APPLICATION FOR EXEMPTION FROM AUDIT

SHORT FORM

IF <u>EITHER</u> REVENUES <u>OR</u> EXPENDITURES EXCEED \$100,000, USE THE **LONG FORM**.

Under the Local Government Audit Law (Section 29-1-601, et seq., C.R.S.) any local government may apply for an exemption from audit if neither revenues nor expenditures exceed \$750,000 in the year.

EXEMPTIONS FROM AUDIT ARE <u>NOT</u> AUTOMATIC

To qualify for exemption from audit, a local government must complete an Application for Exemption from Audit <u>EACH YEAR</u> and submit it to the Office of the State Auditor (OSA).

Any preparer of an Application for Exemption from Audit-SHORT FORM must be a person skilled in governmental accounting.

Approval for an exemption from audit is granted only upon the review by the OSA.

READ ALL INSTRUCTIONS BEFORE COMPLETING AND SUBMITTING THIS FORM

ALL APPLICATIONS MUST BE FILED WITH THE OSA WITHIN 3 MONTHS AFTER THE ACCOUNTING YEAR-END.

FOR EXAMPLE, APPLICATIONS <u>MUST BE RECEIVED</u> BY THE OSA ON OR BEFORE MARCH 31 FOR GOVERNMENTS WITH A DECEMBER 31 YEAR-END. APPLICATIONS FOR EXEMPTION FROM AUDIT ARE NOT ELIGIBLE FOR AN EXTENSION OF TIME

GOVERNMENTAL ACTIVITY SHOULD BE REPORTED ON THE MODIFIED ACCRUAL BASIS PROPRIETARY ACTIVITY SHOULD BE REPORTED ON A BUDGETARY BASIS

POSTMARK DATES WILL NOT BE ACCEPTED AS PROOF OF SUBMISSION ON OR BEFORE THE STATUATORY DEADLINE

PRIOR YEAR FORMS ARE OBSOLETE AND WILL <u>NOT</u> BE ACCEPTED.

APPLICATIONS SUBMITTED ON FORMS OTHER THAN THOSE PRESCRIBED BY THE OSA WILL NOT BE ACCEPTED.

FOR YOUR REFERENCE, COLORADO REVISED STATUTES CAN BE FOUND AT:

http://www.lexisnexis.com/hottopics/Colorado/

APPLICATIONS MUST BE FULLY AND ACCURATELY COMPLETED.

CHECKLIST

Has the preparer signed the application?	Checkout our web portal. Register your account and submit electronic Applications for Exemption
Has the entity corrected all Prior Year Deficiencies as communicated by the OSA?	From Audit, Extension of Time to File requests, Audited Financial Statements, and more! See the
Has the application been PERSONALLY reviewed and approved by the governing body?	link below.
Did you include any relevant explanations for unusual items in the appropriate spaces at the end of each section?	
Will this application be submitted electronically?	Click here to go to the portal
If yes, have you read and understand the new Electronic Signature Policy? See Click Here new policy ->	<u>onok noro to go to the portar</u>
OF	
If yes, have you included a resolution?	
Does the resolution state that the governing body <u>PERSONALLY</u> reviewed and approved the resolution in an open public meeting?	
Has the resolution been signed by a MAJORITY of the governing body? (See sample resolution.)	
Will this application be submitted via a mail service? (e.g. US Post Office, FedEx, UPS, courier.)	
If yes, does the application include <u>ORIGINAL INK SIGNATURES</u> from the <u>MAJORITY</u> of the governing body?	

FILING METHODS

Register and submit your Applications at our web portal! For faster processing the web portal is the preferred method for submission

WEB PORTAL: https://apps.leg.co.gov/osa/lg

MAIL: Office of the State Auditor

Local Government Audit Division 1525 Sherman St., 7th Floor

Denver, CO 80203

Please Note: The OSA's email addresses have changed as of December 1, 2023. Please ensure you are using the email address

noted below.

QUESTIONS? Email: osa.lg@coleg.gov OR Phone: 303-869-3000

IMPORTANT!

All Applications for Exemption from Audit are subject to review and approval by the Office of the State Auditor.

Governmental Activity should be reported on the Modified Accrual Basis

Proprietary Activity should be reported on the Cash or Budgetary Basis

Failure to file an application or denial of the request could cause the local government to lose its exemption from audit for that year and the ensuing year.

