

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
SECOND CREEK FARM METROPOLITAN DISTRICT NO. 4
HELD
JULY 17, 2023

A regular meeting of the Board of Directors (“Board”) of the Second Creek Farm Metropolitan District No. 4 (“District”) was convened on Monday, July 17, 2023, at 3:00 p.m., via conference call. The meeting was open to the public via conference call.

ATTENDANCE

Directors in Attendance Were:

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

Also in Attendance Were:

Jay Morse 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: Ms. Henry 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. Ms. Henry 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, and Serra had been filed by the statutory deadline.

Agenda: The Board reviewed the proposed Agenda for the District’s regular meeting. Following discussion, upon motion duly made by Director Kowalski, seconded by Director Serra, 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 Serra, 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.

Designation of 24-Hour Posting Location: Following discussion, upon motion duly made by Director Kowalski, seconded by Director Serra, and upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted at least 24 hours prior to each meeting on the District's website: <https://secondcreekfarmmd.colorado.gov/>, or if the website it unavailable, at the corner of E. 96th Avenue and Tower Road, in Commerce City, Colorado.

Results of May 2, 2023 Regular Director Election: Ms. Henry noted that the May 2, 2023 Regular Director Election was cancelled, as there were not more candidates than seats available. Directors Farkas and Serra were elected by acclamation to 4-year terms ending May 4, 2027.

Resignation of Board Member: Following discussion, the Board acknowledged the resignation of Kristin Sullivan from the Board of Directors of the District effective June 30, 2023.

Appointment of Officers: Following discussion, upon a motion duly made by Director Farkas, seconded by Director Kowalski, and upon vote unanimously carried, the following slate of officers were appointed for the District:

President:	Joel Farkas
Treasurer:	Toni Serra
Secretary:	Tom Kowalski
Assistant Secretary:	Davinder Sandhu

Public Comment: There were no public comments.

Meeting Minutes: The Board reviewed the minutes from the October 17, 2022 Regular Meeting. Following discussion, upon motion duly made by Director Kowalski, seconded by Director Serra, and upon vote unanimously carried, the Board approved the minutes from the October 17, 2022 Regular Meeting.

FINANCIAL MATTERS

Property Tax Reconciliation Report: Ms. Henderson reviewed the Property Tax Reconciliation Report with the Board, noting this was informational only.

Cost Certification Report #19: Mr. Marrocco reviewed Cost Certification Report #20 dated April 25, 2023 prepared by IDES certifying eligible costs.

Following discussion, the Board acknowledged Cost Verification Report #20, with certified eligible costs for reimbursement attributable to the District in the amount of \$0.00.

2022 Budget Amendment Hearing: The President opened the public hearing to consider amending the 2022 Budget.

It was noted that a Notice stating that the Board would consider amending 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.

It was determined that an amendment to the 2022 Budget was not needed at this time.

2022 Audit: Ms. Henderson reviewed the draft 2022 Audit with the Board. Following discussion, upon motion made by Director Serra, seconded by Director Farkas, and upon vote unanimously carried, the Board approved the 2022 Audit subject to final legal review and a clean opinion by the auditor.

2024 Budget Hearing: It was noted that the 2024 budget hearing is scheduled for November 13, 2023 at 3:00 p.m. via conference call.

LEGAL MATTERS

SB23-108: Allowing Temporary Reductions in Property Taxes Due and potential impact on 2024 Budget process and strategy: Ms. Henry noted legislation and tracking same regarding the potential impact on the 2024 budget.

Legislative Changes and Annual Meeting requirement: Ms. Henry discussed new legislation requiring districts with residential units to hold an annual meeting. It was noted that an annual meeting is not required for 2023 as the District does not have any residential units.

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 Jennifer S. Henry
Secretary for the Meeting