

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

Held: Thursday, November 9, 2023 at 2:00 p.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

Director Blackburn was absent. All absences are deemed excused unless otherwise noted in these minutes.

Also present were Tate E. Crosby, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Tucker Hanlon, Jimmy Ogé, Mike Wolf, Tina DeMoney, Alison Scully, Chris Cobbley, and Scott Montoya, West South Platte Water, LLC, District Management and Accountant.

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

Ms. Crosby advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Crosby 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. Ms. Crosby 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.

Public Comment

None.

Consent Agenda

Ms. Crosby 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 October 19, 2023 special meeting

Ms. Crosby presented the Board with the October 19, 2023 Minutes for consideration. Following discussion, upon a motion duly made and seconded, the Board approved the October 19, 2023 Minutes as presented.

Legal Matters

Consider Acceptance of Infrastructure for Heritage at Todd Creek and Adoption of Resolution Regarding Acceptance of Public Improvements (Filings 2 - 12)

The Board engaged in discussion regarding the acceptance of Infrastructure for Heritage at Todd Creek and Ms. Crosby presented the Board with the Resolution Regarding Acceptance of Public Improvements (Filings 2 - 12) for consideration. Following discussion, upon a motion duly made and seconded, the Board accepted the infrastructure for Heritage at Todd Creek and adopted the Resolution Regarding Acceptance of Public Improvements (Filings 2 - 12).

Consider Acceptance of Infrastructure for Heritage at Todd Creek and Adoption of Resolution Regarding Acceptance of Public Improvements (Filings 14 and 16)

The Board engaged in discussion regarding the acceptance of Infrastructure for Heritage at Todd Creek and Ms. Crosby presented the Board with the Resolution Regarding Acceptance of Public Improvements (Filings 14 and 16) for consideration. Following discussion, upon a motion duly made and seconded, the Board accepted the infrastructure for Heritage at Todd Creek and adopted the Resolution Regarding Acceptance of Public Improvements (Filings 14 and 16).

Consider Approval of Easement and Deed Agreement with Todd Creek

The Board engaged in discussion regarding approval of an Easement Agreement with Todd Creek Village Park

Village Park and Recreation District and Recreation District. Following discussion, upon a motion duly made and seconded, the Board authorized Director Summers to sign the Agreement subject to finalization by legal counsel.

Management and Operations Report

Discussion Regarding Brighton Fire Station Connection The Board engaged in general discussion and Director Summers provided an update regarding the terms of a proposed Intergovernmental Agreement with Brighton Fire.

Update on BennT Creek Regional Water Authority Matters None.

Financial Matters

Acceptance of 2022 Audit Deferred.

Conduct Public Hearing on 2023 Amended Budget Director Summers opened the public hearing on the 2023 Budget Amendment. Ms. Crosby noted that the notice of 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 Amending 2023 Budget Mr. Oge reviewed the 2023 Amended Budget with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution amending the 2023 Budget.

Conduct Public Hearing on 2024 Proposed Budget Director Summers opened the public hearing on the proposed 2024 Budget. Ms. Crosby noted that the notice of 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 2024 Budget Mr. Oge reviewed the 2024 proposed Budget with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2024 Budget. The District did not certify a mill levy for collection in 2024.

Other Business

Discuss Potential Rate Hearing The Board engaged in discussion regarding a rate hearing and determined to schedule for December 14, 2023. The Board directed legal counsel to cause notice

of the rate hearing to be provided as required by statute.

Next meeting: December 14, 2023

The December 14, 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. (Dec 20, 2023 18:00 MST)

Secretary for the Meeting

The foregoing minutes were approved on the 14th day of December 2023.