

**BARNES CENTER METROPOLITAN DISTRICT
ANNUAL ADMINISTRATIVE RESOLUTION
(2023)**

At the special meeting of the Board of Directors (“Board”) of the Barnes Center Metropolitan District (“District”), El Paso County, Colorado, held at 2:00 P.M., on Thursday, December 8, 2022, via teleconference, it was moved to adopt the following Resolution:

WHEREAS, the District was organized as a special district pursuant to an Order and Decree of the District Court in and for the County of El Paso, Colorado (the “County”) and is located entirely within the County; and

WHEREAS, the Board has a duty to perform certain obligations in order to assure the efficient operation of the District and hereby directs its consultants to take the following actions.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. The Board directs the District’s Manager to cause an accurate map of the District’s boundaries to be prepared in accordance with the standards specified by the Division of Local Government (“Division”) and to be filed in accordance with § 32-1-306, C.R.S.

2. The Board directs the District’s Manager to notify the Board of County Commissioners, the County Assessor, the County Treasurer, the County Clerk and Recorder, the governing body of any municipality in which the District is located, and the Division of the name of the chairman of the Board, the contact person, telephone number and business address of the District, as required by § 32-1-104(2), C.R.S.

3. The Board directs the District’s Manager to prepare and file with the Division, within thirty (30) days of a written request from the Division, an informational listing of all contracts in effect with other political subdivisions, in accordance with § 29-1-205, C.R.S.

4. The Board directs the District’s Accountant to cause the preparation of and to file with the Department of Local Affairs the annual public securities report for nonrated public securities issued by the District within sixty (60) days of the close of the fiscal year, as required by §§ 11-58-101, *et seq.*, C.R.S.

5. The Board directs the District’s Manager to: 1) obtain proposals for auditors to be presented to the Board; 2) to cause an audit of the annual financial statements of the District to be prepared and submitted to the Board on or before June 30; and 3) to cause the audit to be filed with the State Auditor by July 31, or by the filing deadline permitted under any extension thereof, all in accordance with §§ 29-1-603(1) and 29-1-606, C.R.S. Alternatively, if warranted by § 29-1-604, C.R.S., the Board directs the District’s Manager to apply for and obtain an audit exemption from the State Auditor on or before March 31 in accordance with § 29-1-604, C.R.S.

6. The Board directs the District's Manager, if the District has authorized but unissued general obligation debt as of the end of the fiscal year, to cause to be submitted to the Board of County Commissioners or the governing body of the municipality that adopted a resolution of approval of the District, the District's audit report or a copy of its application for exemption from audit in accordance with § 29-1-606(7) C.R.S.

7. The Board directs the District's Accountant to submit a proposed budget to the Board by October 15, to prepare the final budget and budget message, including any amendments thereto, if necessary, and directs the District's Manager to schedule a public hearing on the proposed budget and/or amendments by December 15, and to post or publish notices thereof, to prepare all budget resolutions and to file the budget, budget resolution and budget message with the Division on or before January 30, all in accordance with §§ 29-1-101, *et seq.*, C.R.S.

8. The Board directs the District's Manager to cause the preparation of the Unclaimed Property Act report and submission of the same to the State Treasurer by November 1 if there is property presumed abandoned and subject to custody as unclaimed property, in accordance with § 38-13-110, C.R.S.

9. The Board directs the District's Accountant to prepare the mill levy certification form and directs the District's General Counsel to file the mill levy certification forms with the Board of County Commissioners on or before December 15, in accordance with § 39-5-128, C.R.S.

10. The Board designates *The Daily Transcript* as a newspaper of general circulation within the boundaries of the District and directs that all legal notices shall be published in accordance with § 32-1-103(15), C.R.S., in *The Daily Transcript*, unless otherwise designated by the Board or legal counsel.

11. The Board determines that each director may not receive compensation for their services as directors subject to the limitations set forth in §§ 32-1-902(3)(a)(I) & (II), C.R.S.

12. The District hereby acknowledges, in accordance with § 32-1-902, C.R.S., the following officers for the District:

President:	Tim Hadjis
Secretary/Treasurer:	Stephen Engel
Assistant Secretary:	_____
Assistant Secretary:	_____
Assistant Secretary:	_____
Recording Secretary:	District Manager

13. The Board hereby determines that each member of the Board shall, for any potential or actual conflicts of interest, complete conflicts of interest disclosures and directs legal counsel to file the conflicts of interest disclosures with the Board and with the Colorado Secretary of State at least seventy-two (72) hours prior to regular and special meetings of the Board, in accordance with §§ 32-1-902(3)(b) and 18-8-308, C.R.S. Written disclosures provided by Board members required to be filed with the governing body in accordance with § 18-8-308, C.R.S. shall be deemed filed with the Board when filed with the Secretary of State. Additionally, at the beginning of each year, each

Board member shall submit information to legal counsel regarding any actual or potential conflicts of interest and, throughout the year, each Board member shall provide legal counsel with any revisions, additions, corrections or deletions to said conflicts of interest disclosures.

14. The Board confirms its obligations under § 24-10-110(1), C.R.S., with regards to the defense and indemnification of its public employees, which, by definition, includes elected and appointed officers.

15. The Board hereby appoints the District's Manager as the official custodian for the maintenance, care and keeping of all public records of the District, in accordance with §§ 24-72-202, *et seq.*, C.R.S.

16. Pursuant to § 24-6-402(2)(c), C.R.S., the Board hereby designates the following public website for the posting of its regular and special meeting notices for purposes of the Open Meetings Law, in accordance with the Resolution of the Board of Directors of the District Concerning Online Notice of Regular and Special Meetings:

<http://wsdistricts.co/projects/barnes-center-metropolitan-district/>

17. The Board determines to hold regular meetings on the first Wednesday of March and December, at 10:00 A.M. at 614 N. Tejon St., Colorado Springs, Colorado 80903, or virtually in accordance with § 32-1-903, C.R.S. Notice of the time and place for all regular meetings shall be posted in accordance with § 32-1-903, C.R.S.

