

# **Granby Ranch Metropolitan District**

## **Regular Board Meeting Agenda**

### **(Thursday August 10, 2023)**

<b>Directors</b>	<b>Office</b>	<b>Term Expiration</b>
Matt Girard	President	May 2025
Steven Conrad	Secretary	May 2025
Natascha O'Flaherty	Asst. Secretary	May 2025
Robert O' Munneke	Vice President	May 2027
Stefan Haberer	Treasurer	May 2027

Meeting Start Time: 6:00pm

Meeting Location: Online video conference site is as follows:

<https://www.gotomeet.me/DistrictBoardMeetingRoom2> Members of the public may also participate via phone using the dial-in number: (646) 749-3112 / Access code #534-031-373

#### **I. Administrative Items:**

- A. Call To order
- B. Declaration of quorum
- C. Director qualifications / disclosure matters
- D. Meeting protocol and logistics
- E. Review and consider May 12, 2023 board meeting minutes [**Exhibit 01**]
- F. Review and consider June 16, 2023 board meeting minutes [**Exhibit 02**]
- G. Unscheduled public comments (limited to 3 minutes/each)
- H. SDA Conference

#### **II. Financial Matters:**

- A. Review and ratify contractor invoices [**Exhibit 03**]
- B. Review and consider District's 2022 annual financial statement audit [**Exhibit 04**]
- C. Review and consider July 31, 2023 financial reports [**Exhibit 05**]
- D. Review and consider November 2023 TABOR proposed ballot measures [**Exhibit 06**]
- E. Status update – Finance Committee (Haberer/O' Flaherty) [**Exhibit 07**]

#### **III. Legal Items:**

- A. **Executive Session** per C.R.S. 24-6-402(4)(b) to confer with legal counsel regarding (1) December 31, 2012 Second Amended and Restated Lease Purchase Agreement (LPA) and the June 1, 2005 Amenity Fee Agreement and (2) status of associated ongoing litigation with HMD/GPGH/GR Terra regarding the LPA and (3) status of associated ongoing litigation initiated by GRCO, LLC against the District on May 26, 2023 regarding the District's capital facility fees
- B. Post executive session discussion & potential action regarding litigation
- C. **Executive Session** per C.R.S. 24-6-402(4)(b) to confer with legal counsel regarding the status of associated ongoing litigation initiated by GRCO, LLC against the District on May 26, 2023 regarding the District's capital facility fees
- D. Post executive session discussion & potential action regarding litigation

#### **IV. Adjournment**

The next regular board meeting is scheduled for Friday November 10, 2023 at 10:00am to be held online at the following location: <https://www.gotomeet.me/DistrictBoardMeetingRoom2> Members of the public may also participate via phone using the dial-in number: (646) 749-3112 and access code #534-031-373.

# EXHIBIT 01

# **GRANBY RANCH METROPOLITAN DISTRICT**

## **Regular Board Meeting Minutes**

Meeting Date: Friday May 12, 2023

Meeting Time: 10:03am to 11:52am

Meeting Location: Online video conference site as follows:

<https://www.gotmeet.me/DistrictBoardMeetingRoom2> Members of the public may also participate via phone using the dial-in-number: phone: (646) 749-3112/Access code #534-031-373

### **I. Roll Call (8:03am)**

A regular meeting of the Board of Directors of the Granby Ranch Metropolitan District (District) was called and held as shown above and in accordance with the statutes of the State of Colorado. The following Directors were in attendance:

<b>Directors</b>	<b>Office</b>	<b>Attendance</b>
Matt Girard	President	Present
Steven Conrad	Secretary	Present
Robert O' Munneke		Present
Stefan Haberer		Present
Natascha O' Flaherty		Present

Also, in attendance was District Manager Charles Wolfersberger (Wolfersberger, LLC); general counsel representation for the District, Alan Pogue (Icenogle Seaver Pogue, P.C.); special counsel for the District, Brian Matise and Erica Garcia (Burg Simpson Eldredge Hersh & Hardine, P.C); attorneys from law firm Husch Blackwell LLP (Katie Jenner and David Richardson); Ted Cherry with the Town of Granby; and the following residents/homeowners: Tom and Debbie DeBoalt, Nick Raible, Glenn O' Flaherty, John Gillogley and Mark Kinsley.

### **II. Administrative Matters**

- a) Call to order: The meeting was called to order by Director Girard. Director Girard also stated the meeting will be recorded and posted on the District's website.
- b) Declaration of quorum: Director Girard noted five of five directors are present and quorum is met for this meeting.
- c) Review director qualifications and present disclosures of potential conflicts of interest: Both Charles Wolfersberger (as DEO) and Alan Pogue confirmed the three newly elected Directors had filed their oaths of office with the appropriate public offices. All Directors confirmed their qualifications to serve on the Board. The Board reviewed the agenda for the meeting, following which four of five directors disclosed no conflicts of interest with the business to be discussed and conducted at the meeting.

Director O' Flaherty stated the following: "On February 28, 2022, GRCO LLC and GR Terra, LLC, filed a civil lawsuit against me and my husband individually, to enforce an alleged trail easement over my property. That lawsuit is completely separate and unrelated to GRMD's pending lawsuit. However, out of an abundance of caution, I am making this disclosure on the record. I will be able to be fair and impartial while discussing on all matters related to GRMD's lawsuit."

Director O' Flaherty reported that she has filed a complaint with the Campaign Finance Division of the Colorado Secretary of State against GRCO, LLC, GT Terra, LLC and Nick Raible regarding alleged campaign finance disclosure failures.

- d) Determination of Officers: Mr. Pogue and the District Manager reviewed with the Board the responsibilities of each officer position. Director O' Flaherty motioned to appoint Matt Girard as President, Director O' Munneke as Vice President, Director Haberer as Treasurer and Director Conrad as Secretary. Director Conrad seconded the motion and the Board voted 5-0 to approve the motion.
- e) Meeting protocol & logistics of public comment: Director Girard briefly reviewed and discussed the protocol & logistics for public comments during this meeting, which will be considered and allowed for each and every agenda item.
- f) Review and consider March 09, 2023 meeting minutes: The Board reviewed the March 09, 2023 meeting minutes. Director Girard motioned to approve the minutes as presented. Director Conrad seconded the motion and the Board voted 3-0 to approve the minutes with Director O' Munneke and Director O' Flaherty abstaining from voting due to their non-attendance at that meeting.
- g) Status update – May 2023 board election: The District Manager briefly reviewed the written election report submitted to the Board. He noted this District's election was closely watched and reported that he submitted one campaign finance complaint with the Colorado Secretary of State. He expressed concern that some individuals were spreading misinformation that the election was being mishandled and individuals were receiving ballots who were not qualified to vote in the election. He stated the primary purpose of this election report is to (1) document and report on all facts regarding the management and conduct of the election and (2) report the election was properly managed and performed in all material respects. He noted the Canvass Board certified the election results on May 10<sup>th</sup>.

**Action Item 1:** Director O' Flaherty requested the District Manager provide the current Board with the Husch Blackwell letters contesting the denial of (Headwaters Metro District board members) Matt and Roxanne Hoover's self-nomination forms to run for election.

Director Girard thanked the District Manager for performing the DEO role and thanked Director Conrad and John Gillogley for serving on the Canvass Board. He noted the District is one of the few districts in Colorado that publishes the list of eligible electors on the District's website allowing homeowners to review the list before ballots are mailed out. He also expressed support for any homeowners wanting to exercise their right to submit names to the DEO and question their eligibility to vote in the election.

- h) Unscheduled public comments: Director Girard opened the floor to public comments. Glenn O' Flaherty thanked the new directors for their willingness to serve on the Board. He encouraged the Board to continue to focus on the needs of the homeowners and to continue supporting the litigation initiated by the District. He expressed appreciation to the Board and the District's contractors for their work serving the District. Finally, he stated his belief that the District is the most transparent district among the districts in Granby Ranch.

### III. Financial Matters

- a) Review and ratify contractor invoices: The Board reviewed the schedule of contractor invoices submitted for payment since the last meeting – 10 invoices totaling \$57,784.05. Director Girard motioned to approve payment of all invoices. Director Conrad seconded the motion and the Board voted 3-0 to approve the motion with Director O' Munneke and Director Haberer abstaining.
- b) Review April 30, 2023 financial reports: The District Manager briefly reviewed with the Board the District April 30, 2023 financial statements. He noted the District is currently spending under budget through April 30<sup>th</sup> in the general fund. The District's first semi-annual bond payment in 2023 is due June 1<sup>st</sup>.

Director Haberer had questions regarding the interest rate earned on the District's significant cash balances. The District Manager noted most of the District's cash is held with CSAFE and UMB Bank. Director Girard motioned to appoint Director Haberer and Director O' Flaherty to a finance subcommittee to review the District's use of its cash balances. Director Conrad seconded the motion and the Board voted 5-0 to approve the motion.

**Action Item 2:** The District Manager will assist the Finance Committee with its review of the District's cash balances and related rates of return.

### IV. Executive Session

At 11:03am, Director Girard motioned to convene the meeting to executive session per C.R.S. 24-6-402(4)(b) for the purpose of conferring with legal counsel regarding December 31, 2012 Second Amended and Restated Lease Purchase Agreement and the June 1, 2005 Amenity Fee Agreement, and status of associated ongoing litigation with HMD/GPGH/GR Terra. Director Conrad seconded the motion and the Board voted 5-0 to approve the motion.

In addition to all directors, the following individuals also attended the executive session: Mr. Wolfersberger, Mr. Matise, Ms. Garcia and Mr. Pogue.

At 11:48am, Director Girard motioned to close the executive session. Director Conrad seconded the motion and the Board voted 5-0 to approve the motion.

Post executive session Discussion re Litigation effort against GPGH/HMD: Mr. Pogue reported that the Board properly convened to executive session to receive advise from legal counsel regarding the lawsuit and that the executive session was not recorded due to attorney/client privileged discussion in executive session. No actions or motions were voted on by the Board during executive session.

Director Girard provided a brief update regarding the status of the District’s litigation. He noted the court has notified both sides to the litigation that the court is currently in the process of writing its opinion on all outstanding motions and which are expected to be ruled on by end of May. It is currently unknown whether a trial will occur, and if it yes, when it will be scheduled.

**V. Adjournment (11:52am)**

There being no further business to come before the Board, and upon motion duly made by Director Girard, seconded by Director Conrad and unanimously carried, the meeting was adjourned. The next regular board meeting is scheduled for Thursday August 10, 2023, at 6:00pm online at: <https://www.gotmeet.me/DistrictBoardMeetingRoom2> Members of the public may also participate via phone using the dial-in-number: phone: (646) 749-3112/Access code #534-031-373

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Secretary

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Date

# EXHIBIT 02

# **GRANBY RANCH METROPOLITAN DISTRICT**

## **Special Board Meeting Minutes**

Meeting Date: Friday June 16, 2023

Meeting Time: 3:33pm to 4:52pm

Meeting Location: Online video conference site as follows:

<https://www.gotmeet.me/DistrictBoardMeetingRoom2> Members of the public may also participate via phone using the dial-in-number: phone: (646) 749-3112/Access code #534-031-373

### **I. Roll Call (3:33pm)**

A special meeting of the Board of Directors of the Granby Ranch Metropolitan District (District) was called and held as shown above and in accordance with the statutes of the State of Colorado. The following Directors were in attendance:

<b>Directors</b>	<b>Office</b>	<b>Attendance</b>
Matt Girard	President	Present
Robert O' Munneke	Vice President	Present (3:42pm)
Steven Conrad	Secretary	Present
Stefan Haberer	Treasurer	Present
Natascha O' Flaherty		Present

Also, in attendance was District Manager Charles Wolfersberger (Wolfersberger, LLC); general counsel representation for the District, Anna Wool (Icenogle Seaver Pogue, P.C.); special counsel for the District, Brian Matise, David TeSelle and Lisa Marks (Burg Simpson Eldredge Hersh & Hardine, P.C); attorneys from law firm Husch Blackwell LLP (Katie Jenner, Brent Ricketts and David Richardson); Ted Cherry with the Town of Granby; and the following residents/homeowners: Tom and Debbie DeBoalt, Micah Hildenbrand, Joel Smith, Scott Shippy and Jeff Link.

### **II. Administrative Matters**

- a) Call to order: The meeting was called to order by Director Girard. Director Girard also stated the meeting will be recorded and posted on the District's website.
- b) Declaration of quorum: Director Girard noted four of five directors were present at the commencement of the meeting and quorum is met for this meeting.
- c) Review director qualifications and present disclosures of potential conflicts of interest: All Directors confirmed their qualifications to serve on the Board. The Board reviewed the agenda for the meeting, following which four of five directors disclosed no conflicts of interest with the business to be discussed and conducted at the meeting.

Director O' Flaherty stated GRCO LLC and GR Terra, LLC – assisted by their attorneys at Husch Blackwell, LLP – filed a civil lawsuit against her to enforce an alleged trail easement over her

property. Director O' Flaherty also stated she has filed a campaign finance complaint against Husch Blackwell, LLP.

- d) Meeting protocol & logistics of public comment: Director Girard briefly reviewed and discussed the protocol & logistics for public comments during this meeting, which will be considered and allowed for each and every agenda item.
- e) Unscheduled public comments: Director Girard opened the floor to public comments. Jeff Link noted the new lawsuit filed by GRCO, LLC against the District and requested the District provide him and the public a copy of the District's 2006 Capital Facility Fee Resolution.

Micah Hildenbrand stated she would like all exhibits related to the GRCO, LLC and is concerned that the District's document library is not complete and missing several documents. She feels the District is selectively posting documents to the website document library. She asked why the District believes the District is not responsible for paying Headwaters Metro District for the maintenance of the roads and asked when this decision was made by the Board. She cited several documents that she believes indicates the District is contractually obligated to pay Headwaters Metro District for road maintenance costs. She accused the Board of making decisions regarding these and other matters outside of public meetings.

