

ASPEN HIGHLANDS COMMERCIAL
METROPOLITAN DISTRICT

FINANCIAL STATEMENTS AND REPORT OF
INDEPENDENT CERTIFIED PUBLIC ACCOUNTANTS

December 31, 2022

CONTENTS

	Page
REPORT OF INDEPENDENT CERTIFIED PUBLIC ACCOUNTANTS.....	1
MANAGEMENT’S DISCUSSION AND ANALYSIS.....	4
FINANCIAL STATEMENTS	
STATEMENT OF NET POSITION.....	8
STATEMENT OF ACTIVITIES.....	9
BALANCE SHEET – GOVERNMENTAL FUNDS.....	10
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES – GOVERNMENTAL FUNDS.....	11
NOTES TO FINANCIAL STATEMENTS.....	12
REQUIRED SUPPLEMENTARY INFORMATION	
SCHEDULE OF REVENUE, EXPENDITURES, AND CHANGES IN FUND BALANCE – BUDGET AND ACTUAL – GENERAL FUND.....	22
OTHER INFORMATION	
SCHEDULE OF ASSESSED VALUATION, MILL LEVY, AND PROPERTY TAXES COLLECTED	23



INDEPENDENT AUDITOR'S REPORT

To the Board of Directors
Aspen Highlands Commercial Metropolitan District

Opinions

We have audited the accompanying financial statements of the governmental activities, and each major fund of Aspen Highlands Commercial Metropolitan District (the District) as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise the 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, and each major fund of Aspen Highlands Commercial Metropolitan District, as of December 31, 2022, and the respective changes in financial position 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 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 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



Board of Directors
Aspen Highlands Commercial Metropolitan District
Page Two

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 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 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.

Other Information

Management is responsible for the other information included in the annual report. The other information comprises the schedule of assessed valuation, mill levy, and property taxes collected



Board of Directors
Aspen Highlands Commercial Metropolitan District
Page Three

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.

Chadwick, Steinkirchner, Davis & Co., P.C.

Chadwick, Steinkirchner, Davis & Co., P.C.
July 31, 2023

ASPEN HIGHLANDS COMMERCIAL METROPOLITAN DISTRICT
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended December 31, 2022

The establishment of Aspen Highlands Commercial Metropolitan District (the "District") was approved by voters on November 10, 1998 and formally organized by judicial decree on November 23, 1998 for the purpose of providing certain public infrastructure and municipal services for the benefit of the residents and property owners within the District. The District is located within the corporate boundary of the City of Aspen, Colorado, and serves an 83-acre residential and commercial community at the base of the Aspen Highlands ski area.

The Aspen Highlands Commercial Metropolitan District and the Aspen Highlands Residential Metropolitan District, by intergovernmental agreement, and for reasons of cost effectiveness, operate as a combined Metropolitan District with the Commercial District providing and coordinating all operations, maintenance, and administration for both Districts. The Residential District provides the primary funding for these services in the form of "intergovernmental service fees," pursuant to the Regional Facilities Construction Agreement.

As the managers of Aspen Highlands Commercial Metropolitan District, we offer readers of the District's financial statements this narrative overview and analysis of the District's financial activities for the fiscal year ended December 31, 2022.

OVERVIEW OF THE FINANCIAL STATEMENTS

This *discussion and analysis* are intended to serve as an introduction to the District's basic financial statements. The District's basic financial statements are comprised of three components: 1) Government-wide financial statements; 2) fund financial statements; and 3) notes to the financial statements.

The financial statements also include *notes* that explain some of the information in the financial statements and provide more detailed data. The statements are followed by a section of *other information* that further explains and supports the information in the financial statements and enhances the reader's understanding of the financial statements.

Government-wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the District's finances, in a manner similar to a private-sector business. Current-year to prior-year comparisons are presented below to help users evaluate the results of the District over the past two years.

The Statement of Net Position presents information on all the District's assets, liabilities, and deferred inflows of resources, with the difference reported as Net Position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the District is improving or deteriorating.

The Statement of Activities presents information showing how the government's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

The government-wide financial statements can be found on pages 8 thru 9.

ASPEN HIGHLANDS COMMERCIAL METROPOLITAN DISTRICT
MANAGEMENT’S DISCUSSION AND ANALYSIS
For the Year Ended December 31, 2022

Fund Financial Statements

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The District, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The District has one fund that is reported as a governmental fund, which focuses on how money flows into and out of this fund and the balances left at year-end that are available for spending.