In that event, AN AUDIT SHALL BE REQUIRED.

APPLICATION FOR EXEMPTION FROM AUDIT

SHORT FORM

NAME OF GOVERNMENT
ADDRESS

28 2nd St., Unit 213
Edwards, CO 81632

CONTACT PERSON
PHONE
PHONE
EMAIL

Tower Center Metropolitan District
28 2nd St., Unit 213
12/31/23
or fiscal year ended:

For the Year Ended
12/31/23
or fiscal year ended:

PART 1 - CERTIFICATION OF PREPARER

I certify that I am skilled in governmental accounting and that the information in the application is complete and accurate, to the best of my knowledge.

NAME: Kenneth J Marchetti

TITLE Principal/CPA

FIRM NAME (if applicable) Marchetti & Weaver, LLC

ADDRESS 28 2nd St, Unit 213, Edwards, CO 81632

PHONE (970) 926-6060

PHONE	(970) 926-6060					
PREPARER (SIGNATURE REQUIRED)			DATE PREPARED			
Komarchetts		3/19		3/19/2024		
Please indicate whether t	he following financial information is recorded	GOVERNMENTAL (MODIFIED ACCRUAL BASIS)		PROPRIETARY (CASH OR BUDGETARY BASIS)		
using Governmental or P	ing Governmental or Proprietary fund types	✓				

PART 2 - REVENUE

REVENUE: All revenues for all funds must be reflected in this section, including proceeds from the sale of the government's land, building, and equipment, and proceeds from debt or lease transactions. Financial information will not include fund equity information.

Line#		Description		Round to nearest Dollar	Please use this
2-1	Taxes: Propert	(report mills levied in Question 10-6)	1	-	space to provide
2-2	Specific	c ownership	3	-	any necessary
2-3	Sales a	nd use	3	-	explanations
2-4	Other (s	specify):	3	-	
2-5	Licenses and permits		3	-	
2-6	Intergovernmental:	Grants	3	-	
2-7		Conservation Trust Funds (Lottery)	3	-	
2-8		Highway Users Tax Funds (HUTF)	3	-	
2-9		Other (specify):	3	-	
2-10	Charges for services		9	-	
2-11	Fines and forfeits		9	-	
2-12	Special assessments		9	-	
2-13	Investment income		9	-	
2-14	Charges for utility services		3	-	
2-15	Debt proceeds	(should agree with line 4-4, columi	າ 2) 【	-	
2-16	Lease proceeds		9	-	
2-17	Developer Advances receive	ed (should agree with line	1-4)	11,866	
2-18	Proceeds from sale of capital	al assets	9	-	
2-19	Fire and police pension			-	
2-20	Donations		3	-	
2-21	Other (specify):		3	-	
2-22			9	-]
2-23			3	-]
2-24		(add lines 2-1 through 2-23) TOTAL REVENU	JE \$	11,866	

PART 3 - EXPENDITURES/EXPENSES

EXPENDITURES: All expenditures for all funds must be reflected in this section, including the purchase of capital assets and principal and interest payments on long-term debt. Financial information will not include fund equity information.

	interest payments on long-term debt. Financial information will not include fund equity information.					
Line#	Description		Round to nearest Dollar	Please use this		
3-1	Administrative		\$ -	space to provide		
3-2	Salaries		\$ -	any necessary		
3-3	Payroll taxes		\$ -	explanations		
3-4	Contract services		\$ -			
3-5	Employee benefits		\$ -			
3-6	Insurance		\$ -			
3-7	Accounting and legal fees		\$ 11,410			
3-8	Repair and maintenance		\$ -			
3-9	Supplies		\$ -			
3-10	Utilities and telephone		\$ -			
3-11	Fire/Police		\$ -			
3-12	Streets and highways		\$ -			
3-13	Public health		\$ -			
3-14	Capital outlay		\$ -]		
3-15	Utility operations		\$ -]		
3-16	Culture and recreation		\$ -]		
3-17	Debt service principal (should agree with	th Part 4)	\$ -]		
3-18	Debt service interest		\$ -			
3-19	Repayment of Developer Advance Principal (should agree with	line 4-4)	\$ -			
3-20	Repayment of Developer Advance Interest		\$ -			
3-21	Contribution to pension plan (should agree to	line 7-2)	\$ -]		
3-22	Contribution to Fire & Police Pension Assoc. (should agree to	line 7-2)	\$ -]		
3-23	Other (specify):]		
3-24		Γ	\$ -]		
3-25		Γ	\$ -]		
3-26	(add lines 3-1 through 3-24) TOTAL EXPENDITURES/EXPE	ENSES	\$ 11,410			

If TOTAL REVENUE (Line 2-24) or TOTAL EXPENDITURES (Line 3-26) are GREATER than \$100,000 - <u>STOP</u>. You may not use this form. Please use the "Application for Exemption from Audit -<u>LONG FORM</u>".

