

## RECORD OF PROCEEDINGS

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MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
SECOND CREEK FARM METROPOLITAN DISTRICT NO. 4  
HELD  
OCTOBER 18, 2021

A special meeting of the Board of Directors ("Board") of the Second Creek Farm Metropolitan District No. 4 ("District") was convened on Monday, October 18, 2021 at 3:00 p.m. via conference call. The meeting was open to the public.

### ATTENDANCE

#### Directors In Attendance Were:

Joel H. Farkas, President  
Thomas Kowalski, Secretary  
Toni Serra, Treasurer  
Kristin Sullivan, Assistant Secretary  
Davinder Sandhu, Assistant Secretary

#### Also in Attendance Were:

Paula Williams and Jennifer Henry, McGeady Becher P.C.  
Margaret Henderson, CliftonLarsonAllen LLP  
Barrett Marrocco, Independent District Engineering Services, Inc. ("IDES")

### ADMINISTRATIVE MATTERS

Disclosure of Potential Conflicts of Interest: Attorney Williams discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Attorney Williams noted that a quorum was present and requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute. It was noted that Disclosure Statements for Directors Farkas, Kowalski, Serra and Sullivan had been filed by the statutory deadline.

Agenda: The Board reviewed the proposed Agenda for the District's special meeting. Following discussion, upon motion duly made by Director Kowalski, seconded by Director Farkas, and upon vote unanimously carried, the Board approved the Agenda.

Approval of Meeting Location: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. Following discussion, and upon motion duly made by Director Kowalski, seconded by Director Farkas, and



upon vote unanimously carried, the Board determined to hold this meeting via conference call and encouraged public participation via telephone. The Board noted that notice of this meeting and conference call number was duly posted and that it had not received any objections to the telephonic meeting or any requests that the meeting be changed by taxpaying electors within the District's boundaries.

Public Comment: There were no public comments.

Meeting Minutes: The Board reviewed the minutes from the June 21, 2021 Special Meeting. Following discussion, upon motion duly made by Director Kowalski, seconded by Director Farkas, and upon vote unanimously carried, the Board approved the minutes from the June 21, 2021 Special Meeting.

Resolution No. 2021-10-01 Establishing 2022 Regular Meeting Dates, Time, and Location, and Designating Location for Posting of 24-Hour Notices: The Board discussed the business to be conducted in 2022, determined to hold meetings virtually, and scheduled regular meetings for June 20, 2022 and October 17, 2022 at 3:00 p.m., via conference call. Following discussion, upon motion duly made by Director Kowalski, seconded by Director Serra, and upon vote unanimously carried, the Board adopted Resolution No. 2021-10-01.

District Insurance: Attorney Williams discussed insurance renewal with the Board. Following discussion, the Board authorized renewal of the District's insurance, including workers' compensation, and renewal of its Special District Association membership for 2022.

## FINANCIAL MATTERS

Master Service Agreement for Accounting Services: Ms. Henderson reviewed the Master Service Agreement and Statement of Work for Accounting Services with CliftonLarsonAllen LLP ("MSA") with the Board. Following discussion, upon motion duly made by Director Sullivan, seconded by Director Serra, and upon vote unanimously carried, the Board approved the MSA.

2021 Budget Amendment Hearing: The President opened the public hearing to consider amending the 2021 Budget.

It was noted that a Notice stating that the Board would consider amending the 2021 Budget, along with the date, time and place of the public hearing was published in a newspaper having general circulation within the District, in accordance with statutory requirements. No written objections were received prior to the public hearing.

No public comments were received, and the public hearing was closed.

It was determined that an amendment to the 2021 Budget was not needed at this time.

2022 Budget Hearing: The President opened the public hearing to consider the proposed 2022 Budget and discuss related issues.

It was noted that a Notice stating that the Board would consider adoption of the 2022 Budget, along with the date, time and place of the public hearing was published in a newspaper having general circulation within the District, in accordance with statutory requirements. No written objections were received prior to the public hearing.

No public comments were received, and the public hearing was closed.

Ms. Henderson reviewed the proposed 2022 Budget with the Board. Following discussion, the Board considered the adoption of the Resolution No. 2021-10-02 to Adopt the 2022 Budget and Appropriate Sums of Money and Resolution No. 2021-10-03 to Set Mill Levies (a General Fund Mill Levy of 11.132 mills and a Debt Service Mill Levy of 35.000, for a total Mill Levy of 46.132 mills). Upon motion duly made by Director Serra, seconded by Director Kowalski, and upon vote unanimously carried, Resolution Nos. 2021-10-03 and 2021-10-04 were adopted, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2021. The District Accountant was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Adams County no later than December 15, 2021. Legal Counsel was authorized to transmit the Certification of Budget to the Division of Local Government no later than January 30, 2022.

DLG-70 Mill Levy Certification Form: The Board considered authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification Form for certification to the Adams County Board of County Commissioners and other interested parties. Following discussion, upon motion made by Director Kowalski, seconded by Director Serra, and upon vote unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification Form for certification to the Board of County Commissioners and other interested parties.

2021 Audit Exemption Application: The Board discussed the requirement of preparation and filing of a 2021 Audit Exemption Application. Following discussion, upon motion duly made by Director Kowalski, seconded by Director Sullivan, and upon vote unanimously carried, the Board appointed CliftonLarsonAllen LLP to prepare and file the 2021 Audit Exemption Application.

Preparation of 2023 Budget: The Board appointed CliftonLarsonAllen LLP to prepare the 2023 budget and directed that the 2023 draft budget be the same as the 2022 adopted budget unless a Board member provides input to otherwise adjust those assumptions.

#### LEGAL MATTERS

May 3, 2022 Regular Directors' Election: The Board discussed the May 3, 2022 Regular Directors' election regarding new legislative requirements.

Following discussion, upon motion duly made by Director Sullivan, seconded by Director Serra, and upon vote unanimously carried, the Board adopted Resolution No. 2021-10-04; Resolution Calling a Regular Election for Directors on May 3, 2022, appointing the Designated Election Official ("DEO"), and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election.

DEO Services: The Board discussed DEO services for the May 3, 2022 Regular Directors' Election. Following discussion, upon motion duly made by Director Sullivan, seconded by Director Serra, and upon vote unanimously carried, the Board authorized the District President to select provider for DEO services.

Transparency Notice Required Under Section 32-1-809, C.R.S.: Attorney Williams informed the Board of the required transparency notice under Section 32-1-809, C.R.S. The Board directed District Counsel to post the required notice on the Special District Association website and the District's website.

#### CAPITAL IMPROVEMENT MATTERS

Director Farkas discussed improvements being constructed, with completion expected early spring/summer of 2022.

#### OTHER BUSINESS

None.

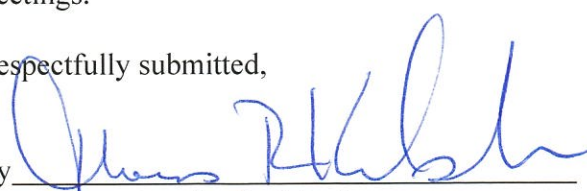
#### ADJOURNMENT

Upon motion duly made and seconded, and, upon vote, unanimously carried, the meeting was adjourned.

The foregoing record constitutes a true and correct copy of the Minutes of the above-referenced meetings.

Respectfully submitted,

By

  
Secretary for the Meeting