Governmental Fund financial statements are prepared on a modified accrual basis of accounting, which measures cash and all other financial assets that can readily be converted to cash. The governmental fund statements provide a short-term view of the District’s general government operations and the basic services it provides.

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The Notes to the Financial Statements can be found starting on page 12 of this report.

THE DISTRICT AS A WHOLE

Statement of Net Position

The perspective of the Statement of Net Position is of the District as a whole. Following is a summary of the District’s net position for the fiscal year 2022 compared to 2021.

<u>ASSETS:</u>		
Cash and Other Assets	\$ 2,596	\$ 3,640
Capital Assets, Net	<u>6,419</u>	<u>5,585</u>
Total Assets	<u>9,015</u>	<u>9,225</u>
<u>LIABILITIES & DEFERRED INFLOWS:</u>		
Current and other liabilities	170	254
Deferred Inflows	<u>269</u>	<u>254</u>
Total Liabilities & Deferred Inflows	<u>439</u>	<u>508</u>
<u>NET POSITION:</u>		
Net Investment, Capital Assets	6,419	5,585
Restricted for emergencies	45	41
Unrestricted	<u>2,112</u>	<u>3,091</u>
Total Net Position	<u>\$ 8,576</u>	<u>\$ 8,717</u>

ASPEN HIGHLANDS COMMERCIAL METROPOLITAN DISTRICT
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended December 31, 2022

The District's Net Position decreased from 2021 to 2022 by \$141,106 or 1.6%, which is primarily due to the decrease of \$1,045,260 in Cash and Other Current Assets, offset by \$834,533 increase in net capital assets. Total current liabilities decreased by \$83,608, and total deferred inflows increased by \$13,987. Net Investment in Capital Assets increased by \$834,533 due to the net of annual depreciation, disposals and current year additions, where current year additions were more than current year disposals and depreciation.

Statement of Activities

The Statement of Activities reflects general property taxes and service revenues and the cost of providing services to the District. The following summary reflects the overall change in net position for the fiscal year 2022 compared to 2021:

<i>(In Thousands)</i>	2022	2021
<u>REVENUES:</u>		
Property Taxes	\$ 256	\$ 247
Specific Ownership Taxes	9	9
Interest earnings	42	2
Intergovernmental service fees	1,170	1,104
Intergovernmental grants	1	-
Other fees & charges	18	48
Total Revenues	1,496	1,410
<u>EXPENSES:</u>		
General Government	148	144
Public Works	535	878
(Snowmelt, Road, & Irrigation Maint.)		
Transportation	439	382
Culture and recreation	110	94
Total Expenses	1,232	1,498
Change in Net Position	\$ 264	\$ (88)

FINANCIAL ANALYSIS OF THE DISTRICT'S FUND

As mentioned earlier, the District uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Fund

For 2022 revenues and expenditures in the Governmental Fund, please see page 11, and also refer to the table shown above, which is substantially the same as the fund level activity except for the treatment of capital asset additions, depreciation expense, and loss on disposal for a comparison to the prior year. Property tax revenues increased due to a slightly higher assessed valuation while increasing the mill levy from 35.474 to 36.164 in 2022. Property Tax revenues

ASPEN HIGHLANDS COMMERCIAL METROPOLITAN DISTRICT
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended December 31, 2022

increased \$7,888 or 3.2% over 2021. Intergovernmental service fee revenue in 2022 increased \$66,234 or 6.0% from 2021. Overall total revenues for 2022 increased \$85,862 or 6.1% compared to 2021, mostly due to the increase in intergovernmental service fees and an increase in interest earnings. All surplus funds for the Residential and Commercial Districts are considered available for use by the Commercial District for operations, according to the Regional Facilities Construction Agreement (intergovernmental service agreement) between the Districts. Decreased costs in general government were offset by increased public works, transportation, culture and recreation, and capital outlay costs which resulted in an overall expenditure increase of \$461,753 or 22.98% for 2022 compared to 2021.

BUDGET VARIANCES

A summary of budget to actual expenditures for the governmental fund can be found on page 22 of this report. The District's total 2022 revenues in the amount of \$1,495,840 were higher than budget expectations of \$1,444,591 by \$51,246 or 3.5%. The primary reason for this variance is the increase in interest income revenue totaling \$42,442 resulting from continued rising of ColoTrust interest rates. As stated above, all surplus funds for the Residential and Commercial Districts are considered available for use by the Commercial District for operations. Total expenditures were more than the final budgeted expenditures by \$223,606. Budget overages occurred in the expense categories of general and public works (due to increased level of service required for Snowmelt system operations, Roads, and Landscaping maintenance) along with capital outlay. Budget savings were realized in insurance expense.