Director O' Flaherty welcomed Mr. Cherry – town representative – to the Board's meeting. She pointed out to the public that three Husch Blackwell attorneys – which represent GRCO, LLC in the newest lawsuit against the District – are in attendance at today's meeting.

The District Manager responded to Ms. Hildenbrand's comments and stated the District is not hiding information from the public and briefly reviewed the document library and the numerous documents dating back to the beginning when the District was organized, and that he would be reviewing the documents in question to ensure the District is posting such documents in possession of the District.

### **III. Executive Session**

At 3:45pm, Director Girard motioned to convene the meeting to executive session per C.R.S. 24-6-402(4)(b) to confer with legal counsel regarding (1) status of associated ongoing litigation with HMD/GPGH/GR Terra and (2) a complaint filed in US District Court on May 26, 2023 by GRCO, LLC against the District regarding Capital Facility Fees charged on land owned by GRCO, LLC. Director Conrad seconded the motion and the Board voted 5-0 to approve the motion.

Ms. Hildenbrandt accused the Board of discussing non-privileged topics in past executive sessions and asked the Board to record today's executive session in its entirety. She then complimented the District on its transparency. She stated she is shocked and confused regarding Mr Matise withdrawing his representation as litigation counsel for the District and wants to know whether the District has located other attorneys with similar experience to replace Mr. Matise.

In addition to all directors, the following individuals also attended the executive session: Mr. Wolfersberger, Mr. Matise, Ms. Garcia, Ms. Wool, Mr. Teselle and Ms. Marks. Director O' Munneke dropped off the meeting at 4:36pm.

At 4:42am, Director Girard motioned to close the executive session. Director Conrad seconded the motion and the Board voted 5-0 to approve the motion.

Post executive session Discussion: Ms. Wool reported that the Board properly convened the executive session to receive advise from legal counsel regarding only those topics noted in the Board's executive session motion and that the executive session was not recorded due to attorney/client privileged discussion in executive session, and stated no actions or motions were voted on by the Board during executive session.

Director O' Flaherty noted she has filed an election/campaign finance complaint against Hush Blackwell with the Colorado Secretary of State and wanted to add this disclosure to her earlier conflict-of-interest disclosure statement. Ms. Hildenbrant asked whether Director O' Flaherty has filed counter-claims against Robert Glarner – Manager of GRCO, LLC. Director O' Flaherty stated she has filed counter claims and such counter claims are public record.

Director Girard reported that Brian Matise has retired from his firm but will remain involved in the District's litigation and providing support to Burg Simpson going forward. David Teselle and other attorneys at Burg Simpson that have been involved with the litigation will remain involved going forward.

Director Girard also reported that the District is still waiting on District Court to issue a ruling regarding its lawsuit against HMD/GPGH/GR Terra. Regarding the May 26<sup>th</sup> litigation filed by GCRO, LLC against the District, Director Girard pointed out that the complaint is posted on the District's website.

Director O' Flaherty motioned to authorize Girard to negotiate and hire Burg Simpson to serve as the District's defense counsel regarding the May 26<sup>th</sup> complaint filed by GRCO, LLC against the District. Director Conrad seconded the motion and the Board voted 5-0 to approve the motion.

Micah Hildenbrand asked why the Board does not allow the Town representative to attend executive session even though the District's service plan states the Town representative is allowed to attend executive session. Director O' Flaherty stated that while she was serving on the Granby Town Council, Headwaters Metro District and its attorneys (Husch Blackwell) opposed allowing her as a town representative to participate in executive sessions of Headwaters Metro district board meetings and Town Council agreed with Headwaters Metro District's opposition. So, allowing a Town council representative to attend the District Board's executive sessions would fly in the face of previous Town Council decisions regarding Town representation in Headwaters Metro District Board executive sessions. Director Girard noted that the District has consistently disallowed Town Council representation only from those executive sessions where the District is receiving legal advice regarding litigation. Town representatives could possibly participate in District Board executive sessions where the District Board is not receiving legal advice regarding litigation.

#### **IV. Adjournment (4:52pm)**

There being no further business to come before the Board, and upon motion duly made by Director Girard, seconded by Director O' Flaherty and unanimously carried, the meeting was

adjourned. The next regular board meeting is scheduled for Thursday August 10, 2023, at 6:00pm online at: <https://www.gotmeet.me/DistrictBoardMeetingRoom2> Members of the public may also participate via phone using the dial-in-number: phone: (646) 749-3112/Access code #534-031-373

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date

# EXHIBIT 03

**Granby Ranch Metropolitan District**  
**Contractor Invoices**  
**August 2, 2023**

<b>Payment Date</b>	<b>Invoice Date</b>	<b>Payee</b>	<b>Amount</b>	<b>Invoice description</b>
05/08/23	04/25/23	Adossier, Inc	\$ 185.00	Website management services
05/08/23	05/01/23	Wolfersberger, LLC	\$ 6,786.00	May/June management and accounting services
05/16/23	05/12/23	Wolfersberger, LLC	\$ 11,730.32	Election management services + ballot printing and mailing costs
05/25/23	05/08/23	UMB Bank NA	\$ 3,500.00	Annual bond trustee fee
05/26/23	05/31/23	Burg, Simpson Eldredge Hersh Jardine PC	\$ 8,333.33	April Litigation fees
06/14/23	05/31/23	Icenogle Seaver & Pogue, PC	\$ 2,176.50	\$250 for litigation; remainder for general legal services
06/14/23	06/06/23	Vaughan & DeMuro	\$ 86.00	O'Flaherty defense legal fees
06/27/23	05/31/23	Burg, Simpson Eldredge Hersh Jardine PC	\$ 8,333.33	May Litigation fees
07/03/23	06/23/23	BF Borgers CPA PC	\$ 4,150.00	Final payment due for 2022 financial statement audit
07/10/23	07/01/23	Wolfersberger, LLC	\$ 6,786.00	July/August management and accounting services
07/13/23	06/30/23	Icenogle Seaver & Pogue, PC	\$ 3,757.00	\$880 for litigation; remainder for general legal services
			<b>\$ 55,823.48</b>	





# ICENOGL E SEAVER POGUE

Granby Ranch Metropolitan District  
c/o Charles R. Wolfersberger, CPA  
12210 Brighton Rd. #8  
Henderson, CO 80640

June 30, 2023  
Statement No. 23827  
Account No. 1309

Previous Balance	Fees	Expenses	Advances	Payments	Balance
1309-0008000 MEETINGS 1,039.50	1,090.00	0.00	0.00	-1,039.50	\$1,090.00
1309-0009000 ELECTIONS 152.00	0.00	0.00	0.00	-152.00	\$0.00
1309-0017000 AUDITS 0.00	1,500.00	0.00	0.00	0.00	\$1,500.00
1309-0103000 GPGH/HWMD LITIGATION 250.00	0.00	0.00	0.00	-250.00	\$0.00
1309-0104000 LPA Litigation 0.00	880.50	0.00	0.00	0.00	\$880.50
1309-2000000 GENERAL 1,046.00	286.50	0.00	0.00	-735.00	\$597.50
<u>2,487.50</u>	<u>3,757.00</u>	<u>0.00</u>	<u>0.00</u>	<u>-2,176.50</u>	<u>\$4,068.00</u>



# ICENOGLA SEAVER POGUE

Granby Ranch Metropolitan District  
c/o Charles R. Wolfersberger, CPA  
12210 Brighton Rd. #8  
Henderson, CO 80640

June 30, 2023  
Statement No. 23827  
Account No. 1309

## MEETINGS

### Fees

			Hours	
06/16/2023	ADP	Correspond with Wool re meeting preparation	0.40	154.00
	ACW	Prepare for and attend special meeting	3.90	936.00
		For Current Services Rendered	<u>4.30</u>	<u>1,090.00</u>
		Total Current Work		1,090.00
		Previous Balance		\$1,039.50

### Payments

Total Payments Thru 07/10/2023	-1,039.50
Balance Due	<u>\$1,090.00</u>

Account No: 1309-0009000  
Statement No: 23827

## ELECTIONS

Previous Balance	\$152.00
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### Payments

Total Payments Thru 07/10/2023	-152.00
Balance Due	<u>\$0.00</u>

Account No: 1309-0017000  
Statement No: 23827

## AUDITS

### Fees

			Hours	
06/05/2023	ACW	Work on audit response letter	1.40	336.00

Granby Ranch Metropolitan District

Statement No.: June 30, 2023  
 Account No.: 23827  
 1309.0017000  
 Page: 2

			Hours	
06/07/2023	SLP	Review audit letter; prepare 2022 audit response letter; circulate for comment	1.20	192.00
06/12/2023	ACW	Work on audit response letter	2.50	600.00
06/22/2023	ADP	Finalize audit response letter; correspond with Pacheco, Wool re same	0.80	308.00
	SLP	Finalize 2022 audit response letter; transmit same to auditor	0.40	64.00
		For Current Services Rendered	<u>6.30</u>	<u>1,500.00</u>
		Total Current Work		1,500.00
		Balance Due		<u>\$1,500.00</u>

Account No: 1309-0103000  
 Statement No: 23827

GPGH/HWMD LITIGATION

Previous Balance		\$250.00
	<u>Payments</u>	
Total Payments Thru 07/10/2023		-250.00
Balance Due		<u>\$0.00</u>

Account No: 1309-0104000  
 Statement No: 23827

LPA Litigation

			Hours	
06/09/2023			0.40	154.00
06/20/2023			1.40	539.00
			0.30	72.00
06/21/2023		review same	<u>0.30</u>	<u>115.50</u>
		For Current Services Rendered	2.40	880.50
		Total Current Work		880.50

Balance Due \$880.50

Account No: 1309-2000000  
 Statement No: 23827

GENERAL

Fees

			Hours	
06/13/2023	ACW	Correspondence with Mr. Wolfersberger re new annual meeting requirements	0.20	48.00
06/20/2023	HEH	Review file and draft correspondence to District Management regarding Colorado Open Records Act requirements.	0.10	20.00
06/21/2023	HEH	Research and prepare memo to clients re Colorado Secure Savings Plan		63.00
	ADP	Correspond with Wolfersberger re CORA request; review same	0.30	115.50
	ALM	Review CORA website page	<u>0.20</u>	<u>40.00</u>
		For Current Services Rendered	0.80	286.50
		Total Current Work		286.50
		Previous Balance		\$1,046.00

Payments

Total Payments Thru 07/10/2023	-735.00
Balance Due	<u>\$597.50</u>
Total Balance Due	<u>\$4,068.00</u>

Wolfersberger, LLC  
12210 Brighton Rd  
Henderson, CO 80640 US  
7203555818  
charles@wolfersbergerllc.com

# Invoice



**BILL TO**

Granby Ranch Metropolitan District

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
937	07/01/2023	\$6,786.00	07/31/2023	Net 30	

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
<b>Management Fee</b>	Base management fee per contract - July/August services	2	3,383.00	6,766.00
<b>Reimb. Costs Due From Client</b>	Reimbursable costs for check processing fees - July/August	2	10.00	20.00
<b>Reimb. Costs Due From Client</b>	Reimbursable costs - Capital Facility Fee lien releases	0	36.00	0.00

SUBTOTAL	6,786.00
TAX	0.00
TOTAL	6,786.00
BALANCE DUE	<b>\$6,786.00</b>

# INVOICE

**BILL TO**

Granby Ranch Metro District  
PO Box 8  
Henderson, CO 80640

**INVOICE #** 2023-2173**DATE** 06/23/2023**DUE DATE** 06/30/2023**TERMS** Net 7**ASSOCIATE**

JV

ACTIVITY	AMOUNT
<b>Audit</b> 12/31/2022 audit final	6,500.00
<b>Services:Administrative Fee</b> 10% admin fee per arrangement letter	650.00

We accept all credit cards or any questions, please call  
303.953.1454.

Mail check to :  
BF Borgers CPA PC  
Attn: Audit Department  
5400 W Cedar Ave  
Lakewood, CO 80226

TOTAL	7,150.00
DEPOSIT	3,000.00
<b>BALANCE DUE</b>	<b>\$4,150.00</b>

A \$20 monthly re-billing fee and 1 1/2% monthly will be  
added to all outstanding invoices.

