Residential Solid Waste and Non-Rebate Recycling Services in 2024 and stated that Counsel has reviewed and approved the proposed agreement as to form. Director Yates moved that the Board approve the 2024 Professional Services Agreement with HBSCO LLC, as presented. Upon a second by Director Craft a vote was taken, and the motion carried unanimously.

2024 Landscaping Services: Mr. Schlegel presented a proposed professional services agreement with Brightview Landscape Services for the Maintenance of District Common Areas and Parks and stated that Counsel has reviewed and approved the proposed agreement as to form. Director Yates moved that the Board approve the 2024 Professional Services Agreement with Brightview Landscape Services, as presented. Upon a second by Director Craft a vote was taken, and the motion carried unanimously.

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Community Center & Pool Rules and Regulations: Mr. Schlegel presented an initial DRAFT of a Rules and Regulations document for the Board members to review and submit comments. The Directors briefly discussed, and Mr. Schlegel stated that he will work to schedule a Special Meeting so that the Board can review and adopt specific Rules and Regulations for the Community Center and Pool prior to 1 April, 2024.

**MANAGEMENT &
FINANCIAL ITEMS:**

2023 Audit Exemption Applications: Mr. Schlegel discussed the requirement to complete an Audit Exemption Application for the Independence Overlay Metropolitan District and requested that the Board appoint the District's Accountant to complete and submit this application. Director Yates moved that the Board Appoint the District's Accountant to complete and file 2023 Audit Exemption Application for the Independence Overlay Metropolitan District. Upon a second by Director Haughn a vote was taken, and the motion carried unanimously.

OTHER BUSINESS:

None

NEXT MEETING:

The Board members determined that the next scheduled regular meeting will take place on June 14, 2024 and Special Meetings will be called as necessary.

ADJOURNMENT:

There being no further business to come before the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 7:07 p.m.

Respectfully Submitted:

Secretary for the Meeting