

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

Held: Monday, September 12, 2022 at 10:00 a.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

Director Blackburn 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; and, Mike Wolf, Zach Moeller and Emily Blythe, West South Platte Water, LLC, District Accountant and Management.

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

Deferred.

Approval of Minutes from August 11, 2022 meeting

Mr. Dickhoner presented the Board with the August 11, 2022 Minutes for consideration. Following discussion, upon a motion duly made and seconded, the Board approved the August 11, 2022 Minutes as presented.

Legal Matters

Discuss Intergovernmental Agreement Regarding Water Infrastructure Design, Construction Cost Sharing and Perpetual Capacity Allocation with the City of Northglenn

Mr. Dickhoner and Director Summers provided the Board with an update on the status of the Intergovernmental Agreement Regarding Water Infrastructure Design, Construction Cost Sharing and Perpetual Capacity Allocation with the City of Northglenn, noting that a revised draft is to be sent back to Northglenn.

Discuss Amendment to Rules and Regulations

Mr. Dickhoner and Director Summers provided an update regarding an amendment to the current Rules and Regulations. The amendment will be finalized by legal and presented to the Board at a future meeting.

Discuss Amendment to Schedule of Fees, Rates & Charges

The Board discussed the Rate Hearing scheduled for October 13, 2022. No action taken.

Management and Operations Report

Ratify Approval of Independent Contractor Agreement with Invoice Cloud

Mr. Wolf and Director Summers provided an update on reconciliation with Lennar and noted that treatment capacity planning is underway.

The Board discussed the Independent Contractor Agreement with Invoice Cloud. Mr. Dickhoner noted that legal is still working with the contractor to finalize. No action taken.

Update on BennT Creek Water Authority Matters

Mr. Carey provided the Board with a general update on Authority matters, noting his work with the Town on new member relationships.

Financial Matters

Director Hanlon updated the Board that the District is in a good cash position currently and continuing to make timely bond payments.

Other Business

Next Meeting October 13, 2022

The next meeting is scheduled for October 13, 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. (Nov 10, 2022 15:39 MST)

Secretary for the Meeting