**BURG SIMPSON ELDREDGE HERSH & JARDINE, P.C.**

40 Inverness Drive East

Englewood, CO 80112

Main: (303)792-5595 Fax: (303)708-0527

Federal ID: 84-0832595

CHARLES WOLFERSBERGER  
8354 NORTHFIELD BLVD  
BUILDING G, SUITE 3700  
DENVER, CO 80238

Invoice Date: May 31, 2023  
Invoice Number: 144860  
Matter Number: 245782.04

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*For Costs Incurred through May 15, 2023*

**Client:** GRANBY RANCH METROPOLITAN DISTRICT  
**Matter:** GRANBY RANCH METROPOLITAN DISTRICT V. HEADWATERS METROPOLITAN DISTRICT, JRAY JAY VENTURES, REDWOOD CAPITAL FINANCE, GRANBY PRENTICE, GR TERRA

Total Costs	\$	<u>15,844.32</u>
Total Due This Invoice	\$	15,844.32
Previous Balance Due for Costs	\$	34,026.11
Less: Applied Payments	\$	<u>(0.00)</u>
<b>Amount Due</b>	\$	<b><u>49,870.43</u></b>

**Cost Detail**

<u>Date</u>	<u>Quantity</u>	<u>Amount</u>
04/28/23	1.00	15.00
05/01/23	1.00	3,059.60
05/01/23	1.00	1,027.05
05/01/23	1.00	763.10
05/01/23	1.00	367.50
05/01/23	1.00	137.50
05/01/23	1.00	2,357.35
05/01/23	1.00	1,320.55
05/01/23	1.00	195.00
05/01/23	1.00	2,238.65
05/02/23	1.00	502.80
05/02/23	1.00	733.20
05/02/23	1.00	973.60
05/02/23	1.00	1,142.22
05/02/23	1.00	655.80
05/02/23	1.00	355.40

**BURG SIMPSON ELDREDGE HERSH & JARDINE, P.C.**

40 Inverness Drive East

Englewood, CO 80112

Main: (303)792-5595 Fax: (303)708-0527

Federal ID: 84-0832595

CHARLES WOLFERSBERGER  
8354 NORTHFIELD BLVD  
BUILDING G, SUITE 3700  
DENVER, CO 80238

Invoice Date: May 31, 2023  
Invoice Number: 144860  
Matter Number: 245782.04

---

*For Costs Incurred through **May 15, 2023***

**Client:** GRANBY RANCH METROPLITAN DISTRICT  
**Matter:** GRANBY RANCH METROPOLITAN DISTRICT V. HEADWATERS METROPOLITAN DISTRICT, JRAY JAY VENTURES, REDWOOD CAPITAL FINANCE, GRANBY PRENTICE, GR TERRA

Total Costs	\$	<u>15,844.32</u>
Total Due This Invoice	\$	15,844.32
Previous Balance Due for Costs	\$	34,026.11
Less: Applied Payments	\$	<u>(0.00)</u>
<b>Amount Due</b>	<b>\$</b>	<b><u>49,870.43</u></b>

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<b>Amount Due</b>	<b>\$</b>	<b><u>49,870.43</u></b>

**Cost Detail**

<u>Date</u>	<u>Quantity</u>	<u>Amount</u>
04/28/23	1.00	15.00
05/01/23	1.00	3,059.60
05/01/23	1.00	1,027.05
05/01/23	1.00	763.10
05/01/23	1.00	367.50
05/01/23	1.00	137.50
05/01/23	1.00	2,357.35
05/01/23	1.00	1,320.55
05/01/23	1.00	195.00
05/01/23	1.00	2,238.65
05/02/23	1.00	502.80
05/02/23	1.00	733.20
05/02/23	1.00	973.60
05/02/23	1.00	1,142.22
05/02/23	1.00	655.80
05/02/23	1.00	355.40

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<b>Amount Due</b>	<b>\$</b>	<b><u>49,870.43</u></b>

VAUGHAN & DeMURO  
 ATTORNEYS AT LAW  
 111 SOUTH TEJON STREET, SUITE 545  
 COLORADO SPRINGS, CO 80903  
 (719) 578-5500      IRS ID# 84-1194165

Page: 1  
 06/06/2023  
 27-0233M  
 7

GRANBY RANCH METRO DISTRICT

OUR FILE NO.  
 STATEMENT NO:

ATTN: CHARLES WOLFERSBERGER

GRANBY RANCH METRO DISTRICT - O'FLAHERTY ISSUE  
 CLAIM NO. C266045047-0001-02

02/28/2023 SLC		0.10	21.50
04/13/2023 SLC		0.10	21.50
05/15/2023 SLC		0.10	21.50
SLC		0.10	21.50
		0.40	86.00

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
SARA LUDKE COOK	0.40	\$215.00	\$86.00
PREVIOUS BALANCE			\$1,357.00
TOTAL CURRENT WORK			86.00
01/30/2023    PAYMENT RECEIVED FOR STATEMENT #6 - THANK YOU			-1,357.00
BALANCE DUE			<u>\$86.00</u>

GRANBY RANCH METRO DISTRICT

GRANBY RANCH METRO DISTRICT - O'FLAHERTY ISSUE  
CLAIM NO. C266045047-0001-02

Page: 2  
06/06/2023  
OUR FILE NO. 27-0233M  
STATEMENT NO: 7

PLEASE REFERENCE OUR FILE NUMBER ON YOUR REMITTANCE



# ICENOGL E SEAVER POGUE

Granby Ranch Metropolitan District  
c/o Charles R. Wolfersberger, CPA  
12210 Brighton Rd. #8  
Henderson, CO 80640

May 31, 2023  
Statement No. 23602  
Account No. 1309

Previous Balance	Fees	Expenses	Advances	Payments	Balance
1309-0008000 MEETINGS 0.00	1,039.50	0.00	0.00	0.00	\$1,039.50
1309-0009000 ELECTIONS 0.00	152.00	0.00	0.00	0.00	\$152.00
1309-0103000 GPGH/HWMD LITIGATION 0.00	250.00	0.00	0.00	0.00	\$250.00
1309-2000000 GENERAL 311.00	735.00	0.00	0.00	0.00	\$1,046.00
<u>311.00</u>	<u>2,176.50</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>\$2,487.50</u>



# ICENOGLA SEAVER POGUE

Granby Ranch Metropolitan District  
c/o Charles R. Wolfersberger, CPA  
12210 Brighton Rd. #8  
Henderson, CO 80640

May 31, 2023  
Statement No. 23602  
Account No. 1309

## MEETINGS

### Fees

		Hours	
05/12/2023	ADP Prepare for and participate in May board meeting	2.70	1,039.50
	For Current Services Rendered	<u>2.70</u>	<u>1,039.50</u>
	Total Current Work		1,039.50
	Balance Due		<u>\$1,039.50</u>

Account No: 1309-0009000  
Statement No: 23602

## ELECTIONS

### Fees

		Hours	
05/09/2023	ACW Review and provide comments on draft letter re election services for May election	0.30	72.00
05/11/2023	SLP E-file oaths of office with Grand County District Court; correspond with Mr. Girard re same	0.50	80.00
	For Current Services Rendered	<u>0.80</u>	<u>152.00</u>
	Total Current Work		152.00
	Balance Due		<u>\$152.00</u>

Account No: 1309-0103000  
Statement No: 23602

## GPGH/HWMD LITIGATION

Fees

	Hours	
05/30/2023	0.40	96.00
05/31/2023	0.40	154.00
For Current Services Rendered	<u>0.80</u>	<u>250.00</u>
Total Current Work		250.00
Balance Due		<u>\$250.00</u>

Account No: 1309-2000000  
 Statement No: 23602

GENERAL

Fees

		Hours	
05/01/2023	ACW Correspondence with Mr. Pogue re Long CORA request	0.20	48.00
05/02/2023	HEH Review file and draft CORA records request document to send to District Manager.	0.20	40.00
05/10/2023	ADP Review election report; correspond with Wool, Girard, Wolfersberger re same; conference with Wolfersberger re same	0.80	308.00
05/11/2023	ADP Correspond with and conference with Girard, Wolfersberger, Pacheco re oath timing	0.30	115.50
05/14/2023	ADP Correspond with Wolfersberger re CORA request; review same	0.20	77.00
05/15/2023	ADP Conference with Wolfersberger re CORA request	0.10	38.50
	ACW Correspondence from Mr. Pogue re Husch Blackwell CORA request	0.20	48.00
05/18/2023	HEH Attend status and planning meeting with Mr. Pogue, Ms. Wool, and Ms. Early.	0.10	20.00
05/20/2023	HEH Review file and draft CORA Records request form to send to District Manager.	0.10	20.00
05/31/2023	HEH Review file, compile information, and draft correspondence to District manager regarding CORA requests.	0.10	20.00
	For Current Services Rendered	<u>2.30</u>	<u>735.00</u>
	Total Current Work		735.00

Granby Ranch Metropolitan District

Statement No.: May 31, 2023  
Account No.: 23602  
1309.2000000  
Page: 3

Previous Balance	\$311.00
Balance Due	<u>\$1,046.00</u>
Total Balance Due	<u>\$2,487.50</u>



UMB Bank, N.A.  
 P O Box 414589  
 Kansas City, MO 64141-4589

Invoice 946489

Invoice Date: May 8, 2023  
 Account Number: 147806.1  
 Administrator: Pat Peters  
 Phone Number: (303) 764-3604  
 Email: Patricia.Peters@umb.com

Granby Ranch MD  
 c/o Wolfersberger LLC  
 12210 Brighton Rd #8  
 Henderson, CO 80640

**Billing Period:** May 1, 2023 through April 30, 2024

Prior Balance:	\$3,500.00
Payments Received as of May 5, 2023	\$3,500.00
Adjustments	\$ 0.00
Outstanding Balance:	\$ 0.00

<b>Current Billing Period:</b>	
Current Period Fees	\$3,500.00
<b>Total Fees Due</b>	<b>\$3,500.00</b>

Remittance Stub  
 Billing Period 05/01/2023 - 04/30/2024

Account Number: 147806.1  
 Invoice Number: 946489  
 Remit Balance \$3,500.00

Payment Due Upon Receipt

Granby Ranch MD  
 c/o Wolfersberger LLC  
 12210 Brighton Rd #8  
 Henderson, CO 80640

Check Enclosed \$ \_\_\_\_\_

Mail Payments To:  
 UMB Bank, N.A.  
 Attn: Trust Fees Department  
 P O Box 414589  
 Kansas City, MO 64141-4589



UMB Bank, N.A.  
P O Box 414589  
Kansas City, MO 64141-4589

Invoice 946489

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**Account Detail**  
**Granby Ranch MD Ref GO 2018**

**Account Number: 147806.1**

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**Administrative Fees**

---

Administration Fee	\$3,500.00
<b>Administrative Fees Total</b>	<b>\$3,500.00</b>
<b>Account Total</b>	<b>\$3,500.00</b>

---

**Wolfersberger, LLC**  
 12210 Brighton Rd  
 Henderson, CO 80640 US  
 7203555818  
 charles@wolfersbergerllc.com

# Invoice



BILL TO
Granby Ranch Metropolitan District

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
921	05/12/2023	\$11,730.32	06/11/2023	Net 30	

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
<b>Reimb. Costs Due From Client</b>	Reimbursable costs - Ballot printing and mailing costs (Integrated Voting Systems)	1	4,380.32	4,380.32
<b>Special Projects - Hourly Rate</b>	Election management services per contract	1	7,350.00	7,350.00

BALANCE DUE

**\$11,730.32**

**Wolfersberger, LLC**  
 12210 Brighton Rd  
 Henderson, CO 80640 US  
 7203555818  
 charles@wolfersbergerllc.com

# Invoice



BILL TO
Granby Ranch Metropolitan District

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
907	05/01/2023	\$6,786.00	05/31/2023	Net 30	

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
<b>Management Fee</b>	Base management fee per contract - May/June services	2	3,383.00	6,766.00
<b>Reimb. Costs Due From Client</b>	Reimbursable costs for check processing fees - May/June	2	10.00	20.00
<b>Reimb. Costs Due From Client</b>	Reimbursable costs - Capital Facility Fee lien releases	0	36.00	0.00

BALANCE DUE

**\$6,786.00**



## Granby Ranch Metropolitan District 2023 Website Maintenance and Update Log

Request Date	Work Date	Start Time	Complete Time	Minutes	Charge Type	Update Notes
1/15/2023	1/16/2023	12:40	13:00	20	Hourly	Add the 2023 Meeting Calendar.
1/15/2023	1/16/2023	13:00	13:20	20	Hourly	Update the wording associated with the 2023 meeting schedule,
1/31/2023	2/3/2023	7:55	8:15	20	Hourly	Added a link to the Self Nomination Form for the 2023 Board of Directors Election
2/5/2023	2/6/2023	8:00	8:15	15	Hourly	Add Meeting Notice and Agenda 2023-02-09
2/5/2023	2/6/2023	8:15	8:30	15	Hourly	Add Meeting Packet 2023-02-09
2/12/2023	2/12/2023	8:15	9:00	45	No Charge	Prepare and send invoice for all work completed in 2022
2/16/2023	2/16/2023	10:00	10:25	25	Hourly	Add new 2023 Self Nomination and Acceptance Form (Election).
4/6/2023	4/6/2023	12:00	12:45	45	No Charge	TERMINATE CONTRACT
4/24/2023	4/24/2023	17:00	17:50	50	Hourly	Update old Home Page with a redirect link to the new website
4/24/2023	4/25/2023	6:30	6:50	20	Hourly	Delete all files from web server except for the Home Page with redirect link.
4/6/2023	4/25/2023	8:10	9:00	50	No Charge	Prepare and send invoice for all work completed in 2023
				325		Total Minutes
				140		Total Minutes - No Charge
<b>Page 2 of 2</b>				<b>185</b>		Total Minutes - Hourly Charge

# EXHIBIT 04



**GRANBY**  
**GRAND COUNTY, COLORADO**



## **ANNUAL FINANCIAL STATEMENTS**

**December 31, 2022**

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## INDEPENDENT AUDITOR'S REPORT

### To the Board of Granby Ranch Metro District

#### Opinions

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the Granby Ranch Metro District as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise the Granby Ranch Metro District's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the Granby Ranch Metro District as of December 31, 2022, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

#### Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Granby Ranch Metro District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

#### Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Granby Ranch Metro District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

#### Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Granby Ranch Metro District's internal control. Accordingly, no such opinion is expressed.

- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Granby Ranch Metro District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

### **Required Supplementary Information**

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

### **Supplementary Information**

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Granby Ranch Metro District's basic financial statements. The combining and individual non-major fund financial statements are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual non-major fund financial statements are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

### **Other Information**

Management is responsible for the other information included in the annual report. The other information comprises the introductory and statistical sections but does not include the basic financial statements and our auditor's report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

BF Borgers CPA PC

BF Borgers CPA PC

Lakewood, Colorado

July 10, 2023

**GRANBY RANCH METROPOLITAN DISTRICT**  
**STATEMENT OF NET POSITION**  
**December 31, 2022**

	<b>Governmental Activities</b>
<b>ASSETS</b>	
Cash and investments	\$ 601,424
Cash and investments – restricted	2,086,980
Accounts receivable – specific ownership taxes	5,228
Property taxes receivable	1,057,700
Prepaid expenses	6,155
<b>Total Assets</b>	<b>\$ 3,757,487</b>
<b>LIABILITIES</b>	
Accounts payable and accrued liabilities	\$ 19,937
Accrued interest payable	53,779
Current portion of general obligation refunding bonds	100,000
General obligation refunding bonds	11,555,000
<b>Total Liabilities</b>	<b>11,728,716</b>
<b>DEFERRED INFLOWS OF RESOURCES</b>	
Property tax revenue	1,057,700
<b>NET POSITION (DEFICIT)</b>	
Restricted:	
Emergency reserves	7,900
Debt service	2,091,599
Non-spendable	6,155
Unassigned:	(11,134,585)
<b>Net Position (Deficit)</b>	<b>\$ (9,028,931)</b>

These financial statements should be read only in connection with  
the accompanying notes to the financial statements.