18. In the event of an emergency, the Board may conduct a meeting outside of the limitations prescribed in § 24-6-402(2)(c), C.R.S., provided that any actions taken at such emergency meeting are ratified at the next regular meeting of the Board or at a special meeting conducted after proper notice has been given to the public.

19. For the convenience of the electors of the District, and pursuant to its authority set forth in § 1-13.5-1101, C.R.S., the Board hereby deems that all regular and special elections of the District shall be conducted as independent mail ballot elections in accordance with §§ 1-13.5-1101, *et seq.*, C.R.S., unless otherwise deemed necessary and expressed in a separate election resolution adopted by the Board.

20. The Board directs the District's Manager to cause a notice of authorization of or notice to incur general obligation debt to be recorded with the County Clerk and Recorder within thirty (30) days of authorizing or incurring any indebtedness, in accordance with § 32-1-1604, C.R.S.

21. The Board directs the District's Manager to cause the preparation of and filing with the Board of County Commissioners or the governing body of the municipality that adopted a resolution of approval of the District, if requested, the application for quinquennial finding of reasonable diligence in accordance with §§ 32-1-1101.5(1.5) and (2), C.R.S.

22. The Board directs the District's Manager to cause the preparation of and the filing with the Board of County Commissioners or the governing body of any municipality in which the District is located, the Division, the State Auditor, the County Clerk and Recorder and any interested parties entitled to notice pursuant to § 32-1-204(1), C.R.S., an annual report, if requested, in accordance with § 32-1-207(3)(c), C.R.S.

23. The Board directs the District's Manager to obtain proposals and/or renewals for insurance, as applicable, to insure the District against all or any part of the District's liability, in accordance with §§ 24-10-115, *et seq.*, C.R.S. The Board directs the District's accountant to pay the annual SDA membership dues, agency fees and insurance premiums, as applicable, in a timely manner.

24. The Board hereby opts to include elected or appointed officials as employees within the meaning of § 8-40-202(1)(a)(I)(A), C.R.S., and hereby directs the District's Manager to obtain workers' compensation coverage for the District.

25. The Board hereby directs the District's Manager to prepare the disclosure notice required by § 32-1-809, C.R.S., and to disseminate the information to the electors of the District accordingly. Further, the Board hereby designates the following website as the District's official website for the purposes thereof: www.wsdistricts.co.

26. The Board hereby directs its Legal Counsel, Accountant, Manager and all other consultants to adhere to the Colorado Special District Records Retention Schedule as adopted by the District.

27. The Board hereby directs the District's Manager to prepare and record with the County Clerk and Recorder updates to the disclosure statement notice and map required by § 32-1-104.8, C.R.S., if additional property is included within the District's boundaries.

28. The Board directs the District's Accountant to prepare and submit the documentation required by any continuing disclosure obligation signed in conjunction with the issuance of debt by the District.

[Signature page follows.]

ADOPTED this 8th day of December, 2022.

BARNES CENTER METROPOLITAN DISTRICT

Tim Hadjis

[Tim Hadjis \(Jan 25, 2023 11:37 MST\)](#)

Officer of the District

ATTEST:

Stephen P Engel

[Stephen P Engel \(Jan 25, 2023 12:31 MST\)](#)

REVIEWED BY:

M

[Marcus McAskin \(Jan 25, 2023 12:34 MST\)](#)

General Counsel to the District

[Signature page for Annual Administrative Resolution (2023)]












BCMD 2023 Annual Administrative Resolution


Final Audit Report

2023-01-25


Created:	2023-01-25
By:	Heather Smith (heather.s@wsdistricts.co)
Status:	Signed
Transaction ID:	CBJCHBCAABAACZqRcwD9dsi5jplhdYr_LmmBUy9LfVCS

"BCMD 2023 Annual Administrative Resolution" History

-  Document created by Heather Smith (heather.s@wsdistricts.co)
2023-01-25 - 6:18:20 PM GMT
-  Document emailed to timhadjis@gmail.com for signature
2023-01-25 - 6:19:00 PM GMT
-  Email viewed by timhadjis@gmail.com
2023-01-25 - 6:37:02 PM GMT
-  Signer timhadjis@gmail.com entered name at signing as Tim Hadjis
2023-01-25 - 6:37:35 PM GMT
-  Document e-signed by Tim Hadjis (timhadjis@gmail.com)
Signature Date: 2023-01-25 - 6:37:37 PM GMT - Time Source: server
-  Document emailed to steveengelco@msn.com for signature
2023-01-25 - 6:37:38 PM GMT
-  Email viewed by steveengelco@msn.com
2023-01-25 - 7:28:46 PM GMT
-  Signer steveengelco@msn.com entered name at signing as Stephen P Engel
2023-01-25 - 7:31:13 PM GMT
-  Document e-signed by Stephen P Engel (steveengelco@msn.com)
Signature Date: 2023-01-25 - 7:31:15 PM GMT - Time Source: server
-  Document emailed to Marcus McAskin (marcus@mcm-legal.com) for signature
2023-01-25 - 7:31:17 PM GMT
-  Email viewed by Marcus McAskin (marcus@mcm-legal.com)
2023-01-25 - 7:34:17 PM GMT

 Document e-signed by Marcus McAskin (marcus@mcm-legal.com)

Signature Date: 2023-01-25 - 7:34:30 PM GMT - Time Source: server

 Agreement completed.

2023-01-25 - 7:34:30 PM GMT