

## RECORD OF PROCEEDINGS

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MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
UPPER COTTONWOOD CREEK METROPOLITAN DISTRICT NO. 4  
(THE "DISTRICT")  
HELD  
APRIL 10, 2024

A regular meeting of the Board of Directors of the Upper Cottonwood Creek Metropolitan District No. 4 (referred to hereafter as the "**Board**") was convened on Wednesday, April 10, 2024, at 9:30 a.m. This District Board meeting was held via Microsoft Teams. The meeting was open to the public.

### ATTENDANCE

#### Directors In Attendance Were:

Delroy Johnson, Secretary  
David D. Jenkins, Treasurer  
Bobby Ingels, Assistant Secretary  
Christopher S. Jenkins, Assistant Secretary

Absent and excused was Director Timothy Seibert, President.

#### Also, In Attendance Were:

Josh Miller, Korben Heim, Carrie Bartow, Rob Lange, Robert J. Campbell;  
CliftonLarsonAllen LLP ("CLA")  
Laura Heinrich, Esq.; Spencer Fane LLP  
Robert Huls; Norwood Development Group  
Martin Rickett; Resident

### ADMINISTRATIVE MATTERS

**Call to Order and Agenda:** The meeting was called to order at 9:33 a.m. Following review, upon a motion duly made by Director Ingels, seconded by Director Johnson and, upon vote, unanimously carried, the Board approved the agenda, as presented.

**Disclosure of Potential Conflicts of Interest:** The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Boards of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. It was noted by Attorney Heinrich that disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors. No additional conflicts were disclosed at the meeting.

**Quorum, Location of Meeting and Posting of Meeting Notices:** A quorum was confirmed. The Board noted the meeting was noticed on the website and

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posted as required and designated the 24-hour posting location to be the website: [www.olderanchmetrodistrict.org](http://www.olderanchmetrodistrict.org). Following discussion, upon a motion duly made by Director Ingels, seconded by Director David Jenkins and, upon vote, unanimously carried, the Board excused the absence of Director Seibert.

**Public Comment:** Mr. Rickett addressed the Board. He inquired about a new recreation center and the funding. He also asked the Board to consider making draft minutes available prior to meetings for public review.

**Minutes from the November 13, 2023 Special Meeting and Minutes from the November 13, 2023 Annual Meeting:** Following review, upon a motion duly made by Director Ingels, seconded by Director David Jenkins and, upon vote, unanimously carried, the Board approved the minutes from the November 13, 2023 special meeting and minutes from the November 13, 2023 annual meeting, as presented.

**Ratify Adoption of Resolution No. 2023-11-01 Regarding 2024 Annual Administrative Matters:** Mr. Miller provided an update on the Resolution. Following review and discussion, upon a motion duly made by Director Ingels, seconded by Director David Jenkins and, upon vote, unanimously carried, the Board ratified the adoption of Resolution No. 2023-11-01 Regarding 2024 Annual Administrative Matters.

### **FINANCIAL MATTERS**

**December 31, 2023 Unaudited Financial Statements and Schedule of Cash Position, Updated as of April 4, 2024:** Ms. Bartow reviewed the Unaudited Financial Statements and Schedule of Cash Position with the Board. Following review and discussion, upon a motion duly made by Director Ingels, seconded by Director Johnson and, upon vote, unanimously carried, the Board accepted the December 31, 2023 Unaudited Financial Statements and Schedule of Cash Position, updated as of April 4, 2024, as presented.

**Public Hearing to Consider Amendment of the 2023 Budget. Adoption of Resolution No. 2024-04-01 to Amend the 2023 Budget:** Ms. Bartow reviewed the proposed amendment of the 2023 Budget with the Board.

Upon a motion duly made by Director David Jenkins, seconded by Director Ingels and, upon vote, unanimously carried, the Board opened the public hearing to consider amendment of the 2023 Budget at 9:43 a.m.

It was noted that a notice stating that the Boards would consider amendment of the 2023 budget, and the date, time and place of the public hearing was published pursuant to statute. No written objections were received prior to the public hearing.

No public comments were received. Upon a motion duly made by Director

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David Jenkins, seconded by Director Ingels and, upon vote, unanimously carried, the Board closed the public hearing at 9:44 a.m.

Following review and discussion, upon a motion duly made by Director Ingels, seconded by Director Johnson and, upon vote, unanimously carried, the Board amended the General Fund of the 2023 Budget and adopted Resolution No. 2024-04-01 to Amend the 2023 Budget, subject to amending the document to reflect the General Fund amount to be \$458,000.

### LEGAL MATTERS

None.

### MANAGER MATTERS

Mr. Miller discussed the resident questions regarding mill levy and property taxes, and the preparation of a uniform statement on the subject.

### OTHER BUSINESS

**Quorum for Next Regular Meeting – July 10, 2024, at 9:30 a.m.:** The Board acknowledged the anticipation of a quorum.

### ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director Ingels, seconded by Director Johnson and, upon vote, unanimously carried, the Board adjourned the meeting at 9:46 a.m.

Respectfully submitted,

By Delroy Johnson  
Secretary for the Meeting

DocuSigned by:  
57374E398D8745C

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 Director  
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 Security Level: Email, Account Authentication (None)

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