**GRANBY RANCH METROPOLITAN DISTRICT  
STATEMENT OF ACTIVITIES  
For the 12-Month Period Ended  
December 31, 2022**

Functions/Programs	Program Revenue			Net (Expense) Revenue and Changes in Net Position	
	Expenses	Charges For Services	Operating Grants and Contributions		Capital Grants and Contributions
<b>Primary Government:</b>					
Government Activities:					
General government activities	\$ (243,894)	\$ -	\$ 52,642	\$ 125,100	\$ (66,152)
Interest and related costs on long-term debt	(696,185)	-	-	-	(696,185)
Capital project activities	-	-	-	-	-
	<u>\$ (940,079)</u>	<u>\$ -</u>	<u>\$ 52,642</u>	<u>\$ 125,100</u>	<u>(762,337)</u>
<b>General Revenues</b>					
Property taxes					1,158,118
Specific ownership taxes					71,667
Net investment income					50,305
<b>Total general revenue</b>					<u>1,280,090</u>
Change in net position					<u>517,753</u>
<b>Net Position (Deficit) – Beginning of Year</b>					<u>(9,546,684)</u>
<b>Net Position (Deficit) – End of Year</b>					<u><b>\$ (9,028,931)</b></u>

These financial statements should be read only in connection with  
the accompanying notes to the financial statements.

**GRANBY RANCH METROPOLITAN DISTRICT  
BALANCE SHEET – GOVERNMENTAL FUNDS  
December 31, 2022**

	General Fund	Debt Service Fund	Total Government Funds
<b>ASSETS</b>			
Cash and investments	\$ 601,424	\$ -	\$ 601,424
Cash and investments - Restricted	-	2,086,980	2,086,980
Accounts receivable – spec ownership taxes	609	4,619	5,228
Property taxes receivable	132,900	924,800	1,057,700
Prepaid expenses	6,155	-	6,155
<b>TOTAL ASSETS</b>	<b>741,088</b>	<b>3,016,399</b>	<b>3,757,487</b>
<b>LIABILITIES</b>			
Accounts payable and accrued liabilities	19,937	-	19,937
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Property tax revenue	132,900	924,800	1,057,700
<b>TOTAL LIABILITIES AND DEFERRED INFLOWS OF RESOURCES</b>	<b>152,837</b>	<b>924,800</b>	<b>1,077,637</b>
<b>FUND BALANCES</b>			
Restricted:			
Emergencies (TABOR)	7,900	-	7,900
Debt service	-	2,091,599	2,091,599
Non-spendable	6,155	-	6,155
Unrestricted	574,196	-	574,196
<b>Total Fund Balances</b>	<b>588,251</b>	<b>2,091,599</b>	<b>2,679,850</b>
<b>TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES</b>	<b>\$ 741,088</b>	<b>\$ 3,016,399</b>	
<b>Amounts reported for governmental activities in the statement of net position are different because:</b>			
Long-term liabilities, including bonds payable, are not due and payable in the current period and, therefore, are not reported in the funds:			
Bonds payable			(11,655,000)
Accrued interest payable			(53,779)
<b>Net position of governmental activities</b>			<b>\$ (9,028,929)</b>

These financial statements should be read only in connection with  
the accompanying notes to the financial statements.

**GRANBY RANCH METROPOLITAN DISTRICT**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES**  
**GOVERNMENTAL FUNDS**  
**12-Month Period Ended**  
**December 31, 2022**

	General Fund	Debt Service Fund	Total Government Funds
<b>REVENUES</b>			
Property taxes	\$ 133,617	\$ 1,024,501	\$ 1,158,118
Specific ownership taxes	8,342	63,325	71,667
Net investment income	4,156	46,149	50,305
Sol Vista Metro District contribution	-	52,642	52,642
Capital facility fees	125,100	-	125,100
<b>Total Revenues</b>	<b>271,215</b>	<b>1,186,617</b>	<b>1,457,832</b>
<b>EXPENDITURES</b>			
General and administrative costs	243,894	-	243,894
Direct and indirect collection costs	-	54,747	54,747
Debt service			
Bond interest	-	641,438	641,438
Bond principal	-	95,000	95,000
<b>Total Expenditures</b>	<b>243,894</b>	<b>791,185</b>	<b>1,035,079</b>
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	<b>27,321</b>	<b>395,432</b>	<b>422,753</b>
<b>OTHER FINANCING SOURCES (USES)</b>			
Fund Transfers In / (Out)	-	-	-
<b>EXCESS OF REVENUES AND OTHER FINANCING SOURCES</b>	<b>27,321</b>	<b>395,432</b>	<b>422,753</b>
<b>FUND BALANCES – BEGINNING</b>	<b>560,930</b>	<b>1,696,167</b>	<b>2,257,097</b>
<b>FUND BALANCES – END OF YEAR</b>	<b>\$ 588,251</b>	<b>\$ 2,091,599</b>	<b>\$ 2,679,850</b>

These financial statements should be read only in connection with  
the accompanying notes to the financial statements.

**GRANBY RANCH METROPOLITAN DISTRICT  
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES  
AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE  
STATEMENT OF ACTIVITIES  
12-Month Period Ended  
December 31, 2022**

Amounts reported for governmental activities in the statement of activities are different because:

Net change in fund balances – Total government funds	\$	422,753
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The issuance of long-term debt (e.g., bonds) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net position.

Principal payment on bonds	95,000
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Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.

Decrease in accrued bond interest payable	-
<b>Changes in net position of governmental activities</b>	<b>\$ 517,753</b>

These financial statements should be read only in connection with  
the accompanying notes to the financial statements.

**GRANBY RANCH METROPOLITAN DISTRICT  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND  
BALANCES - BUDGET AND ACTUAL  
12-Month Period Ended  
December 31, 2022**

	Amended Budget	Actual Amounts	Positive / (Negative) Variance with Amended Budget
<b>REVENUES</b>			
Property taxes	\$ 134,800	\$ 133,617	\$ (1,183)
Specific ownership taxes	9,700	8,342	(1,358)
Capital contributions	75,060	125,100	50,040
Net investment income	2,040	4,156	2,116
<b>Total Revenues</b>	<u>221,600</u>	<u>271,215</u>	<u>49,615</u>
<b>EXPENDITURES</b>			
General and administration	94,000	100,981	(6,981)
Litigation expenses	145,000	142,913	2,087
<b>Total Expenditures</b>	<u>239,000</u>	<u>243,894</u>	<u>(4,894)</u>
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	<u>(17,400)</u>	<u>27,321</u>	<u>44,721</u>
<b>OTHER FINANCING SOURCES (USES)</b>			
Transfers in (out)	-	-	-
<b>Total Other Financing Sources (Uses)</b>	<u>-</u>	<u>-</u>	<u>-</u>
<b>EXCESS OF REVENUES AND OTHER FINANCIAL SOURCES OVER</b>	<u>(17,400)</u>	<u>27,321</u>	<u>44,721</u>
<b>FUND BALANCE – BEGINNING OF YEAR</b>	<u>559,300</u>	<u>560,930</u>	<u>1,630</u>
<b>FUND BALANCE – END OF YEAR</b>	<u>\$ 541,900</u>	<u>\$ 588,251</u>	<u>\$ 46,351</u>

These financial statements should be read only in connection with  
the accompanying notes to the financial statements.

**GRANBY RANCH METROPOLITAN DISTRICT  
GENERAL FUND  
EXPENDITURE DETAILS - BUDGET AND ACTUAL  
12-Month Period Ended  
December 31, 2022**

	Amended Budget	Actual Amounts	Positive / (Negative) Variance with Amended Budget
<b>GENERAL AND ADMINISTRATION</b>			
District management and accounting fees	\$ 40,600	\$ 40,596	\$ 4
Administrative costs	3,500	2,156	1,344
Audit fees	6,900	7,150	(250)
Collection fees – County Treasurer	6,800	6,682	118
Election services	18,000	17,720	280
Insurance	3,200	2,736	464
Legal fees	15,000	21,543	(6,543)
Collection fees - management co.	-	288	(288)
Newsletter publication costs	-	2,110	(2,110)
<b>Total General and Administration</b>	<b><u>\$ 94,000</u></b>	<b><u>\$ 100,981</u></b>	<b><u>\$ (6,981)</u></b>

These financial statements should be read only in connection with  
the accompanying notes to the financial statements.

GRANBY RANCH METROPOLITAN DISTRICT  
**NOTES TO FINANCIAL STATEMENTS**  
12-Month Period Ended December 31, 2022

**NOTE 1 – DEFINITION OF REPORTING ENTITY**

Granby Ranch Metropolitan District (District), a quasi-municipal corporation and political subdivision of the State of Colorado, was organized by order of the District Court in and for Grand County on November 25, 2003, as a quasi-municipal corporation and political subdivision of the State of Colorado and is governed by an elected Board of Directors. The District was originally named SolVista Metropolitan District No. 2 and, on October 23, 2004, the name of the District was changed to Granby Ranch Metropolitan District.

The District operates under a service plan approved by the Town of Granby (Town) in May 2003 as amended with Town approval in June 2006 and November 2016. The District's service area is located in Grand County, Colorado entirely within the boundaries of the Town and is currently comprised of approximately 232.2 acres of land – a significant portion of which is developed and comprised of 362 home Lots. The District was established to provide financing for the design, acquisition, construction and installation of various public improvements within and without the District boundaries that benefit the taxpayers and inhabitants of the District. The District was also created to provide certain essential public-purpose facilities and public services for the use and benefit of all anticipated residents and taxpayers of real property located within the boundaries of the District.

Approximately 754.8 acres of land is excluded from the District's service boundaries but is subject to paying the District's debt mill levy until the District's existing debt is repaid in full or otherwise defeased.

The District follows the Governmental Accounting Standards Board (GASB) accounting pronouncements, which provide guidance for determining which governmental activities, organizations and functions should be included within the financial reporting entity. GASB pronouncements set forth the financial accountability of a governmental organizations elected governing body as the basic criterion for including a possible component governmental organization in a primary government's legal entity. Financial accountability includes, but is not limited to, appointment of a voting majority of the organizations governing body, ability to impose its will on the organization, a potential for the organization to provide specific financial benefits or burdens and fiscal dependency.

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

The District is not financially accountable for any other organization, nor is the District a component unit of any other primary governmental entity.

**NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The significant accounting policies of the District are as follows:

**Government-wide and Fund Financial Statements**

The government-wide financial statements include the statement of net position and the statement of activities. These financial statements include all of the activities of the District. The effect of interfund activity has been removed from these statements. Governmental activities are normally supported by property taxes.

The statement of net position reports all financial and capital resources of the District. The difference between the sum of assets and deferred inflows and the sum of liabilities and deferred outflows of the District is reported as net position.

The statement of activities demonstrates the degree to which the direct and indirect expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services or privileges provided by a given function or segment, and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for governmental funds. Major individual governmental funds are reported as separate columns in the fund financial statements.

### **Measurement Focus, Basis of Accounting and Financial Statement Presentation**

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the District considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. The major sources of revenue susceptible to accrual are property taxes and specific ownership taxes. All other revenue items are considered to be measurable and available only when cash is received by the District. Expenditures, other than interest on long-term obligations, are recorded when the liability is incurred or the long-term obligation is due.

The District reports the following major governmental funds:

The General Fund is the District's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

The Debt Service Fund accounts for the resources accumulated and payments made for principal and interest on long-term general obligation debt of the governmental funds.

When both restricted and unassigned resources are available for use, it is the District's policy to use restricted resources first, then unassigned resources as they are needed.

### **Budgets**

In accordance with the State Budget Law, the District's Board of Directors holds public hearings in the fall each year to approve the budget and appropriate funds for the ensuing year. The appropriation is at the total fund expenditures level and lapses at year end. The District's Board of Directors can modify the budget by line item within the total appropriation without notification. The appropriation can only be modified upon completion of notification and publication requirements. The budget includes each fund on its basis of accounting unless otherwise indicated. On November 12, 2021, the Board adopted the District's 2022 budget, and on August 12, 2022, the Board amended the District's 2022 budget by increasing budgeted expenditures for the General Fund by \$51,000 to \$239,000.

## **Pooled Cash and Investments**

The District follows the practice of pooling cash and investments of all funds to maximize investment earnings. Except when required by trust or other agreements, all cash is deposited to and disbursed from a single bank account. Cash in excess of immediate operating requirements is pooled for deposit and investment flexibility. Investment earnings are allocated periodically to the participating funds based upon each fund's average equity balance in the total cash.

Investments are carried at fair value.

## **Property Taxes**

Property taxes are levied by the District's Board of Directors. The levy is based on assessed valuations determined by the County Assessor generally as of January 1 of each year. The levy is normally set by December 15 by certification to the County Commissioners to put the tax lien on the individual properties as of January 1 of the following year. The County Treasurer collects the determined taxes during the ensuing calendar year. The taxes are payable by April or, if in equal installments, at the taxpayer's election, in February and June. Delinquent taxpayers are notified in August and generally sales of the tax liens on delinquent properties are held in November or December. The County Treasurer remits the taxes collected monthly to the District.

