

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

Held: Tuesday, November 29, 2022 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
Tony Carey
George Hanlon
John Blackburn

Also present were Blair M. Dickhoner, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; and, Jimmy Oge and Mike Wolf, West South Platte Water, LLC, District Accountant and Management; Tucker Hanlon and Ali Scully, 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 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. No additional disclosures were noted. 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 removed 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 13, 2022 meeting

Mr. Dickhoner presented the Board with the October 13, 2022 Minutes for consideration. Following discussion, upon a motion duly made and seconded, the Board approved the October 13, 2022 Minutes as presented.

Legal Matters

Consider Adoption of Annual Administrative Resolution (2023)

Mr. Dickhoner presented the Board with the Annual Administrative Resolution (2023) for consideration. Following discussion, upon a motion duly made and seconded, the Board adopted the resolution.

Consider Adoption of Resolution Calling Election

Mr. Dickhoner presented the Board with the Resolution Calling Election for consideration. Following discussion, upon a motion duly made and seconded, the Board adopted the resolution.

Management and Operations Report

Mr. Wolf provided the Board with an update on year-end operations matters. Mr. Summers provided an update that a settlement in the E-Capital litigation is close to be agreed to. Both Mr. Wolf and Mr. Summers provided an update on some basement leaks that are occurring in the Promontory subdivision. Mr. Wolf informed the Board he has been on-site to inspect and has been in contact with the builder in Promontory to provide an update.

Update on BennT Creek Water Authority Matters

Mr. Carey provided an update on potential additional partners to the Authority.

Financial Matters

Conduct Public Hearing on Rates & 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 have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of Resolution Adopting Amended Fee Schedule

Following review and discussion, upon a motion duly made and seconded, the Board unanimously adopted the Resolution Adopting an Amended and Restated Fee Schedule effective January 1, 2023.

Conduct Public Hearing on Proposed
2022 Budget Amendment

Director Hanlon opened the public hearing on the 2022 Budget Amendment. Mr. Dickhoner noted that the notice of public hearing was provided in accordance with Colorado Law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

*Consider Adoption of Resolution
Amending Budget*

Mr. Oge reviewed the Amended 2022 Budget with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution amending the Operations Fund to \$5,423,000.

Conduct Public Hearing on Proposed
2023 Budget

Director Hanlon opened the public hearing on the proposed 2022 Budget. Mr. Dickhoner noted that the notice of public hearing was provided in accordance with Colorado Law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

*Consider Adoption of Resolution
Adopting Budget*

Mr. Oge reviewed the 2023 Proposed Budget with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2023 Budget and appropriating funds. The District did not certify a mill levy for collection.

Other Business

Next Meeting December 8, 2022

The next regular meeting is scheduled for December 8, 2022, at 2:00 p.m.

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 21, 2022 16:11 MST)

Secretary for the Meeting

The foregoing minutes were approved on the 8th day of December 2022.