

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

BIJOU CREEK METROPOLITAN DISTRICT

Held: Monday, October 19, 2020, at 2:00 P.M., Via Telephone: 303-858-1802, Pin: 1102

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 (CDPHE), and the threat posed by the COVID-19 coronavirus, the meeting was held via teleconference.

ATTENDANCE

The meeting was held in accordance with the laws of the State of Colorado. The following directors were in attendance:

Derek Williams
Glenn Kunkel
Teresa Williams
Jennifer Kunkel

Also present were: Jennifer Gruber Tanaka, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Diane Wheeler, Simmons & Wheeler, P.C., District Accountant.

ADMINISTRATIVE MATTERS

Call to Order and Confirmation of Quorum It was noted that a quorum of the Board was present, and, therefore, the meeting was called to order.

Declaration of Quorum and Confirmation of Director Qualifications Ms. Tanaka noted that a quorum for the Board was present and that the directors had confirmed their qualification to serve.

Reaffirmation of Disclosures of Potential or Existing Conflicts of Interest Ms. Tanaka advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Tanaka 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. Tanaka 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 proposed agenda for the meeting. Upon a motion of Mr. G. Kunkel, seconded by Mr. Williams, the Board unanimously approved the agenda as amended.

Excusal of Absence The Board noted the absence of Mr. D. Kunkel. Upon a motion of Mr. G. Kunkel, seconded by Mr. Williams, the Board unanimously excused his absence.

PUBLIC COMMENT None.

CONSENT AGENDA The Board was presented with the Consent Agenda. Upon a motion of Mr. Williams, seconded by Ms. Williams, the following items on the consent agenda were unanimously approved, ratified and adopted:

- a. Approved the Minutes from April 20, 2020 Special Meeting
- b. Adopted Resolution No. 2020-10-01: 2021 Annual Administrative Resolution
- c. Adopted Resolution No. 2020-10-02: Resolution Extending Emergency Procedures and Authorizing Teleconferencing for Regular and Special Meetings
- d. Approved the Payment of Claims as of October 19, 2020 (\$37,350.79), subject to confirmation of January and February legal counsel invoices
- e. Accepted the Unaudited Financial Statements as of August 31, 2020
- f. Approved the Engagement Letter with Fiscal Focus for Audit Services
- g. Ratified the Bill of Sale for Conveyance of Phase 1B Improvements to Town of Deer Trail
- h. Approved the First Amendment to Warranty Agreement Extending the Warranty Period for Phase 2 and 3 Improvements with Bijou Creek, LLC

FINANCIAL MATTERS

Public Hearing on 2021 Budget and Consider Adoption of Resolution No. 2020-10-03 Adopting Budget, Imposing Mill Levy and Appropriating Funds Mr. Williams opened the public hearing on the 2021 budget. Ms. Tanaka noted that the notice of public hearing was published in accordance with Colorado law and noted that no objections were received prior to the hearing. There being no public comment, Mr. Williams closed the public hearing.

Ms. Wheeler reviewed the proposed budget with the Board and discussed the anticipated costs and revenue sources, including

revenues generated by the proposed mill levy for the general fund.

Upon motion of Mr. G. Kunkel, seconded by Ms. J. Kunkel, the Board unanimously adopted the 2021 budget and adopted Resolution No. 2020-10-03 Adopting Budget, Imposing Mill Levy and Appropriating Funds.

Bill.Com for Processing of District Claims Ms. Wheeler discussed the use of bill.com with the Board for processing the payment of claims.

Upon motion of Mr. G. Kunkel, seconded by Ms. Williams, the Board unanimously determined to use Bill.Com for processing of District claims.

LEGAL MATTERS

None.

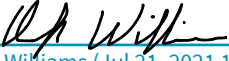
OTHER BUSINESS

Next Meeting Date The next regular meeting is scheduled for July 20, 2021, at 10:00 A.M.

ADJOURNMENT

There being no further business to be conducted, the meeting was adjourned.

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


Derek Williams (Jul 21, 2021 13:57 MDT)

Secretary for the Meeting