Property taxes, net of estimated uncollectible taxes, are recorded initially as deferred inflow of resources in the year they are levied and measurable. The unearned property tax revenues are recorded as revenue in the year they are available or collected.

Maximum Mill Levy: The District's Service Plan establishes a Maximum Mill levy the District is permitted to impose on all taxable property within the District for the purpose of funding the District's debt, operations, maintenance obligations and public services. The Maximum Mill Levy is 60 mills, as adjusted by the State of Colorado for changes in the ratio of taxable valuation to assessed valuation of real property since November 01, 2016. As of November 01, 2016, the ratio was 7.96%. The ratio for 2022 was 7.15%, which caused the District's Maximum Mill Levy for 2022 to be 66.797.

Maximum General Mill Levy: The District's Service Plan also establishes a Maximum General Mill Levy the District is permitted to impose on all taxable property within the District's service boundaries for the purpose of funding the District's operations, maintenance obligations and public services. The Maximum General Mill Levy is 50 mills, as adjusted by the State of Colorado for changes in the ratio of taxable valuation to assessed valuation of real property since November 01, 2016. As of November 01, 2016, the ratio was 7.96%. The ratio for 2022 was 7.15%, which caused the District's Maximum General Mill Levy for 2022 to be 55.664.

Maximum Debt Mill Levy: The District's Service Plan also establishes a Maximum Debt Mill Levy the District is permitted to impose on all taxable property within the District's service boundaries for the purpose of funding the District's debt obligations. The Maximum Debt Mill Levy is 50 mills, as adjusted by the State of Colorado for changes in the ratio of taxable valuation to assessed valuation of real property since November 01, 2016. As of November 01, 2016, the ratio was 7.96%. The ratio for 2022 was 7.15%, which caused the District's Maximum Debt Mill Levy for 2022 to be 55.664.

The 2018 Indenture of Trust Agreement for the 2018 Bonds (2018 Bond Indenture) creates additional restrictions on the District's debt mill levy. Specifically, the 2018 Bond Indenture requires the District to levy a debt mill levy of no less than the Maximum Debt Mill Levy if the cash balance in the restricted bond reserve fund is less than \$901,950 (Required Reserve). During the 12-month period ended December 31, 2022, the District maintained the Required Reserve in the restricted bond reserve fund.

## Specific Ownership Taxes

Beginning in 1937, the State of Colorado began assessing a tax annually on motor vehicles (aka Specific Ownership Tax). The Specific Ownership Tax is graduated based on a vehicle's age and original value. Specific Ownership Tax revenue collected by the State is apportioned among the 64 counties based on the number of state highway miles within each county. Each county allocates its respective share of specific ownership tax revenue proportionally among the various property-taxing governmental entities on the basis of total property taxes assessed by each entity in relation to total property taxes assessed by all entities within the County. In 2022, the District's share of Specific ownership taxes was equal to approximately 6.2% of the property taxes collected.

Specific ownership tax is allocated proportionally between each fund based on the ratio of property tax revenue collected for each fund compared to total property revenue collected by the District.

## Capital Facility Fees

On June 7, 2006, the District adopted an Amended and Restated Joint Resolution with Headwaters Metropolitan District establishing Capital Facility Fees on all property within the boundaries of the District. The Capital Facility Fee was established at \$6,255 per home lot and the Facility Fee is payable to the District at the time a building permit is issued on each undeveloped Lot. Generally, the purpose of the Capital Facility Fee per the joint resolution is to fund the cost of public improvements. Costs related to public improvements includes, but is not limited to, construction of public improvements, maintenance of public improvements and legal, consulting and other costs related to protecting the District's rights and ownership interests in public improvements.

There are 720 home lots within the District subject to this Facility Fee. As of December 31, 2022, a perpetual lien exists on 332 undeveloped Lots that have not yet paid the Capital Facility Fee to the District.

	<b>Lots</b>	<b>Total Capital Facility Fees</b>
Lots originally subject to Capital Facility Fees	720	\$ 4,503,600
Capital Facility Fees collected through Dec. 31, 2022	(388)	( 2,426,940)
<b>Undeveloped Lots on which the Capital Facility Fee Lien has not yet been released</b>	<b>332</b>	<b>\$ 2,076,660</b>

The Capital Facility Fees were pledged to the repayment of the District's 2006 Bonds, the proceeds of which was used to fund the construction of public improvements. When the District's 2006 bonds were refunded from the proceeds of the District's 2018 Bonds, the Capital Facility Fees were no longer pledged to the repayment of the District's debt and such Fees may now be used to fund any costs related to public improvements – including debt repayment – as determined by the District's Board.

## Contributions from Sol Vista Metropolitan District (SVMD)

On June 1, 2006, the District entered into an intergovernmental funding agreement with Solvista Metropolitan District (SVMD) whereby the District contributed \$1,212,693 of its 2006 bond proceeds to SVMD which SVMD used to repay its obligation to the Developer. In exchange, SVMD agreed to pay the District's bond Trustee all revenues generated as a result of the SVMD mill levy, with the exception of the portion of the specific ownership taxes on motor vehicles imposed by the State of Colorado and net of annual operating costs as defined by the agreement.

SVMD agreed to levy 25.000 mills on all taxable property with in SVMD through 2025 (for collection in 2026). The agreement terminates on the earlier of (i) the date of which all bonds issued by the District have been defeased or (ii) twenty years after date on which the 2006 bonds were issued by the District.

## **Deferred Outflows of Resources and Deferred Inflows of Resources**

A deferred inflow of resources is an acquisition of net position by a government that is applicable to a future reporting period and a deferred outflow of resources is a consumption of net position by a government that is applicable to a future reporting period. Both deferred inflows and outflows are reported in the statement of net position but are not recognized in the financial statement as revenues and expenses until the period(s) to which they relate. Deferred inflows of resources in the governmental fund financial statements of the District for the 12-month period ended December 31, 2022 are comprised of property taxes due from Grand County that will not be collected within 60 days of the end of the current calendar year. Deferred inflows of resources in the government-wide financial statements represents property taxes for which an enforceable legal claim to assets exists, but for which the levy pertains to the subsequent year.

## **Equity**

### **Net Position**

For government-wide presentation purposes when both restricted and unrestricted resources are available for use, it is the government's practice to use restricted resources first, then unrestricted resources as they are needed.

### **Fund Balance**

Fund balance for governmental funds should be reported in classifications that comprise a hierarchy based on the extent to which the government is bound to honor constraints on the specific purposes for which spending can occur. Governmental funds report up to five classifications of fund balance: non-spendable, restricted, committed, assigned, and unassigned. Because circumstances differ among governments, not every government or every governmental fund will present all of these components. The following classifications describe the relative strength of the spending constraints:

- ***Non-spendable fund balance*** – The portion of a fund balance that cannot be spent because it is either not in spendable form (such as prepaid amounts) or legally or contractually required to be maintained intact.
- ***Restricted fund balance*** – The portion of a fund balance that is constrained to being used for a specific purpose by external parties (such as bondholders), constitutional provisions, or enabling legislation.
- ***Committed fund balance*** – The portion of a fund balance that can only be used for specific purposes pursuant to constraints imposed by formal action of the government's highest level of decision-making authority, the Board of Directors. The constraint may be removed or changed only through formal action of the Board of Directors.
- ***Assigned fund balance*** – The portion of a fund balance that is constrained by the government's intent to be used for specific purposes but is neither restricted nor committed. Intent is expressed by the Board of Directors to be used for a specific purpose. Constraints imposed on the use of assigned amounts are more easily removed or modified than those imposed on amounts that are classified as committed.
- ***Unassigned fund balance*** – The residual portion of a fund balance that does not meet any of the criteria described above.

If more than one classification of find balance is available for use when an expenditure is incurred, it is the District's policy to use the most restrictive classification first.

### NOTE 3 – CASH AND INVESTMENTS

Cash and investments as of December 31, 2022 are classified in the accompanying financial statements as follows:

Statement of net position:	
Cash and investments – unrestricted	\$ 599,594
Cash and investments – restricted	2,086,980
<b>Total cash and investments</b>	<b>\$ 2,686,574</b>

Cash and investments as of December 31, 2022 consist of the following:

Deposits with financial institutions	\$ 94,573
Investments	2,592,001
<b>Total cash and investments</b>	<b>\$ 2,686,574</b>

#### Deposits with Financial Institutions

The Colorado Public Deposit Protection Act (PDPA) requires that all units of local government deposit cash in eligible public depositories. Eligibility is determined by state regulators. Amounts on deposit in excess of federal insurance levels must be collateralized. The eligible collateral is determined by the PDPA. PDPA allows the institution to create a single collateral pool for all public funds. The pool for all the uninsured public deposits as a group is to be maintained by another institution or held in trust. The market value of the collateral must be at least 102% of the aggregate uninsured deposits.

The State Commissioners for banks and financial services are required by statute to monitor the naming of eligible depositories and reporting of the uninsured deposits and assets maintained in the collateral pools.

At December 31, 2022, the District's cash deposits had a bank balance of \$44,533 and carrying balance of \$94,573.

#### Investments

The District has not adopted a formal investment policy. However, the District follows state statutes regarding investments.

The District generally limits its concentration of investments to those listed below, which are believed to have minimal credit risk, minimal interest rate risk, and no foreign currency risk. Additionally, the District is not subject to concentration risk disclosure requirements or subject to investment custodial risk disclosure requirements for investments that are in the possession of another party.

Colorado revised statutes limit investment maturities to five years or less unless formally approved by the Board of Directors. Such actions are generally associated with a debt service reserve or sinking fund requirements.

Revenue bonds of local government securities, corporate and bank securities, and guaranteed investment contracts not purchased with bond proceeds, are limited to maturities of three years or less.

Colorado statutes specify investment instruments meeting defined rating and risk criteria in which local governments may invest which include:

- Obligations of the United States, certain U.S. government agency securities, and the World Bank
- General obligation and revenue bonds of U.S. local government entities
- Certain certificates of participation
- Certain securities lending agreements
- Bankers' acceptances of certain banks
- Commercial paper
- Written repurchase agreements and certain reverse purchase agreements collateralized by certain authorized securities
- Certain money market funds
- Guaranteed investment contracts
- Local government investment pools

As of December 31, 2022, the District's investments were comprised of the following:

Investment	Maturity	Amortized Cost
Colorado Surplus Asset Fund Trust (CSAFE)	Weighted Average Under 60 Days	\$ 2,592,001

#### CSAFE

The District holds investments in the Colorado Surplus Asset Fund Trust (CSAFE), which is an investment vehicle established by state statute for local government entities to pool surplus assets. The State Securities Commissioner administers and enforces all State statutes governing CSAFE. CSAFE operates similarly to a money market fund and each share is equal in value to \$1.00. CSAFE may invest in U.S. Treasury securities, repurchase agreements collateralized by U.S. Treasury securities, certain money market funds and highest rated commercial paper. CSAFE measures its investments at amortized cost, which value is not materially different (less than 0.005% difference) than the fair value measurement of such investments. There are no unfunded commitments, the redemption frequency is daily, and there is no redemption period notice. A designated custodial bank serves as custodian for CSAFE's portfolio pursuant to a custodian agreement. The custodian acts as safekeeping agent for CSAFE's investment portfolio and provides services as the depository in connection with direct investments and withdrawals. The custodian's internal records segregate investments owned by CSAFE. No limitations exist on the District's ability to withdraw funds invested in CSAFE. CSAFE is rated AAAM by Standard & Poor's.

#### NOTE 4 – LONG-TERM DEBT

The following is a summary of the changes in the District's long-term debt for the 12-month period ended December 31, 2022:

	Balance at Dec. 31, 2021	Additions	Retirements	Balance at Dec. 31, 2022	Due within one year
Series 2018 G.O. Bonds	\$ 11,750,000	\$ -	(\$ 95,000)	\$ 11,655,000	\$ 100,000
Accrued Interest – Series 2018 G.O. Bonds	53,779	641,438	( 641,438)	53,779	53,779
<b>Total</b>	<b>\$ 11,803,779</b>	<b>\$ 641,438</b>	<b>(\$ 736,438)</b>	<b>\$ 11,708,779</b>	<b>\$ 153,779</b>

Details regarding the District's long-term obligations are as follows:

## Series 2018 General Obligation Refunding and Improvement Bonds (Bonds)

On May 3, 2018, the District issued \$11,970,000 of Limited Tax General Obligation Refunding Bonds (the Series 2018 Bonds), to refund the outstanding balance on the 2006 Limited Tax Obligation Bonds. The 2018 Bonds have interest and maturity dates in two tranches. Tranche one consists of \$990,000 bonds that accrues interest at 4.875% per annum and matures on December 1, 2028. The second tranche consists of \$10,980,000 bonds that accrued interest at 5.50% per annum and matures on December 1, 2052. Interest is payable each year on June 1<sup>st</sup> and December 1<sup>st</sup>.

The 2018 Bonds are subject to redemption prior to maturity at the option of the District in whole, or in multiples of \$1,000 on December 1, 2023 and on any date thereafter at the following redemption price plus accrued interest to the redemption date:

Dates	Premium
December 1, 2023 through November 30, 2024	103%
December 1, 2024 through November 30, 2025	102%
December 1, 2025 through November 30, 2026	101%
December 1, 2026 and thereafter	100%

Outstanding principal and interest on the 2018 Bonds mature as follows:

	Principal	Interest	Total
2023	\$ 100,000	\$ 636,806	\$ 736,806
2024	115,000	631,931	746,931
2025	125,000	626,325	751,325
2026	140,000	620,231	760,231
2027	120,000	613,406	733,406
2028 - 2032	830,000	2,956,606	3,786,606
2033 - 2037	1,260,000	2,684,275	3,944,275
2038 - 2042	1,840,000	2,277,550	4,117,550
2043 - 2047	2,605,000	1,692,075	4,297,075
2048 - 2052	4,520,000	870,925	5,390,925
<b>Total</b>	<b>\$ 11,655,000</b>	<b>\$ 13,610,130</b>	<b>\$ 25,265,130</b>

## Debt Authorization

On November 4, 2003, the District's four electors (all of whom were qualified to vote by the owner of all land within the District at that time - SolVista Corporation) authorized the District to issue debt at a net effective interest rate not to exceed 10% per annum in an amount not to exceed \$40,000,000 to fund infrastructure improvements and \$40,000,000 to fund the District's operations and maintenance costs. On November 2, 2004, the District's electors authorized the issuance of indebtedness in an amount not to exceed \$24,000,000 to fund infrastructure improvements at a net effective interest rate not to exceed 10% per annum.

