

MINUTES OF A SPECIAL MEETING OF THE BOARD OF
DIRECTORS OF TODD CREEK VILLAGE
METROPOLITAN DISTRICT

Held: Wednesday, May 31, 2023 at 10:00 a.m. at
8455 Heritage Drive, Thornton, CO

The meeting was also held via teleconference.

Attendance

The meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following directors were in attendance:

Donald Summers
George Hanlon

Also present were Blair M. Dickhoner, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Jimmy Ogé, and Mike Wolf, West South Platte Water, LLC, District Management and Accountant; Tony Carey, Director candidate; and, Tucker Hanlon, member of the public.

Call to Order/Declaration of Quorum

It was noted that a quorum of the Board was present, and therefore called the meeting to order. All directors in attendance affirmed their qualification to serve on the Board.

Approval of Agenda

The Board reviewed the proposed agenda for the meeting. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda as presented.

Director Disclosures

Mr. Dickhoner advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Dickhoner reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. Dickhoner inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Consider Appointment of Qualified Individual and Administer Oath of Office

The Board engaged in discussion regarding the current Board vacancies. Mr. Dickhoner noted that a Notice of Vacancy was published in the *Brighton Standard Blade* on May 18, 2023, and no letters of interest were received prior to the start of the meeting. Following discussion, upon a motion duly made and seconded, the Board determined to appoint Mr.

Carey for a term ending May 2027. Director Summers administered his Oath of Office.

Election of Officers

The Board engaged in general discussion regarding the Election of Officers. Following discussion, upon a motion duly made and seconded, the Board elected Director Summers as President, Director Carey as Treasurer, and Director Hanlon as Secretary.

Public Comment

None.

Consent Agenda

Mr. Dickhoner advised the Board that any item may be moved from the consent agenda to the regular agenda upon the request of any director. No items were requested to be removed from the consent agenda. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved, ratified and adopted:

- a. Payments of Claims
- b. Financial Report

Approval of Minutes from April 13, 2023 special meeting

Mr. Dickhoner presented the Board with the April 13, 2023 Minutes for consideration. Following discussion, upon a motion duly made and seconded, the Board approved the April 13, 2023 Minutes as presented.

Approval of Minutes from May 4, 2023 special meeting

Mr. Dickhoner presented the Board with the May 4, 2023 Minutes for consideration. Following discussion, upon a motion duly made and seconded, the Board approved the May 4, 2023 Minutes as presented.

Legal Matters

Mr. Dickhoner provided an update on the non-potable water service agreement with Clearview Villages Metropolitan District.

Management and Operations Report

Update Regarding "Garden in a Box"
Update on Turf Replacement Program

Mr. Wolf provided an update on the "Garden in a Box" and Turf Replacement programs and noted that both would require the District to pay for half the cost and recommended the District not participate as it's not in the best interest of the District and will result in the need to increase rates.

Plant Security System

Mr. Wolf requested that the Board consider upgrading the security around District facilities, starting with a security system followed by fencing. Following discussion, the Board directed Mr. Wolf to proceed with the installation of security equipment and authorized Director Summers' District credit card limit be increased to \$10,000 for the limited purpose of the upgraded security installation.

Financial Matters

None.

Other Business

None.

Adjourn

There being no further business to come before the Board and upon a motion duly made, seconded, and unanimously carried, the meeting was adjourned.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

George R Hanlon, Jr.

[George R Hanlon, Jr. \(Jul 10, 2023 13:38 MDT\)](#)

Secretary for the Meeting

The foregoing minutes were approved on the 8th day of June 2023.