

MINUTES OF SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

BRADBURN METROPOLITAN DISTRICT NO. 2

Held: Tuesday, December 7, 2021, at 2:30 p.m. via teleconference.

**Attendance**

A special meeting of the Board of Directors of Bradburn Metropolitan District No. 2 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:

Mark G. Falcon  
Roger Pecsok  
Lenn Moldenhauer  
Jennifer Walker

Also present: George M. Rowley, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Dennis Zain, Continuum; and Brooke Hutchens, DA Davidson.

**Call to Order**

Mr. Rowley noted that a quorum of the Board was present and called the meeting 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 members 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 agenda for the meeting for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda as amended.

**Public Comment**

None.

**Consent Agenda**

Following discussion, upon a motion duly made and seconded, the Board unanimously approved the following:

- Minutes from November 16, 2020
- Renewal of General Liability Schedule and Limits; Workers Compensation Coverages and SDA Membership Renewal for 2022

**Legal Matters**

Consider Adoption of the 2022 Annual Administrative Resolution

Mr. Rowley presented the 2022 Annual Administrative Resolution. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the 2022 Annual Administrative Resolution with changes to the meeting dates.

Consider Adoption of the Resolution Designating the Location of Regular Meetings of the Board of Directors

Mr. Rowley presented the Resolution Designating the Location of Regular Meetings of the Board of Directors. Following discussion, upon a motion duly made and seconded, the Board unanimously approved virtual meetings and adopted the Resolution.

Consider Resolution Calling Elections (May 2022)

Mr. Rowley presented the Resolution Calling Elections for the May 2022 cycle. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Resolution via the website.

Consider Terminating the Prepaid Development Fee Agreement

Mr. Rowley presented the Prepaid Development Fee Agreement. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Termination of the Agreement.

Legislative Update

Mr. Rowley presented the Legislative Update. The Board discussed and no action was taken.

Discuss District Website

The Board discussed the website. Mr. Rowley will follow up with Jason Carroll regarding where CLA is at with the website.

**Financial Matters**

Discuss Potential Debt Issuance

Ms. Hutchens presented the options. The Board discussed a possible refinancing in 2023. No action taken.

Conduct 2021 Budget Amendment Hearing  
Conduct 2022 Budget Hearing and Consider Adoption of Resolution to Adopt 2022 Budget and Set Mill Levies

Not Necessary.

Director Falcone opened the public hearing on the proposed 2022 Budget, and it was 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. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2022 Budget, appropriating funds therefor and certifying 5.752 mills for the General fund, and 57.523 mills for the Debt Service fund.

Engagement Letter for 2021 Audit

The Board was presented with an Engagement Letter from Fiscal Focus Partners LLC. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the engagement of Fiscal Focus Partners LLC.

Engagement Letter for CLA

The Board was presented with an Engagement Letter from CliftonLarsonAllen. The letter is subject to legal review and will be finalized by White Bear Ankele Tanaka & Waldron.

**Other Business**

None.

**Adjournment**

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

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

*Lenn A. Moldenhauer*  
Lenn A. Moldenhauer (Nov 18, 2022 10:06 MST)

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Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 1<sup>st</sup> day of November 2022.