The District's authorized but unissued indebtedness in the following amounts allocated for the following purposes is as follows:

	Authorized Nov. 2003 Election	Authorized Nov. 2004 Election	Total Voter- Authorized Debt
Street improvements	\$ 18,500,000	\$ -	\$ 18,500,000
Water	11,000,000	-	11,000,000
Sanitation	6,000,000	4,000,000	10,000,000
Park & recreation	2,500,000	20,000,000	22,500,000
Transportation	1,000,000	-	1,000,000
Traffic & safety	600,000	-	600,000
Mosquito control	400,000	-	400,000
Intergovernmental agreements	40,000,000	-	40,000,000
Operations & maintenance	40,000,000	-	40,000,000
<b>Subtotal</b>	<b>120,000,000</b>	<b>24,000,000</b>	<b>144,000,000</b>
Refunding of debt	40,000,000	24,000,000	64,000,000
<b>Total</b>	<b>\$ 160,000,000</b>	<b>\$ 48,000,000</b>	<b>\$ 208,000,000</b>

	Series 2006 Bonds	Series 2010 Bonds	Series 2018 Bonds	Authorization Remaining at Dec. 31, 2022
Street improvements	\$ 7,121,000	\$ 5,505,822	\$ -	\$ 5,873,178
Water	4,817,000	2,761,482	-	3,421,518
Sanitation	2,637,000	1,667,920	-	5,695,080
Park & recreation	150,000	913,348	-	21,436,652
Transportation	-	-	-	1,000,000
Traffic & safety	-	270,428	-	329,572
Mosquito control	-	-	-	400,000
Intergovernmental agreements	-	-	-	40,000,000
Operations & maintenance	-	-	-	40,000,000
<b>Subtotal</b>	<b>14,725,000</b>	<b>11,119,000</b>	<b>-</b>	<b>118,156,000</b>
Refunding of debt	-	-	11,970,000	52,030,000
<b>Total</b>	<b>\$ 14,725,000</b>	<b>\$ 11,119,000</b>	<b>\$ 11,970,000</b>	<b>\$ 170,186,000</b>

Per C.R.S 32-1-1101(2), the remaining, unused debt issuance authorization obtained from the District's electors will expire as follows:

- \$122,186,000 will expire in November 2023 - 20 years after the original debt authorization election
- \$48,000,000 will expire in November 2024 - 20 years after the original debt authorization election

## NOTE 5 – NET POSITION (DEFICIT)

### Restricted Net Position

The District's restricted net position as of December 31, 2022 in the general fund and debt service fund totaled \$7,900 and \$2,091,599, respectively. The restricted net position within the general fund is due to spending restrictions established by TABOR. See Note 9 for further details. The restricted net position within the debt service fund is comprised of funds that are restricted to servicing the Series 2018 Bonds.

## **Non-Spendable Net Position**

The District's non-spendable net position as of December 31, 2022 in the general fund and debt service fund totaled \$6,155 and \$0, respectively. These balances were created due to the District prepaying certain 2023 expenses in 2022.

## **Unassigned Net Position**

The District's unassigned net position as of December 31, 2022 totaled (\$11,136,413). This deficit amount was a result of the District being responsible for the repayment of bonds issued for public improvements conveyed to the City of Granby and other entities.

## **NOTE 6 – RELATED PARTIES**

None of the directors that served on the District's board in 2022 reported any conflicts of interest arising from their participation on the District's board.

## **NOTE 7 – RISK MANAGEMENT**

Except as provided in the Colorado Governmental Immunity Act, the District may be exposed to various risks of loss related to torts; thefts of, damage to, or destruction of assets; errors or omissions; injuries to employees; or acts of God.

The District is a member of the Colorado Special Districts Property and Liability Pool (Pool). The Pool is an organization created by intergovernmental agreement to provide property, liability, public officials' liability, boiler and machinery and workers compensation coverage to its members. Settled claims have not exceeded this coverage in any of the past three fiscal years.

The District pays annual premiums to the Pool for liability, property, public officials' liability, and workers compensation coverage. In the event aggregated losses incurred by the Pool exceed amounts recoverable from reinsurance contracts and funds accumulated by the Pool, the Pool may require additional contributions from the Pool members. Any excess funds which the Pool determines are not needed for purposes of the Pool may be returned to the members pursuant to a distribution formula.

## **NOTE 8 – CONTRACTUAL AGREEMENTS**

### **Amenity Fee Agreement**

On July 17, 2013, the District Granby Ranch Metropolitan District No 2 (GRMD2) and Granby Ranch Metropolitan District No 8 (BRMD8) entered into an Amended and Restated Amenity Fee Agreement with HMD to assess a one-time \$10,000 "Amenity Fee" on each Apartment Unit, Residential Unit and Lot (as further described in the Amenity Fee Agreement) within the District, GRMD2 and GRMD8 upon (1) transfer of a Residential Unit or Lot to an End User or entity other than a "Qualified Builder" or (2) issuance of a certificate of occupancy on an Apartment Unit or (3) issuance of a certificate of occupancy on a Residential Unit not otherwise transferred to an End User. This Agreement replaces a May 26, 2005 Joint Resolution Regarding Amenity Fees Amenity Fee Agreement as amended on September 06, 2006. The Amenity Fees constitute a perpetual lien on all land within the District. The Amenity Fees are to be used solely for the purpose of financing the acquisition, construction and installation of "Amenities" to be acquired by HMD including a golf course, ski area, and related improvements, trails, and other recreational improvements, facilities, appurtenances, rights-of-way and other amenities as shall from time to time be acquired, constructed and installed by

Headwaters. Payment of the Amenity Fee grants each residential dwelling unit “priority access” to such Amenities and discounted recreation facility use fees.

### **Lease Purchase Agreement**

On December 31, 2012 Granby Realty Holdings (GRH) and Headwaters Metropolitan District (HMD) entered into the Second Amended and Restated Lease Purchase Agreement (“LPA”). Per the terms of the LPA, HMD agreed to lease from GRH a parcel of land located within the Town that included a ski area and a golf course (“Leased Premises”). The lease term was fifty years and provided HMD the option to acquire the Leased Premises during or upon the expiration of the lease term. The rent paid under the LPA was limited to the Amenity Fees collected by HMD from the District and remitted to GRH. The rent payments were not fixed to any specific amount and both parties to the LPA agreed that the amount of Amenity Fees paid by HMD to GRH may fluctuate greatly from month to month and year to year.

The LPA does not allow any refund of rents paid by HMD to GRH upon termination of the LPA and the LPA provides GRH the right to terminate the LPA if HMD defaults on any HMD responsibilities listed in the LPA.

Between December 31, 2005 and December 31, 2020, Amenity Fees totaling \$6,110,000 were paid by 611 home lots within and without the District’s service boundaries to HMD, which forwarded such funds to GRH as rent payments due under the LPA. \$5,300,000 of total Amenity Fees collected by HMD was from lots located within the District and the remainder of the Amenity Fees were collected from lots located within Solvista Metropolitan District (which has a financial relationship with GRMD through an IGA – described below).

On or before May 28, 2020, GRH defaulted on a deed of trust, which was secured by the Leased Premises. GRH’s lender (GP Granby Holdings, LLC or GPGH) foreclosed on the Leased Premises between May 28 and August 31, 2020 and notified HMD that the foreclosure effectively terminated the LPA. Whether or not the foreclosure terminated certain rights of the District under the LPA and related agreements is disputed and the subject of litigation. See Note 10 (Litigation).

### **Intergovernmental Funding Agreement with SolVista Metropolitan District**

On June 1, 2006, the District entered into an intergovernmental funding agreement with Solvista Metropolitan District (SVMD) whereby the District contributed \$1,212,693 of its 2006 bond proceeds to SVMD which SVMD used to repay its obligation to the Developer. In exchange, SVMD agreed to pay the District's bond Trustee all revenues generated as a result of the SVMD mill levy, with the exception of the portion of the specific ownership taxes on motor vehicles imposed by the State of Colorado and net of annual operating costs as defined by the agreement.

SVMD agreed to levy 25.000 mills on all taxable property with in SVMD through 2025 (for collection in 2026). The agreement terminates on the earlier of (i) the date of which all bonds issued by the District have been defeased or (ii) twenty years after date on which the 2006 bonds were issued by the District.

### **NOTE 9 – TAX, SPENDING AND DEBT LIMITATIONS**

Article X, Section 20 of the Colorado Constitution—referred to as the Taxpayer's Bill of Rights (TABOR)—contains tax, spending, revenue and debt limitations which apply to the State of Colorado and all local governments.

Spending and revenue limits are determined based on the prior year's fiscal Year Spending adjusted for allowable increases based upon inflation and local growth. Fiscal Year Spending is generally defined as expenditures plus reserve increases with certain exceptions. Revenue in excess of the Fiscal Year Spending limit must be refunded unless the voters approve retention of such revenue.

TABOR requires local governments to establish Emergency Reserves. These reserves must be at least 3% of Fiscal Year Spending (excluding bonded debt service). TABOR prohibits the District from using its emergency reserves to compensate for economic conditions and revenue shortfalls.

On May 8, 2018, District voters authorized the District to assess property taxes at no more than \$2,875,000 annually, without limitation to rate, to pay the District's operations, maintenance and other expenses. Additionally, the District voters approved a revenue change to allow the District to retain and spend all revenue, other than ad valorem taxes, in excess of TABOR spending, revenue raising or other limitations.

TABOR is complex and subject to legal interpretation. Many of the provisions, including the interpretation of how to calculate Fiscal Year Spending limits, may require judicial interpretation.

## **NOTE 10 – LITIGATION**

On February 23, 2021, the District through its attorneys Norton & Smith, P.C., filed a complaint in the District Court for Grand County, Colorado, against Headwaters Metropolitan District (“HMD”), GP Granby Holdings (now Gray Jay Ventures, LLC (“Gray Jay”)), Redwood Capital Finance Co. LLC (“Redwood”), and Granby Prentice, LLC (the “Defendants”). (GRMD v. Headwaters’ Metropolitan District et al, case No. 2021CV30008 District Court, Grand County, Colorado, referred to as the “2021 Lawsuit”). The 2021 Lawsuit concerns the purported termination of the Second Amended and Restated Lease Purchase Agreement (“LPA”). The current developer, GR Terra, LLC, who acquired the ski resort after February 2021, requested to be added as a defendant to this litigation. The District added GR Terra as a defendant to the 2021 Lawsuit through a Second Amended Complaint on July 6, 2021.

The purpose of the 2021 Lawsuit is to protect the District's rights and the financial investment of the District’s property owners who have paid over \$6 million to HMD for the purpose of developing and/or acquiring ski, golf, and other recreational amenities to be owned by a public entity that would manage the facilities on behalf of the residents of the District and the Town of Granby.

In August 2020, GPGH foreclosed on the prior developer of the ski resort, Granby Realty Holdings (GRH) – a company in which HMD directors were affiliated or related interested parties—and assumed ownership of and privatized the amenities (and all revenue generated from such facilities). Prior to the foreclosure, GRH was receiving public funds from HMD for the purpose of developing or acquiring the amenities (which in turn received over \$6 million in funds from the \$10,000 lot amenity fees charged to District property owners).

In the 2021 Lawsuit, the District is seeking damages in an amount to be determined at trial but believed to be at least in the amount of \$6.1 million in public funds that the District has paid to HMD under the LPA. Additionally, the District is seeking a declaration of the court to reinstate the LPA between HMD and GRH, which requires the publicly funded ski resort facilities be owned and operated by a public entity.

On January 28, 2022, the District Court of Grand County granted in part the Defendants’ motions to dismiss the District’s claims and denied in part certain of the Defendants’ motions to dismiss other District claims.

On February 11, 2022, HMD and GR Terra filed certain counterclaims against the District. The counterclaims seek certain declarations and/or quiet title that the District has no rights to the amenities. The counterclaims also seek a monetary judgment against the District for certain costs and attorney fees associated with the 2021 Lawsuit.

All parties in the 2021 Lawsuit have filed dispositive motions requesting that the Court either dismiss or issue summary judgment in their respective favor on some or all claims.

On March 26, 2023, District Court vacated the trial scheduled to begin on April 24, 2023 and indicated it would issue a ruling on the pending dispositive matters in this case by the end of May 2023. As of July 10, 2023, District Court has not yet issued a ruling.

Assessing and predicting the outcome of this matter involves substantial uncertainties. The District Board currently believes that none of the Defendants are entitled to recover costs or attorney fees in the 2021 Lawsuit, and the District's monetary exposure is therefore limited because the Defendants are not presently seeking other monetary damages. It remains possible that despite the District Board's current belief, material differences in actual outcomes or changes in the Board's evaluation or predictions could arise that could have a material adverse effect on the District's financial condition, results of operations, or cash flows.

