

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

COAL CREEK METROPOLITAN DISTRICT NO. 1

Held: the 29th day of September, 2022, at 3:00 p.m. via Zoom teleconference.

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 Perlmutter

Director Jonathan Alpert was absent and excused.

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

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 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. 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 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 unanimously

approved the Agenda as presented.

Consider Election of Officers; President, Secretary, Treasurer The Board engaged in general discussion regarding the election of officers. Following discussion, upon a motion duly made and seconded, the Board unanimously elected the Directors to the following positions:

President: Marc Cooper
Vice President/Secretary: Michael Sheldon
Assistant Secretary: Jonathan Alpert
Treasurer: Jonathan Perlmutter

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 and ratified:

- Minutes from October 26, 2021 Special Meeting;
- Claims Listing;
- 2021 Annual Report to the City of Aurora;
- Special District Disclosure Notice Pursuant to § 32-1-809, C.R.S.;
- Resolution Designating Meeting Notices Posting Location; and
- Resolution Calling May 2, 2023 Regular Election.

Legal Matters

Consider Adoption of 2023 Annual Administrative Resolution Mr. Waldron presented the 2023 Annual Administrative Resolution to the Board for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Discuss and Review Insurance General Liability Schedule and Limits, Consider Authorization to Bind Coverage The Board reviewed the current general liability schedule and limits. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the general liability schedule and limits and authorized legal counsel to bind coverage.

Consider Approval of 2023 Exclusion from Worker's Compensation The Board reviewed the 2023 Exclusion from Worker's Compensation. Following discussion, upon a motion duly made

Compensation and seconded, the Board unanimously approved the Exclusion from Worker's Compensation for 2023.

Discuss 2022 Legislative Memorandum Mr. Waldron reviewed the 2022 Legislative Memorandum with the Board.

Discuss Aurora Regional Improvement Authority The Board discussed the Aurora Regional Improvement Authority. Director Cooper noted a meeting with Aurora is currently being scheduled.

Consider Approval of Contractor Agreement with Heatherly Creative for Website Maintenance and Management Mr. Waldron reviewed the Contractor Agreement with Heatherly Creative for Website Maintenance and Management with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agreement.

Discuss Board Member Contact Emails for District Website The Board discussed Board member contact emails for the District website. Following discussion, upon a motion duly made and seconded, the Board unanimously determined to set up an inbox on the website with emails going to White, Bear, Ankele, Tanaka & Waldron.

Other Legal Matters None.

Financial Matters

Review Property Tax Summary, Cash Position and August 31, 2022 Unaudited Financial Statements Ms. Henderson reviewed the property tax summary, cash position and August 31, 2022 unaudited financial statements with the Board.

Public Hearing on 2022 Budget Amendment Not needed.

Consider Approval of Resolution Amending the 2022 Budget Not needed.

Public Hearing on 2023 Budget Director Cooper opened the public hearing on the proposed 2023 Budget. Mr. Waldron noted that the notice of public hearing was provided 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 Approval of Resolution Adopting the Ms. Henderson reviewed the 2023 Budget Resolution with the Board. Following discussion, upon a motion duly made and

2023 Budget

seconded, the Board unanimously adopted the resolution adopting the 2023 Budget, appropriating funds therefor and certifying 70.000 mills for the General Fund and an abatement mill levy.

Consider Authorization for filing 2022 Application for Exemption from Audit

Ms. Henderson reviewed the 2022 Application for Exemption from the Audit with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously authorized the filing of the application for exemption from audit.

Consider Approval of Master Service Agreement and Special Districts Preparation Scope of Work with CliftonLarsonAllen LLP for District Accounting Services

Ms. Bartow reviewed the Master Service Agreement and Special Districts Preparation Scope of Work with CliftonLarsonAllen for Accounting Services with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agreement subject to final review by Director Cooper and legal counsel.

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

Secretary for the Meeting

The foregoing minutes were approved on the 21st day of September, 2023.