



ICENOGLE SEAVER POGUE

July 28, 2022

Office of the State Auditor
1525 Sherman Street, 7th Floor
Denver, Colorado 80203

Grand County Clerk and Recorder
P.O. Box 120
Hot Sulphur Springs, Colorado 80451
(Via Email: grandclerk@co.grand.co.us)

Division of Local Government
1313 Sherman Street, Room 521
Denver, Colorado 80203
(Via E-Portal)

Keith Riesberg, Town Manager
Town of Winter Park
P.O. Box 3327
Winter Park, Colorado 80482
(Via Email: kriesberg@wpgov.com)

Re: Annual Report for Lakota Pointe Metropolitan District

To Whom It May Concern:

Pursuant to the Service Plan enclosed please find the 2021 Annual Report for Lakota Pointe Metropolitan District.

Please contact our office with any questions regarding the Annual Report.

Sincerely,

ICENOGLE SEAVER POGUE
A Professional Corporation


Stacie L. Pacheco
Paralegal

Enclosure

Stacie L. Pacheco | SPacheco@isp-law.com | Direct 303.867.3000

4725 S. Monaco St., Suite 360 | Denver, CO 80237 | 303.292.9100 | fax 303.292.9101 | www.isp-law.com

LAKOTA POINTE METROPOLITAN DISTRICT

2021 ANNUAL REPORT TO THE TOWN OF WINTER PARK

Pursuant to Section VII.A. of the Service Plan for Lakota Pointe Metropolitan District (the “District”), the District is responsible for submitting an annual report (the “Annual Report”) to the Town of Winter Park (the “Town”) on or before August 1 for the preceding fiscal year. This Annual Report contains information on the events set forth below as pertains to fiscal year 2021.

1. Boundary changes made or proposed to the District’s boundary as of December 31 of the prior year.
2. Intergovernmental Agreements with other governmental bodies entered into as of December 31 of the prior year.
3. A list of all facilities and improvements constructed by the District that have been dedicated and accepted by the Town as of December 31 of the prior year.
4. Assessed valuation of the District for the current year.
5. Current year budget including a description of the Public Improvements to be constructed in such year.
6. Audit of the District’s financial statements, for the year ending December 31 of the previous year, prepared in accordance with generally accepted accounting principles or audit exemption, if applicable.
7. Notice of any uncured events of default by the District, which continue beyond a ninety (90) day period, under any Debt instrument.
8. A current capital improvements plan, including a full report on the use of bond proceeds of the District in the prior year, anticipated uses thereof in the coming year, the specific facilities to be built with the proceeds thereof, and a detailed sources and uses analysis.

The following reflects information concerning the above listed matters that occurred in 2021:

1. Boundary changes made or proposed as of December 31, 2021.

No boundary changes were made in calendar year 2021. No boundary changes have been proposed.

2. Intergovernmental Agreements with other governmental bodies entered into as of December 31, 2021.

At the District’s organizational meeting held on January 25, 2022, the District approved and entered into the Intergovernmental Agreement with the Town.

3. A list of all facilities and improvements constructed by the District that have been dedicated and accepted by the Town as of December 31, 2021.

The District did not dedicate any facilities or improvements to the Town as of December 31, 2021.

4. Assessed valuation of the District for the current year.

The District has not received a certification of valuation for assessment from the Grand County Assessor since the District was organized. However, publicly available information from the County Assessor shows a total assessed valuation of \$640 for the year 2022.

5. Current year budget including a description of the Public Improvements to be constructed in such year.

A copy of the District's adopted 2022 Budget is attached hereto as **Exhibit A**. The District does not anticipate any Public Improvements will be constructed in 2022.

6. Audit of the District's financial statements, for the year ending December 31 of the previous year, prepared in accordance with generally accepted accounting principles or audit exemption, if applicable.

A copy of the District's 2021 audit exemption will be attached upon completion.

7. Notice of any uncured events of default by the District under any debt instrument which continue beyond a 90-day period.

To the best of our knowledge the District has not received notice of any uncured event(s) of default under any debt instrument which have continued beyond a 90-day period.

8. A current capital improvements plan, including a full report on the use of bond proceeds of the District in the prior year, anticipated uses thereof in the coming year, the specific facilities to be built with the proceeds thereof, and a detailed sources and uses analysis.

The District has not issued bonds and therefore the District does not have anticipated uses of any bond proceeds for the year 2022.

EXHIBIT A
2022 ADOPTED BUDGET
FOR
LAKOTA POINTE METROPOLITAN DISTRICT

STATE OF COLORADO
COUNTY OF GRAND
LAKOTA POINTE METROPOLITAN DISTRICT
2022 BUDGET RESOLUTION

The Board of Directors (the “Board”) of Lakota Pointe Metropolitan District, Grand County, Colorado, held an organizational meeting on Tuesday, the 25th day of January, 2022 at 1:00 p.m. via Zoom. Due to the threat to health and safety posed by the COVID-19 pandemic, this meeting is being held via Zoom.

