

# RECORD OF PROCEEDINGS

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## MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE SCOTT GULCH METROPOLITAN DISTRICT HELD OCTOBER 9, 2025

A special meeting of the Board of Directors of the Scott Gulch Metropolitan District (the “**District**”) was convened on Thursday, the 9th day of October, 2025 at 2:00 p.m. This District Board Meeting was held via Zoom. The meeting was open to the public via Zoom.

### **Directors In Attendance Were:**

Nathaniel Ben Both, President  
Tim Westbrook, Treasurer  
Chris Osler, Secretary  
Denise Hogenes, Assistant Secretary  
Jordan Honea, Assistant Secretary

### **Also In Attendance Was:**

Peggy Ripko; Special District Management Services, Inc. (“**SDMS**”), District Manager;

Megan J. Murphy, Esq., Matt R. Fegan, Esq.; WBA, PC, District General Counsel; and

Eric Weaver and Avery Weaver; Marchetti & Weaver, District Accountant.

### **DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST**

Ms. Murphy advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Murphy reported that disclosures for those directors that provided WBA, PC 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. Ms. Murphy 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.

### **PUBLIC COMMENT**

There were no public comments.

### **ADMINISTRATIVE MATTERS**

**Agenda:** Ms. Ripko distributed for the Board’s review and approval a proposed Agenda for the District’s regular meeting.

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Following discussion, upon motion, duly made by Director Honea and seconded by Director Osler and, upon vote, unanimously carried, the Board approved the Agenda.

**Approval of Meeting Location:** 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 Honea and seconded by Director Osler and, upon vote, unanimously carried, the Board determined this District Board meeting was held by Zoom. The Board further noted that notice of this meeting and conference/video access was duly posted on the District website.

**Minutes:** The Board reviewed the Minutes of the July 17, 2025 Regular Meeting.

Following discussion, upon motion, duly made by Director Honea and seconded by Director Osler and, upon vote, unanimously carried, the Board approved the Minutes of the July 17, 2025 Regular Meeting.

**2026 Administrative Resolution:** The Board reviewed the 2026 Administrative Resolution.

Following discussion, upon motion, duly made by Director Hogenes, seconded by Director Honea and, upon vote, unanimously carried, the Board adopted the 2026 Administrative Resolution.

**Section 32-1-809, C.R.S., Compliance for 2026:** The Board discussed the requirements of Section 32-1-809, C.R.S.

Following discussion, the Board directed that the required Transparency Notice be posted on the District website and the Special District Association website.

**Residential Rules and Regulations:** The Board reviewed the Residential Rules and Regulations.

Following discussion, upon motion, duly made by Director Honea and seconded by Director Osler and, upon vote, unanimously carried, the Board approved the Residential Rules and Regulations, subject to final review by Directors Honea and Osler.

**Resolution Adopting a Digital Accessibility Policy and Designating a Compliance Officer:** The Board reviewed the Resolution Adopting a Digital Accessibility Policy and Designating a Compliance Officer.

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Following discussion, upon motion, duly made by Director Honea and seconded by Director Osler and, upon vote, unanimously carried, the Board adopted the Resolution Adopting a Digital Accessibility Policy and Designating a Compliance Officer and appointed Director Osler as the Compliance Officer.

### **FINANCIAL MATTERS**

**Claims:** The Board reviewed the payment of claims.

Following discussion, upon motion, duly made by Director Honea, seconded by Director Osler and, upon vote, unanimously carried, the Board ratified approval of the payment of claims.

**Unaudited Financial Statements:** The Board reviewed the unaudited financial statements through the period ending September 30, 2025.

Following discussion, upon motion, duly made by Director Honea, seconded by Director Osler and, upon vote, unanimously carried, the Board accepted the unaudited financial statements through the period ending September 30, 2025.

**Public Hearing on 2025 Budget Amendment:** The President opened the public hearing to consider an amendment to the 2025 Budget.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2025 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing.

No public comments were received, and the public hearing was closed.

Following discussion, upon motion, duly made by Director Honea, seconded by Director Osler and, upon vote unanimously carried, the Board amended the 2025 Budget.

**Public Hearing on 2026 Budget:** The President opened the public hearing to consider the proposed 2026 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2026 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing.

No public comments were received and the public hearing was closed.

The Board reviewed the estimated 2025 expenditures and the proposed 2026 expenditures.

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Following discussion, the Board considered the adoption of Resolution No. 2025-10-03 to Adopt the 2026 Budget and Appropriate Sums of Money and Resolution No. 2025-10-04 to Set Mill Levies.

Upon motion duly made by Director Honea, seconded by Director Osler and, upon vote unanimously carried, Resolution No. 2025-10-03 to Adopt the 2026 Budget and Appropriate Sums of Money and Resolution No. 2025-10-04 to Set Mill Levies were adopted, and execution of the Certification of Budget was authorized. The District Accountant was directed to transmit the Certification of Tax Levies to the Board of County Commissioners of Adams County not later than December 15, 2025. The District Manager was directed to transmit the Certification of Budget to the Division of Local Government no later than January 31, 2026.

**DLG-70 Mill Levy Certification Form**: Following discussion, upon motion, duly made by Director Honea, seconded by Director Osler and, upon vote unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

**Preparation of the 2027 Budget**: Following discussion, upon motion, duly made by Director Honea, seconded by Director Osler and, upon vote unanimously carried, the Board approved the appointment of the District Accountant for preparation of the 2027 Budget.

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**LEGAL MATTERS Contractor Agreement with Roll-off Solutions, LLC (d/b/a Apex Waste Solutions)**: The Board reviewed the Contractor Agreement with Roll-off Solutions, LLC d/b/a Apex Waste Solutions.

Following discussion, upon motion, duly made by Director Honea, seconded by Director Osler and, upon vote, unanimously carried, the Board approved the Contractor Agreement with Roll-off Solutions, LLC d/b/a Apex Waste Solutions.

**2024 Annual Report**: The Board reviewed the 2024 Annual Report.

Following discussion, upon motion, duly made by Director Honea, seconded by Director Osler and, upon vote, unanimously carried, the Board ratified approval of the 2024 Annual Report.

**2025 Legislative Memorandum**: The Board discussed the HB25-1090 compliance related to professional services provider engagements.

**Other Legal Matters**: None.

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### **OTHER BUSINESS**

The Board acknowledged the New Rate Structure for SDMS.

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### **ADJOURNMENT**

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

Respectfully submitted,

By Chris Oster  
Secretary for the Meeting