

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

COAL CREEK METROPOLITAN DISTRICT NO. 1

Held: the 24<sup>th</sup> day of September, 2020, at 1:30 p.m.

Due to Executive Orders issued by Governor Polis and Public Health Orders implementing the Executive Orders issued by the Colorado Department of Health and Environment, and due to the risks posed by COVID-19, this meeting was held via teleconferencing.

Attendance

The special meeting of the Board of Directors for the Coal Creek Metropolitan District No. 1 was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, having confirmed their qualification to serve, were in attendance:

Marc Cooper  
Michael Sheldon  
Jonathan Alpert  
Jonathan Perlmutter

Also present were Clint C. Waldron, Esq., White Bear Ankele Tanaka and Waldron, P.C., District General Counsel; and Margaret Henderson, CliftonLarsonAllen, LLP, District Accountant.

Call to Order/Declaration of Quorum

It was noted that a quorum of the Board was present and that the Directors had confirmed their qualification to serve, and therefore, the meeting was called to order.

Disclosure Matters

Mr. Waldron reported that disclosures for those directors with 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. Waldron 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 Board determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda The Board reviewed the Agenda. Following discussion, upon a motion duly made and seconded, the Board approved the Agenda.

Consider Election of Officers; President, Secretary, Treasurer The Board engaged in general discussion regarding the election of officers. Following discussion, upon motion duly made and seconded, the Board unanimously elected the Director Cooper as President, Director Sheldon as V.P./Secretary, Director Alpert as Assistant Secretary and Director Perlmutter as Treasurer.

Consider Approval of Resolution Establishing Emergency Procedures for Holding Regular and Special Meetings Telephonically Mr. Waldron reviewed the Resolution Establishing Emergency Procedures for Holding Regular and Special Meetings Telephonically with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the Resolution Establishing Emergency Procedures for Holding Regular and Special Meetings Telephonically.

**Public Comment** None.

**Consent Agenda** The Board reviewed the items on the consent agenda. Mr. Waldron advised the Board that any item may be removed from the consent agenda to the special 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 and adopted or ratified:

- Minutes from October 10, 2019 Special Meeting
- Claims Listing in the amount of \$147,048.08.
- 2019 Annual Report
- Special District Disclosure Notice Pursuant to § 32-1-809, C.R.S.
- Resolution Designating the District's 24-Hour Posting Location
- Amended and Restated Public Records Request Policy
- Resolution Establishing an Electronic Signature Policy

### **Legal Matters**

Consider Adoption of 2021 Annual Administrative Resolution Mr. Waldron reviewed the 2021 Annual Administrative Resolution with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Review Insurance Property The Board reviewed the property and liability schedule and limits.

and Liability Schedule and Limits	Following discussion, upon a motion duly made and seconded, the Board unanimously approved the property and liability renewal limits for 2021, which are the same limits that are currently in place.
Discuss Legislative Update	Mr. Waldron reviewed the 2020 Legislative Update with the Board.
District Website	Mr. Waldron reviewed Heather Sosa's proposal regarding the District's website with the Board. Following discussion, upon a motion duly moved and seconded, the Board unanimously approved Ms. Sosa's proposal.
Discuss Aurora Regional Improvement Authority Establishment Agreement	The Board discussed the Aurora Regional Improvement Authority Establishment Agreement. Mr. Cooper provided background on how the South Aurora Regional Improvement Authority had worked. Mr. Waldron reviewed the options pursuant to the Service Plan. The Board generally discussed the list of improvements provided by the City. Following discussion, upon a motion duly made and seconded, the Board approved the Aurora Regional Improvement Authority Establishment Agreement, subject to final legal review, and also approved the appointment of Director Sheldon as District Representative.
Other Legal Matters	None.

**Financial Matters**

Consider Unaudited Statements	Acceptance of Financial	Ms. Henderson reviewed the June 30, 2020 unaudited financial statements with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the financials.
Public Hearing on Budget Amendment	2020	Director Cooper opened the public hearing on the proposed 2020 Budget. Mr. Waldron noted that the notice of public hearing was posted in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.
Consider Resolution Budget	Adoption of Amending 2020	Ms. Henderson reviewed the Resolution Amending the 2020 Budget with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution amending the General Fund to \$265,000.
Public Hearing on Budget	2021	Director Cooper opened the public hearing on the proposed 2021 Budget. Mr. Waldron noted that the notice of public hearing was

published in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of Ms. Henderson reviewed the 2021 Budget and Budget Resolution  
Resolution Approving 2021 with the Board. Following review and discussion, upon a motion  
Budget duly made and seconded, the Board unanimously approved the  
resolution adopting the 2021 Budget, appropriating funds  
therefore and certifying 70.000 mills for the general fund.

Consider Approval of Ms. Henderson discussed the Application for Exemption from  
Application for 2020 Audit. Following discussion, upon a motion duly made and  
Exemption from Audit seconded, the Board directed the District accountant to prepare  
and file.

Other Financial Matters None.

**Other Business** None.

**Adjournment** There being no further business to come before the Boards, and  
following discussion and upon motion duly made, seconded and  
unanimously carried, the Boards determined to adjourn the  
meeting.

The foregoing constitutes a true and correct copy of the minutes  
of the above-referenced meeting.

*Michael Sheldon*

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Secretary for the Meeting

The foregoing minutes were approved on the 26<sup>th</sup> day of October,  
2021.