

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

Held: Thursday, June 8, 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
Tony Carey

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; John Blackburn, Director candidate; and, Tucker Hanlon and Ken Moore, members 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 amended to include the addition of "Update on Inclusion of District Reservoirs in Development PUD" and "Consider Approval of Termination of Water Services Agreement", under 13. Other Business.

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. No action taken.

Election of Officers

Tabled.

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 May 31, 2023 special meeting

Mr. Dickhoner presented the Board with the May 31, 2023 Minutes for consideration. Following discussion, upon a motion duly made and seconded, the Board approved the May 31, 2023 Minutes as presented.

Legal Matters

Update on Non-potable Water Services Agreement

Mr. Dickhoner provided an update on the non-potable water service agreement with Clearview Villages Metropolitan District. Following discussion, upon a motion duly made and seconded, the Board authorized Director Summers to sign the agreement and directed Mr. Dickhoner to request that Clearview Villages Metropolitan District not submit to the Town until after their pending ordinance is resolved.

Public Hearing on Rates and Fees

Director Hanlon opened the public hearing on Rates and Fees.

Mr. Dickhoner noted that notice of the public hearing was provided in accordance with Colorado law. No written objections were received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of Resolution Adopting First Amendment to 2023 Amended and Restated Schedule of Fees, Rates and Charges

Mr. Dickhoner presented the Board with the Resolution Adopting the First Amendment to 2023 Amended and Restated Schedule of Fees, Rates and Charges. Following review and discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution, with an effective date of July 1, 2023.

Management and Operations Report

Mr. Wolf updated the Board regarding a new well that is going to be drilled and treatment regulations and how the

District is responding. He then introduced a new employee of West South Platte Water, LLC and explained his role with the district.

Update on BennT Creek Regional Water Authority Matters

No update.

Financial Matters

The Board engaged in brief discussion regarding the Resolution Authorizing the Issuance of Credit Cards to Certain Employees. No action taken.

Other Business

Update on Inclusion of District Reservoirs in Development PUD

Director Summers informed the Board that he would like the District to consider including the Signal Reservoir Complex in the Planned Unit Development (“PUD”) for the development of the area surrounding the reservoirs. He noted there will be no access to the water just a walking path around, which will enhance the development and generate additional ratepayers for the District. Following discussion, upon a motion duly made and seconded, the Board authorized Director Summers to move forward.

Consider Approval of Termination of Water Services Agreement

Following discussion, upon a motion duly made and seconded, the Board approved the termination of Water Service Agreement with American Land Funds and authorized Director Summers to sign on behalf of the District.

Next Meeting July 13, 2023

The July 13, 2023 meeting date was confirmed.

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. (Sep 13, 2023 10:47 MDT)
Secretary for the Meeting

The foregoing minutes were approved on the 13th day of July 2023.