CAPITAL ASSETS

The District's net capital assets increased by \$834,533 as a net result of current-year additions being more than depreciation. Additional information as well as a detailed classification of the District's net capital assets can be found in the Notes to the Financial Statements, Note C, on page 18.

REQUEST FOR INFORMATION

This financial report is designed to provide our residents, customers, taxpayers, investors, and creditors with a general overview of the District's finances and to show the District's accountability for the money it receives. If you have any questions regarding this report or need additional financial information, please contact the:

Aspen Highlands Commercial Metropolitan District Manager
c/o The Romero Group, LLC
350 Market Street, Suite 304 | PO Box 4100
Basalt, CO 81621-4100
Telephone: (970) 273-3100
E-Fax: (970) 797-1851

Aspen Highlands Commercial Metropolitan District

STATEMENT OF NET POSITION

December 31, 2022

	Governmental Activities
ASSETS	
Cash and investments	\$ 2,289,321
Receivables	
Accounts receivable	24,577
Property taxes	268,388
Prepaid expenses and deposits	13,024
Capital assets, net of accumulated depreciation	6,419,255
Total Assets	9,014,565
LIABILITIES	
Accounts payable	170,392
Total Liabilities	170,392
DEFERRED INFLOWS	
Property taxes	268,388
Total Deferred Inflows	268,388
Total Liabilities and Deferred Inflows	438,780
NET POSITION	
Net investment in capital assets	6,419,255
Restricted for emergencies	44,847
Unrestricted	2,111,683
Total Net Position	\$ 8,575,785

The accompanying notes are an integral part of this statement.

Aspen Highlands Commercial Metropolitan District

STATEMENT OF ACTIVITIES

Year ended December 31, 2022

Function/Programs	Expenses	Program Revenues			Total Governmental Activities
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contribution	
Governmental activities:					
General government	\$ 147,564	\$ 38,266	\$ 32,845	\$ -	\$ (76,453)
Public works	940,696	840,495	17,468	-	(82,733)
Transportation	438,563	207,641	-	-	(230,922)
Culture and recreation	110,123	52,139	-	-	(57,984)
Total governmental activities	\$ 1,636,946	\$ 1,138,540	\$ 50,313	\$ -	(448,093)
General revenues:					
Property taxes					264,545
Interest earnings					42,442
Total general revenues					<u>306,987</u>
Change in net position					(141,106)
Net position - beginning					<u>8,716,891</u>
Net position - ending					<u>\$ 8,575,785</u>

The accompanying notes are an integral part of this statement.

Aspen Highlands Commercial Metropolitan District

BALANCE SHEET - GOVERNMENTAL FUNDS

December 31, 2022

	General	Total Governmental Funds
ASSETS		
Cash and investments	\$ 2,289,321	\$ 2,289,321
Receivables		
Accounts receivable	24,577	24,577
Property taxes	268,388	268,388
Prepaid expenses and deposits	13,024	13,024
Total Assets	\$ 2,595,310	\$ 2,595,310
LIABILITIES, DEFERRED INFLOWS, AND FUND EQUITY		
Liabilities		
Accounts payable	\$ 170,392	\$ 170,392
Total Liabilities	170,392	170,392
Deferred inflows		
Property taxes	268,388	268,388
Total Deferred Inflows	268,388	268,388
Fund equity		
Nonspendable	13,024	13,024
Restricted for emergencies	44,847	44,847
Assigned - reserve fund	2,105,910	2,105,910
Unassigned	(7,251)	(7,251)
Total Fund Equity	2,156,530	2,156,530
Total Liabilities, Deferred Inflows, and Fund Equity	\$ 2,595,310	\$ 2,595,310
Fund equity (as reported above)		\$ 2,156,530
Amounts reported for governmental activities in the Statement of Net Position are different because:		
Capital assets used in governmental activities are not financial resources, and therefore, are not reported in the funds		6,419,255
Net position of governmental activities		\$ 8,575,785

The accompanying notes are an integral part of this statement.