#### **NOTE 11 – SUBSEQUENT EVENTS**

On May 26, 2023, GRCO, LLC – a property owner and taxpayer within the District - filed a complaint in the United States District Court for the District of Colorado against the District captioned GRCO, LLC v. Granby Ranch Metropolitan District, Civil Action No. 23-cv-01351-RMR-STV (the "2023 Lawsuit"). The 2023 Lawsuit challenges the District's imposition of Capital Facility Fees pursuant to the 2006 Amended and Restated Amended and Restated Joint Resolution with Headwaters Metropolitan District establishing Capital Facility Fees (See NOTE 2) subsequent to the District refinancing its debt in May 2018. Specifically, GRCO, LLC's complaint demands (1) declaratory and injunctive relief regarding the District's alleged violation of the 2006 Facilities Fee Resolution and District's authority under CRS 32-1-1001(1)(j), (2) declaratory and injunctive relief regarding the District's alleged violation of CRS 29-1-803(1), (3) declaratory and injunctive relief regarding the District alleged illegal material modification of the District's service plan, (4) action for damages under 42 USC 1983 for the District's alleged violation of GRCO, LLC's rights under the Fifth Amendment to the United States Constitution, (5) declaratory and injunctive relief for the District's alleged continuing violation of 42 USC 1983 and the Fifth Amendment to the United States Constitution and (6) declaratory and injunctive relief to prevent the District's collection of Capital Facilities Fees under the alleged extinguished 2006 Facilities Fee Resolution. GRCO, LLC is seeking relief including a refund of \$125,100 in Capital Facility Fees it claims it has already paid to the District.

The District believes that the claims asserted in the 2023 Lawsuit are without merit under Colorado law that allows the District to assess and recover fees to defray the cost of public improvements. The District further believes that the claims are time-barred by the statute of limitations. The District intends to assert other defenses and to seek prompt dismissal of the action. Assessing and predicting the outcome of this matter involves substantial uncertainties. The District believes no amount is due to GRCO, LLC and denies any wrongdoing. It remains possible that despite the District Board's current belief, material differences in actual outcomes or changes in the Board's evaluation or predictions could arise that could have a material adverse effect on the District's financial condition, results of operations, or cash flows.

## **SUPPLEMENTARY INFORMATION**

**GRANBY RANCH METROPOLITAN DISTRICT**  
**DEBT SERVICE FUND**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND**  
**BALANCES - BUDGET AND ACTUAL**  
**12-Month Period Ended**  
**December 31, 2022**

	Original Budget	Actual Amounts	Positive / (Negative) Variance with Original Budget
<b>REVENUES</b>			
Property taxes	\$ 1,022,600	\$ 1,024,501	\$ 1,901
Specific ownership taxes	73,900	63,325	(10,575)
Net investment income	15,000	46,149	31,149
Sol Vista Metro contribution	40,000	52,642	12,642
<b>Total Revenues</b>	<u>1,151,500</u>	<u>1,186,617</u>	<u>35,117</u>
<b>EXPENDITURES</b>			
Direct and indirect collection costs	57,462	54,747	2,715
Debt service			
Bond interest	641,438	641,438	-
Bond principal	95,000	95,000	-
<b>Total Expenditures</b>	<u>793,900</u>	<u>791,185</u>	<u>2,715</u>
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	<u>357,600</u>	<u>395,432</u>	<u>37,832</u>
<b>OTHER FINANCING SOURCES (USES)</b>			
Transfers in (out)	-	-	-
<b>Total Other Financing Sources (Uses)</b>	<u>-</u>	<u>-</u>	<u>-</u>
<b>EXCESS OF REVENUES AND OTHER FINANCIAL SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>	<u>357,600</u>	<u>395,432</u>	<u>37,832</u>
<b>FUND BALANCE – BEGINNING</b>	<u>1,673,100</u>	<u>1,696,167</u>	<u>23,067</u>
<b>FUND BALANCE – END OF YEAR</b>	<u>\$ 2,030,700</u>	<u>\$ 2,091,599</u>	<u>\$ 60,899</u>

These financial statements should be read only in connection with  
the accompanying notes to the financial statements.

**GRANBY RANCH METROPOLITAN DISTRICT  
DEBT SERVICE FUND  
COLLECTION COST DETAILS - BUDGET AND ACTUAL  
12-Month Period Ended  
December 31, 2022**

	Original Budget	Actual Amounts	Positive / (Negative) Variance with Original Budget
<b>DIRECT AND INDIRECT COLLECTION COSTS</b>			
Administrative costs	\$ 2,762	\$ -	\$ 2,762
Collection fees – County Treasurer	51,200	51,247	(47)
Bond paying agent fees	3,500	3,500	-
<b>Total Direct and Indirect Collection Costs</b>	<b>\$ 57,462</b>	<b>\$ 54,747</b>	<b>\$ 2,715</b>

These financial statements should be read only in connection with  
the accompanying notes to the financial statements.

**GRANBY RANCH METROPOLITAN DISTRICT**  
**SCHEDULE OF DEBT SERVICE REQUIREMENTS TO MATURITY**

December 31, 2022

The District's repayment schedule for its Series 2018 general obligation bonds is as follows:

Year Ended December 31,	Principal	Interest	Interest Rate	Total
2023	\$ 100,000	\$ 636,806	4.875%	\$ 736,806
2024	115,000	631,931	4.875%	746,931
2025	125,000	626,325	4.875%	751,325
2026	140,000	620,231	4.875%	760,231
2027	120,000	613,406	4.875%	733,406
2028	140,000	607,556	4.875%	747,556
2029	145,000	600,325	4.875%	745,325
2030	170,000	592,350	5.50%	762,350
2031	175,000	583,000	5.50%	758,000
2032	200,000	573,375	5.50%	773,375
2033	210,000	562,375	5.50%	772,375
2034	235,000	550,825	5.50%	785,825
2035	250,000	537,900	5.50%	787,900
2036	275,000	524,150	5.50%	799,150
2037	290,000	509,025	5.50%	799,025
2038	320,000	493,075	5.50%	813,075
2039	335,000	475,475	5.50%	810,475
2040	370,000	457,050	5.50%	827,050
2041	390,000	436,700	5.50%	826,700
2042	425,000	415,250	5.50%	840,250
2043	450,000	391,875	5.50%	841,875
2044	490,000	367,125	5.50%	857,125
2045	515,000	340,175	5.50%	855,175
2046	560,000	311,850	5.50%	871,850
2047	590,000	281,050	5.50%	871,050
2048	635,000	248,600	5.50%	883,600
2049	670,000	213,675	5.50%	883,675
2050	725,000	176,825	5.50%	901,825
2051	765,000	136,950	5.50%	901,950
2052	1,725,000	94,875	5.50%	1,819,875
	<b><u>\$ 11,655,000</u></b>	<b><u>\$ 13,610,130</u></b>		<b><u>\$ 25,265,130</u></b>

GRANBY RANCH METROPOLITAN DISTRICT  
**SUMMARY OF ASSESSED VALUATION,  
MILL LEVY AND PROPERTY TAXES COLLECTED**  
December 31, 2022

Year Ended December 31,	Prior Year Assessed Valuation for Current Year tax Levy - Operations	Prior Year Assessed Valuation for Current Year tax Levy - Debt	Mills Levied		Total Property Taxes		Percent Collected to Levied
			Operations	Debt	Levied	Collected (Note A)	
2018	\$ 12,769,180	\$ 14,185,740	0.000	63.203	\$939,139	\$ 921,490	98.12%
2019	12,910,250	14,277,530	24.534	40.000	887,841	887,695	99.98%
2020	17,279,450	18,606,290	20.000	40.000	1,090,618	1,090,334	99.99%
2021	17,443,380	19,112,030	15.000	45.000	1,101,975	1,120,998	101.70%
2022	19,259,860	21,758,830	7.000	47.000	1,157,400	1,158,118	100.06%
2023	18,978,750	21,507,890	7.000	43.000	1,057,700	[TBD]	[TBD]

**NOTE A:** Property taxes collected in any one year may include collection of delinquent property taxes levied in prior years.

## **OTHER SUPPLEMENTARY INFORMATION**

GRANBY RANCH METROPOLITAN DISTRICT  
**CHANGE IN TOTAL OVERLAPPING MILL LEVY**  
 December 31, 2022

	2023 Mill Levy*	2022 Mill Levy **	Change
Colorado River Water Conservation	0.501	0.501	-
East Grand School	24.724	25.646	( 0.922)
Granby, Town of	7.218	7.218	-
Grand County	16.905	16.905	-
Grand Fire	10.211	9.755	0.456
Middle Park Water Conservancy	0.046	0.046	-
Grand County Library District	3.368	3.370	( 0.002)
Granby Ranch Metro	7.000	7.000	-
Granby Ranch Metro Bond	43.000	47.000	( 4.000)
Fraser River Valley Housing Partnership	2.000	-	2.000
<b>Total Mill Levy</b>	<b>114.973</b>	<b>117.441</b>	<b>( 2.468)</b>

\* -- For property tax collections in 2023

\*\* -- For property tax collections in 2022

GRANBY RANCH METROPOLITAN DISTRICT  
**HISTORICAL DEBT RATIOS**  
 December 31, 2022

	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
General Obligation Bonds	\$ 11,945,000	\$ 11,900,000	\$ 11,830,000	\$ 11,750,000	\$ 11,655,000
Accrued, unpaid interest - Bonds	54,245	54,063	53,779	53,779	53,779
Combined assessed property values within the District	14,277,530	18,619,300	18,673,850	21,758,830	21,507,890
Ratio of debt to assessed property values	84.0%	64.2%	63.6%	54.2%	54.4%

# EXHIBIT 05

**Granby Ranch Metropolitan District - Bond Fund  
2023 County Treasurer Tax Deposit Activity**

	Deposit in CSAFE Account	Property Taxes	Specific Ownership Taxes	Collection Fees	Interest Income
January	\$ 52,087.93	50,465.18	4,146.01	(2,523.26)	
February	291,661.79	302,269.62	4,505.65	(15,113.48)	
March	53,805.04	52,258.08	4,142.67	(2,613.82)	18.11
April	226,066.19	232,082.14	5,494.37	(11,531.67)	21.35
May	46,353.92	44,175.18	4,311.80	(2,212.74)	79.68
June	190,462.42	194,549.98	5,597.69	(9,729.72)	44.47
July	-				
August	-				
September	-				
October	-				
November	-				
December	-				
<b>Total</b>	<b>\$ 860,437.29</b>	<b>\$ 875,800.18</b>	<b>\$ 28,198.19</b>	<b>\$ (43,724.69)</b>	<b>\$ 163.61</b>
<b>Budget</b>		<b>\$ 924,800</b>	<b>\$ 55,500</b>	<b>\$ (46,300)</b>	
<b>% of Budget Collected</b>		<b>94.7%</b>	<b>50.8%</b>	<b>94.4%</b>	

**Note:** The revenue amounts per the monthly County Treasurer distribution statements are deposited into District's CSAFE account in the following month. For example, the revenue per the December County Treasurer distribution statement is deposited into the District's CSAFE account in January.

**Granby Ranch Metropolitan District - Bond Fund**  
**2022 Tax Deposit Fund Allocation Worksheet**

	Property Taxes		Specific Ownership Taxes		Collection Fees		Interest Income	
2023 Mills	-	43.000	-	43.000	-	43.000	-	43.000
	General Fund	Debt Fund	General Fund	Debt Fund	General Fund	Debt Fund	General Fund	Debt Fund
January	\$ -	\$ 50,465.18	\$ -	\$ 4,146.01	\$ -	\$ (2,523.26)	\$ -	\$ -
February	-	302,269.62	-	4,505.65	-	(15,113.48)	-	-
March	-	52,258.08	-	4,142.67	-	(2,613.82)	-	18.11
April	-	232,082.14	-	5,494.37	-	(11,531.67)	-	21.35
May	-	44,175.18	-	4,311.80	-	(2,212.74)	-	79.68
June	-	194,549.98	-	5,597.69	-	(9,729.72)	-	44.47
July	-	-	-	-	-	-	-	-
August	-	-	-	-	-	-	-	-
September	-	-	-	-	-	-	-	-
October	-	-	-	-	-	-	-	-
November	-	-	-	-	-	-	-	-
December	-	-	-	-	-	-	-	-
<b>Total</b>	<b>\$ -</b>	<b>\$ 875,800.18</b>	<b>\$ -</b>	<b>\$ 28,198.19</b>	<b>\$ -</b>	<b>\$ (43,724.69)</b>	<b>\$ -</b>	<b>\$ 163.61</b>

**Granby Ranch Metropolitan District - General Fund  
2023 County Treasurer Tax Deposit Activity**

	Deposit in CSAFE Account	Property Taxes	Specific Ownership Taxes	Collection Fees	Interest Income
January	\$ 8,351.13	8,215.26	546.63	(410.76)	
February	46,661.42	48,436.01	647.22	(2,421.81)	
March	8,679.66	8,507.13	595.08	(425.50)	2.95
April	20,894.71	21,151.04	789.26	(1,049.07)	3.48
May	7,076.53	6,784.40	619.38	(339.85)	12.60
June	30,898.35	31,670.93	804.09	(1,583.91)	7.24
July	-				
August	-				
September	-				
October	-				
November	-				
December	-				
<b>Total</b>	<b>\$ 122,561.80</b>	<b>\$ 124,764.77</b>	<b>\$ 4,001.66</b>	<b>\$ (6,230.90)</b>	<b>\$ 26.27</b>
<b>Budget</b>		<b>\$ 132,900</b>	<b>\$ 8,000</b>	<b>\$ (6,800)</b>	
<b>% of Budget Collected</b>		<b>93.9%</b>	<b>50.0%</b>	<b>91.6%</b>	

**Note:** The revenue amounts per the monthly County Treasurer distribution statements are deposited into District's CSAFE account in the following month. For example, the revenue per the December County Treasurer distribution statement is deposited into the District's CSAFE account in January.

