

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
SECOND CREEK FARM METROPOLITAN DISTRICT NO. 1
HELD
JUNE 21, 2022

A special meeting of the Board of Directors (“Board”) of the Second Creek Farm Metropolitan District No. 1 (“District”) was convened on Tuesday, June 21, 2022 at 12:00 p.m. There was at least one person present at the physical location at the offices of McGeady Becher P.C., 450 E. 17th Avenue, Suite 400, Denver, Colorado. The meeting was open to the public via conference call.

ATTENDANCE

Directors In Attendance Were:

Joel H. Farkas, President
Toni Serra, Secretary
Kristin Sullivan, Treasurer

Also in Attendance Were:

Paula Williams, Jay Morse and Jennifer Henry, McGeady Becher P.C.
Margaret Henderson, CliftonLarsonAllen LLP
Kristine Lay, Kutak Rock LLP
Akio Ohtake-Gordon, Piper Sandler & Co.
Barrett Marrocco and Chase Hanusa, 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 all Directors 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 Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board approved the Agenda, and excused the absence of Director Gold.

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 Farkas, 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. There was at least one person present at the physical location as posted. 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 May 31, 2022 Special Meeting. Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board approved the minutes from the May 31, 2022 Special Meeting.

FINANCIAL
MATTERS

Remaining Project Funds and Status of Capital Improvements: Mr. Marrocco discussed the Cost Share Report dated June 21, 2022 prepared by IDES. The Board acknowledged receipt of the Cost Share Report and directed District Counsel to review agreements and determine necessary documentation to recognize share costs and reimbursements.

Payment of Claims: Ms. Henderson reviewed the claims with the Board. Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board ratified approval of the payment for the period of May 13, 2022 through June 14, 2022 in the amount of \$22,169.69.

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.

Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board adopted Resolution No. 2022-06-01 Amending the 2022 Budget (Capital Projects Fund).

Cost Certification Report: The Board reviewed Cost Certification Report #18 dated April 18, 2022 prepared by IDES certifying eligible costs. The Board

noted that Cost Certification Report #18 was accepted at the May 31, 2022 meeting and reimbursements authorized, no additional action was required.

Cost Certification Report #19: Cost Certification Report #19 was not presented. No action taken.

LEGAL MATTERS

Task Order No. 3 to Service Agreement for Engineering Services with IDES: Following discussion, upon motion duly made by Director Farkas, seconded by Director Serra, and upon vote unanimously carried, the Board approved Task Order No. 3.

CAPITAL
IMPROVEMENT
MATTERS

Transfer of Tracts: Director Farkas noted that there were no conveyances via the Plats. There is a stormwater declaration to be considered for approval at the next Board meeting.

OTHER BUSINESS


The Board determined to schedule a special meeting for Wednesday, June 29, 2022 at 8:00 a.m.

ADJOURNMENT

Upon motion duly made by Director Farkas, seconded by Director Serra 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