Aspen Highlands Commercial Metropolitan District

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES
IN FUND BALANCES - GOVERNMENTAL FUNDS

Year ended December 31, 2022

	General	Total Governmental Funds
Revenues		
Property taxes	\$ 255,468	\$ 255,468
Specific ownership taxes	9,077	9,077
Intergovernmental service fees	1,170,139	1,170,139
Intergovernmental grants	942	942
Interest earnings	42,442	42,442
Other fees and charges	17,772	17,772
Total revenues	1,495,840	1,495,840
Expenditures		
Current		
General government	147,564	147,564
Public works	535,155	535,155
Transportation	438,563	438,563
Culture and recreation	110,123	110,123
Capital outlay	1,240,074	1,240,074
Total expenditures	2,471,479	2,471,479
	Excess of Revenues Over (Under) Expenditures	(975,639)
	(975,639)	(975,639)
Fund Balance - beginning	3,132,169	3,132,169
Fund Balance - ending	\$ 2,156,530	\$ 2,156,530
	Net Change in Fund Balance (above)	\$ (975,639)
	Amounts reported for governmental activities in the Statement of Activities are different because:	
	Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and depreciated. This is the amount by which depreciation was less than capital outlay in the current period. (\$1,240,074 - \$405,541)	834,533
	Change in net position of governmental activities	\$ (141,106)

The accompanying notes are an integral part of this statement.

Aspen Highlands Commercial Metropolitan District

NOTES TO FINANCIAL STATEMENTS

December 31, 2022

NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

1. Organization

The Aspen Highlands Commercial Metropolitan District (the District) was approved by voters on November 10, 1998 and formally organized by judicial decree on November 23, 1998, pursuant to provisions set forth in the Colorado Special District Act. The governing body of the District consists of a five member Board of Directors, which is elected by the registered voters within the District. The purpose of the District is to provide drainage, street, park and recreation, transportation facilities, programs and services for the Aspen Highlands Village community.

The financial statements of the District have been prepared in accordance with generally accepted accounting principles (“GAAP”) as applied to governmental units. The Governmental Accounting Standards Board (“GASB”) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant of the District’s accounting policies are described below.

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

2. Reporting Entity

The reporting entity consists of (a) the primary government; i.e., the District, and (b) organizations for which the District is financially accountable. The District is considered financially accountable for legally separate organizations if it is able to impose its will on that organization or there is a potential for the organization to provide specific financial benefits to, or to impose specific financial burdens on, the District. Consideration is also given to other organizations which are fiscally dependent; i.e., unable to adopt a budget, levy taxes, or issue debt without approval by the District. Organizations for which the nature and significance of their relationship with the District are such that exclusion would cause the reporting entity’s financial statements to be misleading or incomplete are also included in the reporting entity.

Based on the criteria above, the District is not financially accountable for any other entity, nor is the District a component unit of any other government.

3. Government-wide and Fund Financial Statements

The District’s basic financial statements include both government-wide (reporting the District as a whole) and fund financial statements (reporting the District’s major funds). Both the government-wide and fund financial statements categorize primary activities as either governmental or business type. Currently, the District has only governmental activities.

Aspen Highlands Commercial Metropolitan District

NOTES TO FINANCIAL STATEMENTS

December 31, 2022

NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Government-wide Financial Statements

In the government-wide Statement of Net Position, the governmental activities columns are reported on a full accrual, economic resource basis, which recognizes all long-term assets and receivables as well as long-term debt and obligations. The District's net position is reported as net investment in capital assets, restricted for emergencies, and unrestricted.

The government-wide focus is on the sustainability of the District as an entity and the change in the District's net position resulting from the current year's activities.

Fund Financial Statements

The financial transactions of the District are reported in individual funds in the fund financial statements. Each fund is accounted for by providing a separate set of self-balancing accounts that comprises its assets, liabilities, deferred inflow of resources, reserves, fund equity, revenues and expenditures/expenses.

The fund focus is on current available resources and budget compliance.

4. Fund Accounting

The District uses funds to maintain its financial records during the year. A fund is defined as a fiscal and accounting entity with a self-balancing set of accounts. The District currently has one General Fund, which is a governmental fund.

Governmental Funds

Governmental funds are those through which most governmental functions typically are financed. Governmental funds reporting focuses on the sources, uses and balances of current financial resources. Expendable assets are assigned to the various governmental funds according to the purpose for which they may or must be used. Current liabilities are assigned to the fund from which they will be paid. The difference between governmental fund assets, liabilities, and deferred inflows is reported as fund balance.

The District reports the following major governmental fund:

General Fund – The General Fund is used to account for all financial resources of the District except those required to be accounted for in another fund. The general fund balance is available to the District for any purpose provided it is expended or transferred according to the general laws of Colorado and the bylaws of the District.

Aspen Highlands Commercial Metropolitan District

NOTES TO FINANCIAL STATEMENTS

December 31, 2022

NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

5. Measurement Focus and Basis of Accounting

Measurement focus refers to whether financial statements measure changes in current resources only (current financial focus) or changes in both current and long-term resources (long-term economic focus). Basis of accounting refers to the point at which revenues, expenditures, or expenses are recognized in the accounts and reported in the financial statements.

