

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

Held: Thursday, March 14, 2024 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
John Blackburn

Also present were Blair M. Dickhoner, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Tucker Hanlon, Mike Wolf, Tina DeMoney, and Alison Scully, 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

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.

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

The Board deferred acceptance of the financial report.

Approval of Minutes from February 8, 2024 regular meeting

Mr. Dickhoner presented the Board with the February 8, 2024 Minutes for consideration. Following discussion, upon a motion duly made and seconded, the Board approved the February 8, 2024 Minutes as presented.

Legal Matters

Discuss Intergovernmental Agreement with Brighton Fire

Director Summers provided the Board with an update regarding the Intergovernmental Agreement with Brighton Fire.

Consider Adoption of Resolution Establishing Wastewater Activity Enterprise

Mr. Dickhoner presented the Board with the Resolution Establishing Wastewater Activity Enterprise. Following discussion, upon a motion duly made and seconded, the Board adopted the resolution.

Discuss Proposed Rules and Regulations for Wastewater Services

Mr. Wolf provided the Board with an update regarding the proposed Rules and Regulations for Wastewater Services.

Consider Adoption of Resolution Certifying Costs

Mr. Dickhoner presented the Board with the Resolution Certifying Costs for consideration. Following discussion, upon a motion duly made and seconded, the Board adopted the resolution. Director Hanlon informed the Board that he has a potential conflict of interest involving the matter discussed herein, and Director Hanlon recused himself from voting on the matter.

Consider Approval of Fifth Extension of Water Lease Agreement with HTC Golf Acquisition, LLC

Mr. Dickhoner presented the Board with the Fifth Extension of Water Lease Agreement with HTC Golf Acquisition, LLC for consideration. Following discussion, upon a motion duly made and seconded, the

Board approved the extension subject to finalization of the rates in the lease, effective January 1, 2023.

Bond Issuance

Approval of Special Bond Fee Disclosure Letter from White Bear Ankele Tanaka and Waldron

Mr. Dickhoner presented the Board with the Special Bond Fee Disclosure Letter from White Bear Ankele Tanaka and Waldron for consideration. Following discussion, upon a motion duly made and seconded, the Board approved the letter and fee as presented.

Approval of Engagement of Kutak Rock LLP as Bond and Disclosure Counsel

Mr. Dickhoner presented the Board with the Engagement Letter from Kutak Rock LLP for consideration. Following discussion, upon a motion duly made and seconded, the Board approved the engagement of Kutak Rock LLP as Bond Counsel.

Ratify Approval of Engagement of Stifel as Underwriter

Following discussion, upon a motion duly made and seconded, the Board ratified approval of the engagement of Stifel as Underwriter.

Discuss Engagement of Municipal Advisor

Mr. Dickhoner and the Board engaged in discussion regarding engagement of a Municipal Advisor. Following discussion, the Board declined to engage an advisor.

Management and Operations Report

Update on Bond Issuance

Director Summers provided the Board with a status update.

Mr. Wolf updated the Board on the status of construction of the Northglenn line and noted that it is currently running ahead of schedule.

Update on BennT Creek Regional Water Authority Matters

Director Carey provided an update on the Authority and ongoing discussions with potential new members.

Financial Matters

Acceptance of 2022 Audit

Following review and discussion, the Board accepted the 2022 Audit subject to final legal review.

Other Business

Next meeting: April 11, 2024

The April 11, 2024 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 Hanlon

George Hanlon (Apr 25, 2024 12:54 MDT)

Secretary for the Meeting

The foregoing minutes were approved on the 11th day of April 2024.