

MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF

COTTONWOOD CREEK METROPOLITAN DISTRICT  
NO. 1

Held: Wednesday, October 13, 2021, at 9:00 a.m.

*This meeting was held via teleconference.*

**Attendance**

The meeting of the Board of Directors of the Cottonwood Creek Metropolitan District No. 1 was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualifications to serve on the Board, were in attendance:

James Spehalski

Barry Talley

Director Linda Talley was absent. All absences are deemed excused unless otherwise noted in these minutes.

Also present: Kristin B. Tompkins, Esq.; White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel, and Diane Wheeler; Simmons and Wheeler, District Accountant.

**Call to Order**

It was noted that a quorum of the Board was present and the meeting was called to order.

**Conflict of Interest Disclosures**

Ms. Tompkins advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Frisbie 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. Ms. Tompkins 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.

## **Administrative Matters**

### **Agenda**

Ms. Tompkins presented the Board with the agenda for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda as amended.

### **Public Comment**

None.

### **Consent Agenda**

Ms. Tompkins reviewed the items on the consent agenda with the Board. The Adoption of Resolution Calling May 2022 Election was 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, ratified and/or adopted:

- a. Minutes from August 26, 2021 Special Meeting
- b. Renewal of Property and Liability Schedule and Limits, Workers Compensation Coverage, and SDA Membership for 2022 Legal Matters

## **Legal Matters**

### Adoption of Resolution Calling May 2022 Election

Ms. Tompkins presented the Resolution Calling f Election to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the Resolution Calling Election, designating the District's website as the second method for providing notice of Call for Nominations.

### Consider Adoption of 2022 Annual Administrative Matters Resolution

Ms. Tompkins presented the 2022 Annual Administrative Matters Resolution to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the Resolution.

## **Financial Matters**

### Consider Approval of Payables/Financials

Ms. Wheeler presented the Board with the Unaudited Financial Statements for the period ending July 31, 2021. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the Unaudited Financial Statements.

Ms. Wheeler presented the Board with the October claims in the amount of \$289,036.32 for ratification. Following discussion,

upon a motion duly made and seconded, the Board unanimously ratified the claims.

Conduct Public Hearing  
On 2021 Budget Amendment  
And Consider Adoption of  
Resolution Amending 2021  
Budget

It was determined a budget amendment was not needed.

Conduct Public Hearing on  
2022 Budget and Consider  
Adoption of Resolution  
Adopting 2022 Budget,  
Imposing Mill Levy and  
Appropriating Funds

The public hearing on the proposed 2022 Budget was opened. Ms. Tompkins noted that the notice of public hearing was published in accordance with Colorado law in the *Aurora Sentinel* as required by Colorado law. No written objections were received prior to the meeting. There being no public comment, the hearing was closed.

Ms. Wheeler reviewed the 2022 Budget Resolution with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2022 Budget as discussed, appropriating funds therefore and certifying 45.000 mills in the general fund.

The Boards directed legal counsel and the District's accountant to certify the mill levies by December 15, 2021 and file the 2022 Budget by January 30, 2022.

Other Financial Matters

None.

**Other Business**

The next regular meeting is scheduled for May, 11 2022, with a Special Meeting scheduled for January 12, 2022, at 9:00 a.m.

**Adjournment**

There being no further business to come before the Board, and following discussion and upon a motion duly made, seconded, and unanimously carried, the Board determined to adjourn the meeting. The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

  
Barry L Talley (May 16, 2022 15:37 MDT)

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Secretary for the Meeting