Long-Term Economic Focus and Accrual Basis

Governmental activities in the government-wide financial statements use the long-term economic focus and are presented on the accrual basis of accounting. Revenues are recognized when earned and expenses are recognized when incurred, regardless of the timing of the related cash flows.

Current Financial Focus and Modified Accrual Basis

The governmental fund financial statements use the current financial focus and are presented on the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recorded when susceptible to accrual; i.e., both measurable and available. “Available” means collectible within the current period or within 60 days of year-end. Expenditures are generally recognized when the related liability is incurred. The exception to this general rule is that principal and interest on long-term debt, if any, is recognized when due.

6. Use of Estimates

The preparation of financial statements in accordance with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, deferred inflows, and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amount of revenues and expenses during the reporting period. Actual results could differ from those estimates.

7. Inter-Governmental Service Fees

Quasi-external transactions are accounted for as revenues, expenditures or expenses. In 1999, the District entered into an agreement with the Aspen Highlands Residential Metropolitan District (the Residential District) adopting a policy whereby the Commercial District pays for all operational expenses associated with both Districts and charges the Residential District a service fee for administering the operations of the Residential District. The service fee is an expenditure for the Residential District and a revenue for the District.

To the extent that service fees between the District and the Residential District had not been paid or received as of year-end, balances of intergovernmental amounts receivable or payable are recorded.

Aspen Highlands Commercial Metropolitan District

NOTES TO FINANCIAL STATEMENTS

December 31, 2022

NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

8. Stewardship, Compliance, and Accountability

Budgets and Budgetary Accounting

In the fall of each year, the District’s Board of Directors formally adopts a budget with appropriations by fund for the ensuing year pursuant to the Colorado Local Budget Law. The budget for the governmental fund is adopted on a basis consistent with generally accepted accounting principles (“GAAP”).

As required by Colorado statutes, the District followed the timetable below in approving and enacting a budget for the ensuing years:

- (1) For the 2022 budget year, prior to August 23, 2021, the County Assessor sent the District the assessed valuation of all taxable property within the District’s boundaries.
- (2) On or before October 15, 2021, the District’s accountant submitted to the District’s Board of Directors a recommended budget which detailed the necessary property taxes needed along with other available revenues to meet the District’s operating requirements.
- (3) The Board held a public hearing on the proposed budget and capital program no later than 45 days prior to the close of the fiscal year.
- (4) For the 2022 budget, prior to December 15, 2021, the District computed and certified to the County Commissioners a rate of levy that derived the necessary property taxes as computed in the proposed budget.
- (5) For the 2022 budget, the final budget and appropriating resolution was adopted prior to December 31, 2021.
- (6) After adoption of the budget resolution, the District may make the following changes: a) it may transfer appropriated monies between funds or between spending agencies within a fund, as determined by the original appropriation level; b) supplemental appropriations to the extent of revenues in excess of those estimated in the budget; c) emergency appropriations; and d) reduction of appropriations for which originally estimated revenues are insufficient.

The level of control in the budget at which expenditures exceed appropriations is at the fund level. All appropriations lapse at year end.

Aspen Highlands Commercial Metropolitan District

NOTES TO FINANCIAL STATEMENTS

December 31, 2022

NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

9. Capital Assets

Capital assets are reported in the applicable governmental activities columns in the Government-wide Financial Statements. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation. The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized. Major outlays for capital assets and improvements are capitalized as projects are completed for amounts of \$5,000 or greater.

Depreciation is computed using the straight-line method over estimated useful lives, as follows:

	<u>Estimated Lives</u>
Roads	25 to 40 years
Irrigation system	25 years
Furniture and equipment	5 to 25 years
Land improvements	30 years

10. Property Taxes

Property taxes for 2022, collectible in 2023, were certified by the Pitkin County Commissioners before December 31, 2022. Property taxes attached as an enforceable lien on January 1 and are due in total April 30 or in equal installments February 28 and June 15, at the option of the taxpayer. Property taxes for 2022, collectible in 2023, are shown as property taxes receivable and deferred inflow in the amount of the assessed taxes. The County Treasurer remits taxes collected monthly to the District.

11. Accounts Receivable

The District considers accounts receivable to be fully collectible. Accordingly, no allowance for doubtful accounts is required.

Aspen Highlands Commercial Metropolitan District

NOTES TO FINANCIAL STATEMENTS

December 31, 2022

NOTE B – CASH AND INVESTMENTS

Cash Deposits

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 equal to 102% of the aggregate uninsured deposits. As of December 31, 2022, the District had cash deposits of \$125,326, of which 100% was covered by federal depository insurance.