The following members of the Board of Directors were present:

Jeff Marck, President
Nate Chapman, Treasurer
Daniel Bragassa, Secretary

Also present: Alan D. Pogue, Esq., Icenogle Seaver Pogue, P.C.

The President reported that, prior to the meeting, notification was provided to each of the Directors of the date, time, and place of the meeting and the purpose for which it was called. It was further reported that the meeting is an organizational meeting of the Board and that a Notice of Organizational Meeting was posted in one place within the boundaries of the District, and to the best of their knowledge remained posted to the date of this meeting.

At the Board’s organizational meeting held on January 24, 2022, the President stated that proper notice was made by posting notice in three public places within the District’s boundaries of a Budget Hearing to allow the Board to conduct a public hearing on the District’s 2022 budget. The President opened the public hearing on the District’s proposed 2022 budget for public comment, if any, and then the public hearing was closed. Upon discussion of the District’s proposed 2022 budget by members of the Board, Director Bragassa moved that the Board adopt the following Resolution:

Section 2. Adoption of Budget. That the budget attached hereto as Exhibit A and incorporated herein by this reference is approved and adopted as the budget of Lakota Pointe Metropolitan District for fiscal year.

Section 3. Appropriations. That the amounts set forth as expenditures and balances remaining, as specifically allocated in the budget attached hereto, are hereby appropriated from the revenue of each fund, to each fund, for the purposes stated and no other.


Section 4. Budget Certification. That the budget shall be certified by District Counsel, Alan D. Pogue, and made a part of the public records of the District, and a certified copy of the approved and adopted budget shall be filed with the Colorado Department of Local Affairs Division of Local Government.

Section 5. Mill Levy Certification. That the foregoing budget indicates that the District shall receive sufficient revenues from sources other than ad valorem taxes to pay District expenditures for the year 2022. Therefore, the District shall not impose a mill levy on taxable property within the District for the year 2022.

The foregoing Resolution was seconded by Director Chapman.

ADOPTED AND APPROVED THIS 25TH DAY OF JANUARY, 2022.

LAKOTA POINTE METROPOLITAN DISTRICT

DocuSigned by:

15B46D5A167C427...
By: Jeff Marck
Its: President

CERTIFICATION OF RESOLUTION

I, Alan D. Pogue, General Counsel for Lakota Pointe Metropolitan District (the "District"), do hereby certify that the annexed and foregoing Resolution is a true copy from the Records of the proceedings of the Board of said District, on file with Icenogle Seaver Pogue, P.C., general counsel to the District.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the District, this 25th day of January, 2022.


DocuSigned by:

AG1FB6F6861B473...
Alan D. Pogue, General Counsel

EXHIBIT A

Budget Message
Budget Document

Lakota Pointe Budget Message for 2022:

Lakota Pointe Metropolitan District is a quasi-municipal corporation organized and operated pursuant to the provisions set forth in the Colorado Special District Act and was formed on December 9, 2021. The District was established in Winter Park, Colorado consisting of approximately 50.865 acres for residential development. The District was organized to undertake the planning, design, acquisition, construction, installation, relocation, redevelopment, and financing of public improvements needed for development.

The District has no employees at this time and all operations and administrative functions are contracted.

The budget is prepared on the modified accrual basis of accounting.

The 2022 budget was prepared to provide the operational support necessary to maintain the District's compliance with the State statute.

General Fund

Revenues

In 2022, the District's General Fund is expected to be solely funded by Operating Advances totaling \$50,000.

Expenditures

The District's General Fund expenditures consist of administrative and operations costs of \$48,500.

Fund Balance/Reserves

The District has provided for an emergency reserve fund equal to at least 3% of the fiscal year spending for 2022, as defined under TABOR.

LAKOTA POINTE METROPOLITAN DISTRICT
STATEMENT OF REVENUES & EXPENDITURES WITH BUDGETS
2022 Budget

GENERAL FUND

	Actual Through 12/31/2021	2022 Proposed Budget
Revenues	\$ -	\$50,000.00
Service Fees	-	- Per District
Property Taxes	-	- \$0 Prelim AV x 0.000 Mills
Specific Ownership Taxes	-	6% of Property Taxes
Operating Advances	-	
Note Proceeds - Formation	-	
Total Revenues	\$0	\$50,000
Expenditures		
Accounting and Finance	\$ -	10,000 Estimate
District Management	-	11,000 Estimate
Election	-	1000 Election in 2022
District Engineer	-	500 Annual maps, allowance
Insurance	-	500 Estimate
Legal	-	25,000 Estimate
Office, Dues, Newsletters & Other	-	500 SDA Dues, Public Notices, Etc.
Treasurer's Fees	-	- 2% of Property Taxes
Formation/Organization	-	
Total Expenditures	\$0.00	\$48,500
Revenues Over/(Under) Expenditures	\$ -	
Beginning Fund Balance	\$ -	
Ending Fund Balance	\$ -	\$1,500 3% TABOR Reserve