

RECORD OF PROCEEDINGS

MINUTES OF THE CONTINUED REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE BERKLEY SHORES METROPOLITAN DISTRICT (THE “DISTRICT”) HELD NOVEMBER 16, 2022

A continued regular meeting of the Board of Directors of the Berkley Shores Metropolitan District (referred to hereafter as the “Board”) was reconvened on Monday, November 16, 2022, at 12:00 p.m., via Zoom. The meeting was open to the public.

Directors In Attendance Were:

Paul Malone, President
Philip Clow, Treasurer
Natalie Satt, Secretary
Michael Martines, Assistant Secretary
Victoria Almagno, Assistant Secretary

Also In Attendance Were:

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

Jennifer L. Ivey; Icenogle Seaver Pogue, P.C.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Ms. Ripko requested that the Directors consider whether they had any additional conflicts of interest to disclose. Ms. Ripko noted for the record that there were no new disclosures made by the Directors present at the meeting and incorporated for the record those applicable disclosures made by the Board Members prior to this meeting and in accordance with the statutes. Attorney Ivey noted that disclosures of potential conflict of interest statements for each of the Directors were filed with the Secretary of State at least seventy-two hours in advance of the meeting.

PUBLIC COMMENTS

There were no public comments at this time.

ADMINISTRATIVE MATTERS

Agenda: The Board reviewed the distributed Agenda for the District's continued regular meeting.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Satt, seconded by Director Malone and, upon vote unanimously carried, the Agenda for the continued regular meeting was approved, as presented.

Approval of Meeting Location: The Board noted that notice of the time, date, and location of the meeting was duly posted.

FINANCIAL MATTERS

2023 Budget Hearing: Ms. Ripko reviewed with the Board the estimated year-end 2022 revenues and expenditures, the proposed 2023 estimated revenues and expenditures, and the revised 2023 Budget and Ms. Ivey presented to the Board of Directors a Resolution for approval and adoption of the 2023 Budget, appropriating fund therefor and certification of a mill levy thereunder.

Following discussion, the Board considered the adoption of Resolution No. 2022-11-02 to Adopt the 2023 Budget and Appropriate Sums of Money and Resolution No. 2022-11-03 to Set Mill Levies (for the General Fund at 25.000 mills and the Debt Service Fund at 36.007 mills, for a total of 61.007 mills). Upon motion duly made by Director Malone, seconded by Director Satt and, upon vote, unanimously carried, the Resolutions were adopted, the funds were appropriated, the mill levies certified, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2022. Ms. Ripko was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Adams County and the Division of Local Government not later than December 15, 2022. Ms. Ripko was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2023.

LEGAL MATTERS

Amendment to Advance and Reimbursement Agreement for Operations and Maintenance Expenses: Attorney Ivey reviewed with the Board an Amendment to Advance and Reimbursement Agreement for Operations and Maintenance Expenses.


Following discussion, upon motion duly made by Director Satt, seconded by Director Malone and, upon vote unanimously carried, the Board approved the Amendment to Advance and Reimbursement Agreement for Operations and Maintenance Expenses consistent with the 2023 Budget.

RECORD OF PROCEEDINGS

ADJOURNMENT

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

Respectfully submitted,

By _____
Secretary for the Meeting