Investments

Colorado state statutes authorize the District to invest in U.S. Treasury bills, obligations of any other U.S. agencies, obligations of the World Bank, general obligation bonds of any state or any of their subdivisions, revenue bonds of any state or any of their subdivisions, bankers acceptance notes, commercial paper, repurchase agreements, money market funds and guaranteed investment contracts. All investments must be held by the District, in their name, or in custody of a third party on behalf of the local government.

As of December 31, 2022, the District had \$2,221,294 invested in the Colorado Local Government Liquid Asset Trust (Colotrust), an investment vehicle established for local government entities in Colorado to pool surplus funds. Colotrust operates similarly to a money market fund and each share is equal in value to \$1.00. A designated custodial bank provides safekeeping and depository services to Colotrust in connection with the direct investment and withdrawal functions of Colotrust. Substantially all securities owned by Colotrust are held by the Federal Reserve Bank in the account maintained for the custodial bank. The custodian's internal records identify the investments owned by Colotrust. Colotrust funds carry a Standard & Poor's AAAM rating. There is no custodial, interest rate or foreign currency risk exposure. Colotrust operates like a 2a-7 external investment pool and investments in the pool are valued at \$1 net asset value (NAV) per share. The underlying investments held by Colotrust are valued at fair value.

The balance of \$2,221,294 as of December 31, 2022, is divided among the following Colotrust accounts:

1. General Fund – \$115,383 – This Colotrust account is used to hold operating funds of the district for ongoing annual operations.
2. Reserve Fund – \$2,105,910 – This Colotrust account is used to hold Major Maintenance Reserve Funds tied to the District's most recent reserve study related to specific replacements and repairs that are planned. This account is also used to hold the funds associated with the GE Johnson construction litigation settlement from 2011. These funds are specifically assigned to cover the capital repairs associated with the following project scopes:

Aspen Highlands Commercial Metropolitan District

NOTES TO FINANCIAL STATEMENTS

December 31, 2022

NOTE B – CASH AND INVESTMENTS – CONTINUED

- a. Boomerang road, snowmelt and road capital repairs including the eventual replacement of the stamped concrete walks adjacent to the bus and Highlands Center
- b. Thunderbowl road, snowmelt and road capital repairs
- c. Prospector road, snowmelt and road capital repairs
- d. Elevated Prospector road, snowmelt and road capital repairs

The District’s approach to repairs with the settlement money has been to extend the life of the roads as far out as possible before replacement. The District is taking on the highest need areas first and phasing to minimize impacts to residents and businesses.

The balance in the Reserve Fund Colotrust account is shown as assigned fund equity on the Balance Sheet – Governmental Funds financial statement on page 10.

NOTE C – CAPITAL ASSETS

A summary of changes in capital assets follows:

	Restated Balance 12/31/21	Additions	Dispositions	Balance 12/31/22
Governmental activities				
Capital assets being depreciated				
Roads	8,270,582	1,042,565	–	9,313,147
Irrigation system	1,170,921	5,900	–	1,176,821
Furniture and equipment	788,099	159,629	–	947,728
Land improvements	821,544	31,980	–	853,524
Less: accumulated depreciation	<u>(5,466,530)</u>	<u>(405,541)</u>	<u>–</u>	<u>(5,872,071)</u>
Capital assets being depreciated, net	<u>5,584,616</u>	<u>834,533</u>	<u>–</u>	<u>6,419,149</u>
Capital assets, net	<u>\$ 5,584,616</u>	<u>\$ 834,533</u>	<u>\$ –</u>	<u>\$ 6,419,149</u>

Depreciation expense was charged to functions/programs as follows:

Public works	<u>\$ 405,541</u>
Total depreciation expense – governmental activities	<u>\$ 405,541</u>

NOTE D – COMMITMENTS AND CONTINGENCIES

During the normal course of business, the District may incur claims and other assertions against it from various agencies and individuals. Management of the District and their legal representatives have disclosed that there are no material outstanding claims against the District at December 31, 2022.

Aspen Highlands Commercial Metropolitan District

NOTES TO FINANCIAL STATEMENTS

December 31, 2022

NOTE E – RISK MANAGEMENT

The District is 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 has elected to participate in the Colorado Special District Property and Liability Pool (the Pool), which is sponsored by the Special District Association of Colorado. The Pool provides property and general liability, automobile physical damage and liability, public official’s liability and machinery coverage to its members. Members of the Pool are required to make additional surplus contributions. 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. During the year ended December 31, 2022 the Pool made no distributions to the District.

