

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

Held: Thursday, July 13, 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

Also present were Tate E. Crosby, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Jimmy Ogé, Mike Wolf, Tina DeMoney, Chris Cobbley, and Scott Montoya, West South Platte Water, LLC, District Management and Accountant; John Blackburn, Director candidate; and, Barabara Pogue, Kenn Taylor, Jon Rarick, and Anne Loose, 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

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.

Consider Appointment of Qualified Individual and Administer Oath of Office

The Board engaged in discussion regarding the appointment of John Blackburn, a qualified individual. Following discussion, upon a motion duly made and seconded, the Board approved the appointment of Mr. Blackburn to a term ending May 2025.

Election of Officers

No action taken.

Public Comment

- Barabara Pogue – commented regarding a large water bill resulting from a leak and requested that the Board review its methods to notify users of leaks. Director Summers addressed and said the Board would look into her water bill and reach back out.

- Anne Loose – commented regarding sprinkler system concerns, water bill fees, and online payment account. Director Summers addressed and said the Board would look into her account information and reach back out.

- Ken Taylor – commented voicing concerns with irrigation valve shutoff. Directors Summers and Hanlon explained that instructions for valve shutoff are available on the District's website, and stated that the Board would discuss further educating homeowners on responsibility for valve shutoff.

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
- c. Termination to Water Services Agreements with American Land Funds

Approval of Minutes from June 8, 2023 special meeting

Ms. Crosby presented the Board with the June 8, 2023 Minutes for consideration. Following discussion, upon a motion duly made and seconded, the Board approved the June 8, 2023 Minutes as presented.

Legal Matters

Discuss and Consider Approval of Second Amendment to Funding and Reimbursement Agreement with West South Platte Water and Reservoir Company, LLLP

Ms. Crosby presented the Board with the Second Amendment to Funding and Reimbursement Agreement with West South Platte Water and Reservoir Company, LLLP, for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the amendment.

Update on Non-potable Water Services

Mr. Summers provided an update on the agreement, and

Agreement

stated it had been approved, but not formally submitted.

Approve Engagement of Moye White, LLP as Special Counsel

Mr. Summers presented the Engagement Letter from Moye White, LLP for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the engagement of Moye White, LLP as Special Counsel.

Management and Operations Report

Consider Approval of Fourth Amendment to Agreement for Purchase and Sale of Raw Water Assets between the District and West South Platte Water & Reservoir Company, LLLP

Ms. Crosby presented the Board with the Fourth Amendment to Agreement for Purchase and Sale of Raw Water Assets between the District and West South Platte Water & Reservoir Company, LLLP, for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the amendment.

Update on BennT Creek Regional Water Authority Matters

No update.

Financial Matters

Discuss Credit Card Authorizations

The Board engaged in discussion regarding the Resolution Authorizing the Issuance of Credit Cards to Certain Employees. Following discussion, upon a motion duly made and seconded, the Board unanimously approved a \$2,500 credit limit for the following authorized individuals:

- Donald Summers
- Mike Wolf
- Christopher Cobbley
- Ryan Uran
- Calvin Ikenouye

The Board further approved terminating authorization for the following individuals:

- Jimmy Oge
- Joshua Stogsdill

The Board requested Authorizations and Terminations to be circulated for execution and returned for record keeping.

Other Business

Next meeting: August 10, 2023

The August 10, 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. \(Sep 11, 2023 17:53 MDT\)](#)

Secretary for the Meeting

The foregoing minutes were approved on the 10th day of August 2023.