

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

Held: Thursday, August 10, 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  
Tony Carey  
John Blackburn

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

Also present were Blair M. Dickhoner, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Jimmy Ogé, Mike Wolf, Tina DeMoney, West South Platte Water, LLC, District Management and Accountant; and, Scy Caroselli, 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.

### 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 Blackburn as Assistant Secretary.

### Public Comment

- Ms. Caroselli - provided comment regarding her disagreement with being required to pay the Failure to Connect Fee for not utilizing her pre-paid tap. The Board requested additional information so it could follow up with her, but indicated they are not in favor of a waiver, noting the information is publicly available and waivers have not been given in the past.

### 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 July 13, 2023 special meeting

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

### Legal Matters

Mr. Dickhoner discussed the open records (“CORA”) request received with the Board and explained that the custodian of records was waiting for re-submission of the required form.

Mr. Dickhoner provided the Board with an update on the status of review of the HTC infrastructure acceptance packet. The Board directed Mr. Dickhoner to complete his review of the submission packet and they will address this item at the next meeting.

### Management and Operations Report

Mr. Wolf informed the Board that PFAS notifications have been discussed with the State, and well drilling permits are in the works.

Following discussion, the Board authorized Director Summers to work with Stifel Public Finance to evaluate the District’s financing options.

### Update on BennT Creek Regional Water Authority Matters

Director Summers informed the Board that all water court filings were completed.

### Financial Matters

Mr. Oge informed the Board that the draft Reserve Study is

almost ready for Board review and Fiscal Focus Partners is performing the 2022 audit and will have it filed by the extended deadline.

Other Business

Next meeting: September 14, 2023

The September 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 (Sep 21, 2023 17:16 MDT)

Secretary for the Meeting

The foregoing minutes were approved on the 14<sup>th</sup> day of September 2023.