Condensed financial statement data for the Colorado Special Districts Property and Liability Pool as of December 31, 2021 (latest information available) is as follows:

	<u>Colorado Special Districts Property and Liability Pool</u>
Assets	<u>\$ 68,195,261</u>
Liabilities	\$ 46,165,251
Surplus	<u>22,030,010</u>
	<u>\$ 68,195,261</u>
Revenue	\$ 24,889,624
Investment income and other	<u>482,027</u>
Total revenue	25,371,651
Expenses	<u>25,123,490</u>
Excess of revenues over (under) expenses	<u>\$ (248,161)</u>

NOTE F – RELATED PARTY TRANSACTIONS

Certain District board members are also members of the Aspen Highlands Village Association (the Association) board. During the year ended December 31, 2022, the District paid the Association a total of \$3,566 for office rent. As of December 31, 2022, \$0 was due from the District to the Association.

The District and FiveTrees Metropolitan District entered into an intergovernmental agreement for cost sharing of the Maroon Creek Road bus service. During the year ended December 31, 2022 the Five Trees Metropolitan District paid 5% of the total bus costs billed to the District and the District paid the other 95%, \$209,024.

Aspen Highlands Commercial Metropolitan District

NOTES TO FINANCIAL STATEMENTS

December 31, 2022

NOTE F – RELATED PARTY TRANSACTIONS – CONTINUED

Certain District board members are also members of the Aspen Highlands Village Parking and Loading Dock Facility Association Board. The District's year ended December 31, 2021 includes payments to Aspen Highlands Village Parking and Loading Dock Association for Aspen Highlands Commercial Metropolitan District's share of trash removal costs in the amount of \$18,146 with an outstanding payable of \$0 due to the Association as of December 31, 2022. As of December 31, 2022 there was \$0 in outstanding receivables from Aspen Highlands Village Parking and Loading Dock Facility Association.

NOTE G – TABOR AMENDMENT

In November 1992, Colorado voters amended Article X of the Colorado Constitution by adding Section 20, commonly known as the Taxpayer's Bill of Rights ("TABOR"). TABOR contains revenue, spending, tax and debt limitations which apply to the State of Colorado and local governments. TABOR requires, with certain exceptions, advance voter approval for any new tax, tax rate increase, mill levy above that of the prior year, extension of any expiring tax, or tax policy change directly causing a new tax revenue gain to any local government. Except for refinancing bonded debt at a lower interest rate or adding new employees to existing pension plans, TABOR requires advance voter approval for the creation of any multiple fiscal year or other financial obligation unless adequate present cash reserves are pledged irrevocably and held for payments in future years.

TABOR also requires local governments to establish emergency reserves to be used for declared emergencies only. Emergencies, as defined by TABOR, exclude economic conditions, revenue shortfalls, or salary or fringe benefit increases. These reserves are required to be 3% or more of the fiscal year spending (excluding bonded debt service) for fiscal years ended after December 31, 1994. At December 31, 2022, a reserve of \$44,847 was required.

Under TABOR, the initial base for local government spending and revenue limits is December 31, 1999 fiscal year spending. Future spending and revenue limits are determined based on the prior year's fiscal year spending adjusted for inflation in the prior calendar year plus annual local growth. Fiscal year spending is generally defined as expenditures and reserve increases with certain exceptions. Revenue, if any, in excess of the fiscal year spending limit must be refunded in the next fiscal year unless voters approve retention of such revenue.

In 1998 the District's electorate voted to allow the District to collect, retain and expend revenues notwithstanding any of TABOR's restrictions.

The District's management believes it is in compliance with the financial provisions of TABOR. However, TABOR is complex and subject to interpretation. Many of its provisions, including the interpretation of how to calculate fiscal year spending limits, will require judicial interpretation.

Aspen Highlands Commercial Metropolitan District

NOTES TO FINANCIAL STATEMENTS

December 31, 2022

NOTE H – FUND BALANCES

GASB Statement No. 54, "Fund Balance Reporting and Governmental Fund Type Definitions" provides more clearly defined fund balance categories to make the nature and extent of the constraints placed on a government's fund balances more transparent. In the fund financial statements the following classifications describe the relative strength of the spending constraints.