	PART 4 - DEBT OUTSTANDING	G, ISSUED	, AND R	ETIRED	
	Please answer the following questions by marking the			Yes	No
4-1	Does the entity have outstanding debt? If Yes, please attach a copy of the entity's Debt Repayment S	chodulo			7
4-2	Is the debt repayment schedule attached? If no, MUST explai				
4-3	Is the entity current in its debt service payments? If no, MUS	T explain below:]	
4-4					
	Please complete the following debt schedule, if applicable: (please only include principal amounts)(enter all amount as positive	Outstanding at	Issued during	Retired during	Outstanding at
	numbers)	end of prior year*	year	year	year-end
	General obligation bonds	\$ -	\$ -	\$ -	\$ -
	Revenue bonds	\$ -	\$ -	\$ -	\$ -
	Notes/Loans	\$ -	\$ -	\$ -	\$ -
	Lease & SBITA** Liabilities [GASB 87 & 96]	\$ -	\$ -	\$ -	\$ -
	Developer Advances	\$ -	\$ 11,866	\$ -	\$ 11,866
	Other (specify):	\$ -	\$ -	\$ -	\$ -
	TOTAL	\$ -	\$ 11,866	 '	\$ 11,866
**Subscrip	tion Based Information Technology Arrangements	*Must agree to prio	, , , , , , , , , , , , , , , , , , , ,	<u> </u>	Ι Τ. 1,555
	Please answer the following questions by marking the appropriate boxes			Yes	No
4-5	Does the entity have any authorized, but unissued, debt?	•		_ 🗸	
If yes:	How much?		79,500,000.00	_	
	Date the debt was authorized:	11/4/2	2008		
4-6	Does the entity intend to issue debt within the next calendar	year?			✓
If yes:	How much?	\$	-	_	_
4-7	Does the entity have debt that has been refinanced that it is s	till responsible	for?	_	✓
If yes:	What is the amount outstanding?	\$	-	_	
4-8	Does the entity have any lease agreements?			, U	✓
If yes:	What is being leased? What is the original date of the lease?			-	
	Number of years of lease?			1	
	Is the lease subject to annual appropriation?				
	What are the annual lease payments?	\$		٦	_
	Part 4 - Please use this space to provide any explanations/cor		n separate do	_ cumentation. if r	needed
	The state was the space to promise any explanations of		- coparate do		

	PART 5 - CASH AND INVESTME	ENTS		
	Please provide the entity's cash deposit and investment balances.		Amount	Total
5-1	YEAR-END Total of ALL Checking and Savings Accounts		\$ -	
5-2	Certificates of deposit		\$ -	
	Total Cash Deposits			\$ -
	Investments (if investment is a mutual fund, please list underlying investments):			
			\$ -]
5-3			\$ -	
3-3			\$ -	
			\$ -	
	Total Investments			\$ -
	Total Cash and Investments			\$ -
	Please answer the following questions by marking in the appropriate boxes	Yes	No	N/A
5-4	Are the entity's Investments legal in accordance with Section 24-75-601, et. seq., C.R.S.?	√		
5-5	Are the entity's deposits in an eligible (Public Deposit Protection Act) public depository (Section 11-10.5-101, et seq. C.R.S.)?	7		
If no, ML	JST use this space to provide any explanations:			