**Granby Ranch Metropolitan District - General Fund**  
**2023 Tax Deposit Fund Allocation Worksheet**

	Property Taxes		Specific Ownership Taxes		Collection Fees		Interest Income	
2023 Mills	7.000	0.000	7.000	0.000	7.000	0.000	7.000	0.000
	General Fund	Debt Fund	General Fund	Debt Fund	General Fund	Debt Fund	General Fund	Debt Fund
January	\$ 8,215.26	\$ -	\$ 546.63	\$ -	\$ (410.76)	\$ -	\$ -	\$ -
February	48,436.01	-	647.22	-	(2,421.81)	-	-	-
March	8,507.13	-	595.08	-	(425.50)	-	2.95	-
April	21,151.04	-	789.26	-	(1,049.07)	-	3.48	-
May	6,784.40	-	619.38	-	(339.85)	-	12.60	-
June	31,670.93	-	804.09	-	(1,583.91)	-	7.24	-
July	-	-	-	-	-	-	-	-
August	-	-	-	-	-	-	-	-
September	-	-	-	-	-	-	-	-
October	-	-	-	-	-	-	-	-
November	-	-	-	-	-	-	-	-
December	-	-	-	-	-	-	-	-
<b>Total</b>	<b>\$ 124,764.77</b>	<b>\$ -</b>	<b>\$ 4,001.66</b>	<b>\$ -</b>	<b>\$ (6,230.90)</b>	<b>\$ -</b>	<b>\$ 26.27</b>	<b>\$ -</b>

**Granby Ranch Metropolitan District  
Statement of Net Position**

	07/31/23	12/31/22	Change	
			\$	%
<b>ASSETS</b>				
Cash				
Vectra Bank (Checking)	\$ 50,443	\$ 94,573	\$ (44,130)	-46.7%
CSAFE	1,509,825	1,399,544	110,281	7.9%
Money Market Funds w UMB	1,742,538	1,192,457	550,081	46.1%
<b>Total Cash</b>	<b>3,302,806</b>	<b>2,686,574</b>	<b>616,232</b>	<b>22.9%</b>
Accrued Specific Ownership Tax Receivable	-	5,228	(5,228)	-100.0%
Prepaid Expenses	-	6,155	(6,155)	-100.0%
Property Taxes Receivable	57,135	1,057,700	(1,000,565)	-94.6%
<b>TOTAL ASSETS</b>	<b>\$ 3,359,941</b>	<b>\$ 3,755,657</b>	<b>\$ (395,716)</b>	<b>-10.5%</b>
<b>LIABILITIES &amp; FUND BALANCES</b>				
<b>CURRENT LIABILITIES</b>				
Accounts Payable	\$ 8,333	\$ 19,937	\$ (11,604)	-58.2%
Bonds Payable - Series 2018	11,655,000	11,655,000	-	0.0%
Accrued Interest - Series 2018A Bonds	53,778	53,778	-	0.0%
<b>TOTAL LIABILITIES</b>	<b>11,717,111</b>	<b>11,728,715</b>	<b>(11,604)</b>	<b>-0.1%</b>
<b>DEFERRED INFLOWS OF RESOURCES</b>				
Property tax revenue	57,135	1,057,700	(1,000,565)	-94.6%
<b>NET POSITION</b>				
Operating Fund	599,122	586,421	12,701	2.2%
Debt Service Fund	(9,013,427)	(9,617,179)	603,752	-6.3%
Capital Project Fund	-	-	-	0.0%
<b>TOTAL NET POSITION</b>	<b>(8,414,305)</b>	<b>(9,030,758)</b>	<b>616,453</b>	<b>-6.8%</b>
<b>TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND NET POSITION</b>	<b>\$ 3,359,941</b>	<b>\$ 3,755,657</b>	<b>\$ (395,716)</b>	<b>-10.5%</b>

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**Granby Ranch Metropolitan District  
Budget Comparison Report - Operating Fund**

	1/1/2023 - 7/31/2023					Annual Budget
	Actual	Budget	Variance			
			\$	%		
<b>Accounts 4000 to 4999 (Revenue)</b>						
4006 - Property Tax Revenue	124,765	133,200	(8,435)	-6%	133,200	
4007 - Specific Ownership Tax Revenue	4,002	4,667	(665)	-14%	8,000	
4070 - Interest - Op. Checking Account	4,158	613	3,546	579%	1,050	
4074 - Interest - County Treasurer	26	-	26	100%	-	
4110 - Reimb Expenses - Other Costs	750	-	750	100%	-	
<b>Total Revenue</b>	<b>\$ 133,701</b>	<b>\$ 138,479</b>	<b>\$ (4,778)</b>	<b>-3%</b>	<b>\$ 142,250</b>	
<b>TOTAL REVENUES AND INFLOWS</b>	<b>\$ 133,701</b>	<b>\$ 138,479</b>	<b>\$ (4,778)</b>	<b>-3%</b>	<b>\$ 142,250</b>	
<b>Accounts 5000 to 5099 (Administrative Costs)</b>						
5000 - Base Management Service Fees	27,064	23,683	(3,381)	-14%	40,600	
5002 - Collection Fees - County Treasurer	6,231	6,800	569	8%	6,800	
5005 - Administrative Costs	5,242	6,750	1,508	22%	8,000	
5010 - Insurance	3,155	3,100	(55)	-2%	3,100	
5015 - Audit Fees	8,650	7,500	(1,150)	-15%	7,500	
5020 - General Legal Consultation Fees	9,936	12,833	2,897	23%	22,000	
5023 - Legal Fees - Litigation	47,712	87,500	39,788	45%	150,000	
5032 - Director Meeting Stipends	-	-	-	0%	3,500	
5040 - Board Election Expenses	13,872	17,000	3,128	18%	17,000	
<b>Total Administrative Costs</b>	<b>\$ 121,862</b>	<b>\$ 165,167</b>	<b>\$ 43,305</b>	<b>26%</b>	<b>\$ 258,500</b>	
<b>Accounts 5600 to 5699 (Media &amp; Social Costs)</b>						
5600 - Newsletter Publication Costs	1,846	1,650	(196)	-12%	2,500	
<b>Total Media &amp; Social Costs</b>	<b>\$ 1,846</b>	<b>\$ 1,650</b>	<b>\$ (196)</b>	<b>-12%</b>	<b>\$ 2,500</b>	
<b>TOTAL EXPENSES AND OUTFLOWS</b>	<b>\$ 123,708</b>	<b>\$ 166,817</b>	<b>\$ 43,108</b>	<b>26%</b>	<b>\$ 261,000</b>	
<b>NET INCREASE(DECREASE) IN FUND BALANCE</b>	<b>\$ 9,992</b>	<b>\$ (28,337)</b>	<b>\$ 38,330</b>	<b>135%</b>	<b>\$ (118,750)</b>	

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**Granby Ranch Metropolitan District**  
**Budget Comparison Report - Debt Service Fund**

	1/1/2023 - 7/31/2023				Annual Budget
	Actual	Budget	Variance		
			\$	%	
<b>Accounts 4000 to 4999 (Revenue)</b>					
4006 - Property Tax Revenue	875,800	1,011,100	(135,300)	-13%	1,011,100
4007 - Specific Ownership Tax Revenue	28,198	35,408	(7,210)	-20%	60,700
4070 - Interest - Op. Checking Account	66,099	11,667	54,432	467%	20,000
4074 - Interest - County Treasurer	164	-	164	100%	-
<b>Total Revenue</b>	<b>\$ 970,261</b>	<b>\$ 1,058,175</b>	<b>\$ (87,914)</b>	<b>-8%</b>	<b>\$ 1,091,800</b>
<b>TOTAL REVENUES AND INFLOWS</b>	<b>\$ 970,261</b>	<b>\$ 1,058,175</b>	<b>\$ (87,914)</b>	<b>-8%</b>	<b>\$ 1,091,800</b>
<b>Accounts 5000 to 5099 (Administrative Costs)</b>					
5002 - Collection Fees - County Treasurer	43,725	50,600	6,875	14%	50,600
5095 - Miscellaneous Admin Expense	-	-	-	0%	5,000
<b>Total Administrative Costs</b>	<b>\$ 43,725</b>	<b>\$ 50,600</b>	<b>\$ 6,875</b>	<b>14%</b>	<b>\$ 55,600</b>
<b>Accounts 6000 to 6999 (Debt Costs)</b>					
6000 - Bond Interest Expense	318,403	318,450	47	0%	636,900
6100 - Paying Agent Fees	3,500	3,500	-	0%	3,500
<b>Total Debt Costs</b>	<b>\$ 321,903</b>	<b>\$ 321,950</b>	<b>\$ 47</b>	<b>0%</b>	<b>\$ 640,400</b>
<b>TOTAL EXPENSES AND OUTFLOWS</b>	<b>\$ 365,628</b>	<b>\$ 372,550</b>	<b>\$ 6,922</b>	<b>2%</b>	<b>\$ 696,000</b>
<b>NET INCREASE(DECREASE) IN FUND BALANCE</b>	<b>\$ 604,633</b>	<b>\$ 685,625</b>	<b>\$ (80,992)</b>	<b>-12%</b>	<b>\$ 395,800</b>

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# EXHIBIT 06

ELECTION RESOLUTION FOR 2023 REGULAR  
DISTRICT ELECTION REGARDING MULTIPLE TABOR BALLOT ISSUES

GRANBY RANCH METROPOLITAN DISTRICT  
RESOLUTION NO. 2023-07

WHEREAS, on November 04, 2003, Granby Ranch Metropolitan District (“District”) submitted multiple TABOR ballot issues requesting the voters authorize the District to issue up to **\$160,000,000** in debt and **FOUR voters unanimously voted in favor** of all such ballot issues; and

WHEREAS, on November 02, 2004, the District submitted multiple TABOR ballot issues requesting the voters authorize the District to issue up to **\$48,000,000** in debt and **FIVE voters unanimously voted in favor** of all such ballot issues; and

WHEREAS, as of the date of this Resolution, the District’s **remaining unused borrowing authority** granted by these voters is approximately **\$170,186,000**; and

**WHEREAS, the Board of Directors of the District has determined and hereby declares that it is in the best interest of the District and its constituents that the District relinquish a significant portion of the District’s extreme property taxation authority back to the District’s taxpaying constituents; and**

WHEREAS, it is necessary to submit to the eligible electors of the District questions regarding whether to decrease the District’s property taxation authority, and the Board hereby determines that such questions should be presented to the District’s eligible electors at an election, in accordance with the Code and TABOR.

NOW, THEREFORE, be it resolved by the Board of Directors of Granby Ranch Metropolitan District in the County of Grand, State of Colorado that:

1. A TABOR election will be held on November 07, 2023, between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Act, Code, and other applicable laws. The ballot title for the **one issue** shall be in substantially the form shown on **Exhibit A** attached hereto and incorporated herein by this reference.
2. The District will enter into an intergovernmental agreement with Grand County concerning the preparation and mailing of the TABOR Notice to the registered electors. The Designated Election Official (DEO) is authorized to enter into such agreement on behalf of the District.
3. The Board of Directors hereby designate **Charles Wolfersberger** as the DEO of the District, who is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and the Act, Code, TABOR or other applicable laws. The Election shall be conducted in accordance with the Act, Code, TABOR and other applicable laws. Among other matters, the DEO shall coordinate the election with Grand County and direct that all other appropriate actions be accomplished.
4. Pursuant to Section 1-11-203.5, C.R.S., any election contest arising out of a ballot issue election concerning the form or content of the ballot title shall be commenced by petition filed with the

proper court within five days after the title of the ballot issue is set.

5. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board's intention that the various provisions hereof are severable.

6. Any and all actions previously taken by the DEO or any other persons acting on the DEO's behalf pursuant to the Act, the Code or other applicable laws, are hereby ratified and confirmed.

7. All acts, orders, and resolutions, or parts thereof, of the Board which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

8. The provisions of this Resolution shall take effect immediately.

GRANBY RANCH METROPOLITAN DISTRICT

By: \_\_\_\_\_

Matt Girard, President

ATTEST:

By: \_\_\_\_\_

Steven Conrad, Secretary

**EXHIBIT A**

**Ballot Title**

NOTICE OF ELECTION TO DECREASE TAXATION AUTHORITY

**Ballot Language**

**Ballot Issue 1A (Repeal Unused Debt Authorization)**

SHALL ALL UNUSED DEBT AUTHORIZATION GRANTED BY THE VOTERS IN ALL PRIOR ELECTIONS TO GRANBY RANCH METROPOLITAN DISTRICT BE FOREVER REPEALED AND RESCINDED EFFECTIVE IMMEDIATELY?

# EXHIBIT 07

### Key Points for GRMD Meeting

- Presently, GRMD has \$11.55MM of bonds outstanding, consisting of \$10.88MM 5.50% due 12/1/52 and \$675M 4.875% due 12/1/2028.
- The bonds become callable at a premium of 103, beginning 12/1/2023, declining 1% each year until becoming callable @100 on 12/1/2026.
- To date, we have paid down just \$315M of the bonds.
- We presently have \$914,214 in our Debt Service Reserve Fund, which can ultimately be used to redeem that portion of the bonds (net debt of \$10.635MM).
- Amortization for the 2052 maturity is VERY slow.
- If we pay off the bonds according to the current schedule, we will have paid \$16.573MM of interest on \$11.97MM of debt.
- For each \$1MM we pay off early, we would be saving over \$50,000/year.
- Average life of the 2052 bonds is 4/7/2045.
- Sol Vista payments will end in 2026.
- I would suggest we explore using existing and future surpluses to accelerate the pay-off of our bonds.
- It is unlikely that a bond refinancing is economically feasible in light of the premium call and the current interest rate and spread environment.
- We retain the most flexibility and save refinancing costs by using surplus funds to pay down the debt. We could also explore a line of credit or bank loan to accelerate paydown.
- I would stop trying to reduce millage and focus on using the excess funds generated to pay down our debt starting as soon as possible.