

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

BENNETT RANCH METROPOLITAN DISTRICT NO. 1

Held: Monday, October 31, 2022, at 10:00 A.M. via teleconference

Attendance

A regular meeting of the Board of Directors of Bennett Ranch 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 qualification to serve, were in attendance:

Kacy Flemons
Tracye Herrington

Also present: George M. Rowley, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Eric Weaver and James Shultz, Marchetti & Weaver, District Accountants.

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

Mr. Rowley advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Rowley 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. Rowley 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 Directors present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda

Mr. Rowley presented the Board with the meeting agenda for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda, as presented.

Consent Agenda

Mr. Rowley provided the items on the consent agenda to the Board. Mr. Rowley advised that any item can be removed from the consent agenda to the regular agenda upon a request from any

Director. No items were requested to be moved from the consent agenda. Upon a motion duly made, seconded and unanimously carried, the Board approved and adopted the following items:

- Minutes from April 25, 2022 Regular Meeting
- Renewal of General Liability Schedule and Limits, Workers Compensation Coverages and SDA Membership Renewal for 2023

Legal Matters

Consider Adoption of 2023 Annual Administrative Resolution

Mr. Rowley presented the Board with the 2023 Annual Administrative Resolution. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the resolution.

Consider Approval of Resolution Calling May 2, 2023 Election

Mr. Rowley presented the Board with the Resolution Calling the May 2, 2023 Election. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the resolution.

Consider Approval of Notice to Electors, Pursuant to §32-1-809, C.R.S.

Mr. Rowley presented the Board with the Notice to Electors. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the notice.

2022 Legislative Update

Mr. Rowley presented the Board with the 2022 Legislative Update. No action taken.

Consider Offsite Water and Sanitary Construction Agreement with Fiore

Mr. Rowley presented the Board with the Offsite Water and Sanitary Construction Agreement with Fiore. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the four work orders for; Added Sanitary Depth, Hand Tunnel #1, Hand Tunnel #2 and Hand Tunnel #3.

Consider Onsite Sitework and Storm Construction Agreement with Fiore

Mr. Rowley presented the Board with the Onsite Sitework and Storm Construction Agreement with Fiore. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the work orders for Pavement Design Change.

Financial Matters

Acceptance of Unaudited Financials and Approval of Claims

Mr. Weaver presented the claims for approval. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the claims.

Consider Approval of 2021 Audit

Mr. Weaver presented the 2021 Audit to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Audit.

Request for Proposal for Audit of Bennett Ranch Metropolitan District No. 1

Mr. Weaver presented the audit proposals to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal with Green & Associates, LLC.

Public Hearing on 2022 Budget Amendment

Not needed, no action taken.

Public Hearing on Adoption Approving 2023 Budget

Director Flemons opened the public hearing on the proposed 2023 Budget. Mr. Rowley 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.

Mr. Weaver reviewed the 2023 Budget Resolution with the Board of District No. 1. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2023 Budget, appropriating funds therefor and certifying mills for the General Fund, mills for the Debt Service Fund, and mills for the Contractual Obligation Expenses Fund as shown in the 2023 Budget, subject to receipt of final assessed valuation.


Other Business

The Board discussed the 2023 Regular Meeting Schedule.

Adjournment

There being no further business to come before the Board, following discussion and upon motion duly made and seconded, the Board determined to adjourn the meeting.

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


[Tracye Herrington \(Aug 9, 2023 14:31 MDT\)](#)

Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 24th day of July 2023.