	Please answer the following questions by marking in the appropriate	boxes.					Yes	No
6-1	Does the entity have capital assets?							7
	Has the entity performed an annual inventory of capital assets in accordance with Section 29-1-506, C.R.S.,? If no, MUST explain:					l	7	
		Pol	ance -	Additio	one (Must			
6-3	Complete the following capital & right-to-use assets table:	beginn	ance - ing of the ear*	be inc	ons (Must cluded in art 3)	De	letions	ar-End alance
	Land	\$	-	\$	-	\$	-	\$
	Buildings	\$	-	\$	-	\$	-	\$ _
	Machinery and equipment	\$	-	\$	-	\$	-	\$ -
	Furniture and fixtures	\$	-	\$	-	\$	-	\$ -
	Infrastructure	\$	-	\$	-	\$	-	\$
	Construction In Progress (CIP)	\$	-	\$	-	\$	-	\$
	Leased & SBITA Right-to-Use Assets	\$	-	\$	-	\$	-	\$
	Other (explain):	\$	-	\$	-	\$	-	\$ -
	Accumulated Depreciation/Amortization (Please enter a negative, or credit, balance)	\$	-	\$	-	\$	-	\$ -
	TOTAL	\$	-	\$	-	\$	-	\$ -

	PART 7 - PENSION INFORMA	TION			
	Please answer the following questions by marking in the appropriate boxes.			Yes	No
7-1	Does the entity have an "old hire" firefighters' pension plan?				7
7-2	Does the entity have a volunteer firefighters' pension plan?				7
If yes:	Who administers the plan?				
	Indicate the contributions from:				
	Tax (property, SO, sales, etc.):	\$.		
	State contribution amount:	\$.		
	Other (gifts, donations, etc.):	\$			
	TOTAL	\$	-		
	What is the monthly benefit paid for 20 years of service per retiree as of Jan 1?	\$			
	Part 7 - Please use this space to provide any explanations	s or comm	ents:		
	PART 8 - BUDGET INFORMA	TION			
	Please answer the following questions by marking in the appropriate boxes.	Yes		No	N/A

	PART 8 - BUDGET II	NFORMAT	ΓΙΟΝ		
	Please answer the following questions by marking in the appropriate boxe	s.	Yes	No	N/A
8-1	Did the entity file a budget with the Department of Local Affairs for in accordance with Section 29-1-113 C.R.S.? If no, MUST explain:	the current year	V		
8-2	Did the entity pass an appropriations resolution, in accordance 29-1-108 C.R.S.? If no, MUST explain:	e with Section	V		
If yes:	Please indicate the amount budgeted for each fund for the year	ar reported:			
	Governmental/Proprietary Fund Name	Total Appropriat	ions By Fund		
	General Fund	\$	50,000		

	PART 9 - TAXPAYER'S BILL OF RIGHTS (TABOR)			
	Please answer the following question by marking in the appropriate box	Yes	No	
9-1	Is the entity in compliance with all the provisions of TABOR [State Constitution, Article X, Section 20(5)]?			
	Note: An election to exempt the government from the spending limitations of TABOR does not exempt the government from the 3 percent emergency reserve requirement. All governments should determine if they meet this requirement of TABOR.	Ā		

If no, MUST explain:

	PART 10 - GENERAL INFORMATION		
	Please answer the following questions by marking in the appropriate boxes.	Yes	No
10-1	Is this application for a newly formed governmental entity?		V
If yes: 10-2	Date of formation: Has the entity changed its name in the past or current year?		7
If yes:	Please list the NEW name & PRIOR name:	1	
10-3	Is the entity a metropolitan district? Please indicate what services the entity provides:	.	
10-4 If yes:	Streets, Safety, Water, Sewer, Drainage, Mosquito, Weed & Pest Control Does the entity have an agreement with another government to provide services? List the name of the other governmental entity and the services provided:		V
10-5 If yes:	Has the district filed a <i>Title 32, Article 1 Special District Notice of Inactive Status</i> during Date Filed:]	√
10-6 If yes:	Does the entity have a certified Mill Levy?		7
n you.	Please provide the following mills levied for the year reported (do not report \$ amounts):		
	Bond Redemption mills General/Other mills		-
	Total mills Yes	No	N/A
10-7	NEW 2023! If the entity is a Title 32 Special District formed on or after 7/1/2000, has the entity filed its preceding year annual report with the State Auditor as required under SB 21-262 [Section 32-1-207 C.R.S.]? If NO, please explain.		
	Please use this space to provide any additional explanations or comments not previous	ously included:	

	PART 11 - GOVERNING BODY APPROVAL				
	Please answer the following question by marking in the appropriate box	YES	NO		
12-1	If you plan to submit this form electronically, have you read the new Electronic Signature Policy?	V			

Office of the State Auditor — Local Government Division - Exemption Form Electronic Signatures Policy and Procedure

Policy - Requirements

The Office of the State Auditor Local Government Audit Division may accept an electronic submission of an application for exemption from audit that includes governing board signatures obtained through a program such as Docusign or Echosign. Required elements and safeguards are as follows:

- The preparer of the application is responsible for obtaining board signatures that comply with the requirement in Section 29-1-604 (3), C.R.S., that states the application shall be personally reviewed, approved, and signed by a majority of the members of the governing body.
- The application must be accompanied by the signature history document created by the electronic signature software. The signature history document must show when the document was created and when the document was emailed to the various parties, and include the dates the individual board members signed the document. The signature history must also show the individuals' email addresses and IP address.
- Office of the State Auditor staff will not coordinate obtaining signatures.