- *Non-spendable fund balance* - The portion of fund balance that cannot be spent because it is either not in spendable form (such as prepaid expense) or is legally or contractually required to be maintained intact.
- *Restricted fund balance* - The portion of fund balance constrained to being used for a specific purpose by external parties (such as grantors or bondholders), constitutional provisions or enabling legislation.
- *Committed fund balance* - The portion of fund balance constrained for specific purposes according to limitations imposed by the District's highest level of decision making authority, the Board, prior to the end of the current fiscal year. The constraint may be removed or changed only through formal action of the Board.
- *Assigned fund balance* - The portion of fund balance set aside for planned or intended purposes. The intended use may be expressed by the Board or other individuals authorized to assign funds to be used for a specific purpose.
- *Unassigned fund balance* - The residual portion of fund balance that does not meet any of the above criteria. The District will only report a positive unassigned fund balance in the General Fund.

Unrestricted fund balance will be used in the following order: committed, assigned, and unassigned. When both restricted and unrestricted funds are available for expenditure, restricted funds are used first.

REQUIRED SUPPLEMENTARY INFORMATION

Aspen Highlands Commercial Metropolitan District

STATEMENT OF REVENUE, EXPENDITURES, AND CHANGES IN FUND
BALANCE - BUDGET AND ACTUAL - GENERAL FUND

Year ended December 31, 2022

	Original & Final Budget	Actual	Variance Favorable (Unfavorable)
Revenues			
Property taxes	\$ 254,401	\$ 255,468	\$ 1,067
Specific ownership taxes	5,088	9,077	3,989
Intergovernmental service fees	1,170,140	1,170,139	(1)
Intergovernmental grants	-	942	942
Interest earnings	2,265	42,442	40,177
Other fees and charges	12,700	17,772	5,072
Total revenues	<u>1,444,594</u>	<u>1,495,840</u>	<u>51,246</u>
Expenditures			
General government			
Management fees	66,560	66,563	(3)
Professional fees	32,910	37,713	(4,803)
Treasurer's fees	12,227	12,720	(493)
Insurance	16,670	14,434	2,236
Office	15,613	16,134	(521)
Miscellaneous	2,020	-	2,020
Public works			
Snowmelt system operations	155,075	194,201	(39,126)
Road and general maintenance	126,912	165,824	(38,912)
Irrigation, drainage, landscape maintenance	166,614	159,911	6,703
Small equipment and tools	10,461	15,219	(4,758)
Transportation			
Intravillage operations	92,015	99,644	(7,629)
Transit operations	322,165	338,919	(16,754)
Culture and recreation			
Village parks and trails maintenance	94,886	110,123	(15,237)
Capital outlay	856,300	1,240,074	(383,774)
Contingency	277,445	-	277,445
Total expenditures	<u>2,247,873</u>	<u>2,471,479</u>	<u>(223,606)</u>
Excess of Revenues Over (Under) Expenditures	(803,279)	(975,639)	(172,360)
Fund balance, beginning	<u>3,048,920</u>	<u>3,132,169</u>	<u>83,249</u>
Fund balance, ending	<u>\$ 2,245,641</u>	<u>\$ 2,156,530</u>	<u>\$ (89,111)</u>

OTHER INFORMATION

Aspen Highlands Commercial Metropolitan District

SCHEDULE OF ASSESSED VALUATION, MILL LEVY
AND PROPERTY TAXES COLLECTED

December 31, 2022

Calendar Year Ended December 31	Prior Year Assessed Valuation for Current Year Property Tax Levy	Mills Levied	Total Property Taxes		Percent Collected to Levied
			Levied	Collected	
2007	\$ 4,858,310	36.565	\$ 177,644	\$ 177,644	100.0%
2008	5,098,340	33.000	168,245	168,222	99.9%
2009	4,980,330	33.782	168,246	167,984	99.8%
2010	6,223,830	30.850	192,005	191,532	99.8%
2011	5,591,150	31.398	175,551	175,218	99.8%
2012	5,111,670	32.871	168,026	167,938	99.9%
2013	5,099,060	34.320	175,000	174,924	99.9%
2014	4,920,670	35.564	174,999	175,074	100.0%
2015	4,976,060	35.564	176,969	176,969	100.0%
2016	6,108,860	35.564	217,255	217,255	100.0%
2017	6,119,240	35.564	217,625	217,526	99.9%
2018	6,767,440	33.000	223,326	222,865	99.8%
2019	6,727,270	34.193	230,026	229,931	98.4%
2020	7,013,450	33.309	233,611	234,584	100.4%
2021	6,949,100	35.474	246,513	246,513	100.0%
2022	7,034,650	36.164	254,401	255,467	101.0%
2023	7,086,890	37.871	268,388		

Note:

Property taxes collected in any one year include collection of delinquent property taxes levied in prior years. Information received from the County Treasurer does not permit identification of specific year of levy.