The application for exemption from audit form created by our office includes a section for governing body approval. Local governing boards note their approval and submit the application through one of the following three methods:

- 1) Submit the application in hard copy via the US Mail including original signatures.
- 2) Submit the application electronically via email and either,
- a. Include a copy of an adopted resolution that documents formal approval by the Board, or
- b. Include electronic signatures obtained through a software program such as Docusign or Echosign in accordance with the requirements noted above.

Print the names of ALL members of current governing body below.		A MAJORITY of the members of the governing body must sign below.	
Board Member 1	Print Board Member's Name Chad Becker	I Chad Becker attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed 27/2024 Date: My term Expires: May 2025	
Board Member 2	Print Board Member's Name David Drago	I David Dragoo, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed 3/25/202400544EA Date:	
Board Member 3	Print Board Member's Name Spencer Helwig	I Spencer Helwig, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed 4722EBC9B2074C9 Date: 3/27/2024 My term Expires: May 2025	
Board Member 4	Print Board Member's Name	I, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed Date: My term Expires:	
Board Member 5	Print Board Member's Name	I	
Board Member 6	Print Board Member's Name	I	
Board Member 7	Print Board Member's Name	I	

EXAMPLE - DO NOT FILL OUT THIS PAGE

This sample resolution/ordinance for exemption from audit is provided as an example of the documentation that is required. The wording may be used as a basis for your own local government document, if needed; however you MUST draft your own ordinance or resolution making any changes where applicable. Legal counsel should be consulted regarding any questions.

RESOLUTION/ORDINANCE FOR EXEMPTION FROM AUDIT

(Pursuant to Section 29-1-604, C.R.S.)

A RESOLUTION/ORDINANCE APPROVING AN EXEMPTION FROM AUDIT FOR RISCAL YEAR 20XX FOR THE (name of government), STATE OF COLORADO.

WHEREAS, the (governing body) of (name of government) wishes to claim exemption from the audit requirements of Section 29-1-603, C.R.S.; and

WHEREAS, Section 29-1-604, C.R.S., states that any local government where neither revenues for expenditures exceed seven hundred and fifty thousand dollars may, with the approval of the State Auditor, be exempt from the provision of Section 29-1-603, C.R.S.; and

[Choose 1 or 2 below, whichever is applicable]

(1)WHEREAS, neither revenue nor expenditures for (name of government) exceeded \$100,000 for Fiscal Year 20XX; and

WHEREAS, an application for exemption from avdit for (name of government) has been prepared by (name of individual), a person skilled in governmental accounting, and

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(2)WHEREAS, neither revenues nor expenditures for (name of government) exceeded \$750,000 for Fiscal Year 20XX; and

WHEREAS, an application for exemption from such for (name of government) has been prepared by (name of individual or firm), an independent accountant with knowledge of governmental accounting; and

WHEREAS, said application for exemption from audit has been completed in accordance with regulations, issued by the State Auditor.

NOW THEREFORE, be it resolved/ordained by the (governing body) of the (name of government) that the application for exemption from audit for (name of government) for the Fiscal Year ended ________, 20XX, has been personally reviewed and is hereby approved by a majority of the (governing body) of the (name of government); that those members of the (governing body) have signified their approval by signing below; and that this resolution shall be attached to, and shall become a part of, the application for exemption from audit of the (name of government) for the fiscal year ended _______, 20XX.

ADOPTED THIS ___ day of _____, A.D. 20XX.

EXAMPLE - DO <u>NOT</u> FILL OUT THIS PAGE

Mayor/President/Chairman, etc.		
ATTEST:		
Town Clerk, Secretary, etc.		
Town Clerk, Secretary, etc.		
	Date	
Type or Print Names of	Term	
Members of Governing Body	Expires	Signature
	\\/	