

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

WESTERLY CREEK METROPOLITAN DISTRICT

Held: Tuesday, August, 2 2022, at 8:00 A.M. held via Zoom Conferencing at 720-707-2699; Meeting ID: 886 1645 4909, Passcode: 681433.

**ATTENDANCE**

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

Justin Ross  
Derek Lis  
Doug Marsh  
Kristin Rozansky

Also present were:

- Megan J. Murphy, Esq. and Nelson G. Dunford, Esq. WHITE BEAR ANKELE TANAKA & WALDRON, Attorneys at Law, District General Counsel;
- John Seward, MCA;
- John Simmons, Simmons & Wheeler;
- Mario Rivera
- Members of the public

**ADMINISTRATIVE MATTERS**

Call to Order

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

Declaration of Quorum and Confirmation of Director Qualifications

A quorum for the Board was confirmed present and the director's qualifications to serve were also confirmed.

Reaffirmation of Disclosures of Potential or Existing Conflicts of Interest

Ms. Murphy advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Murphy 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. Murphy 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. Following discussion, upon motion by Mr. Ross and seconded by Mr. Marsh, the Board unanimously approved the agenda as amended.

## **PUBLIC COMMENT**

None.

## **DIRECTOR MATTERS**

Consider Appointment of Director

The Board engaged in general discussion regarding the Appointment of a new Director to fill the vacancy in the Board. Following discussion, upon a motion duly made by Mr. March and seconded by Mr. Ross, the Board appointed Mario Rivera as a director.

Consider Election of Officers

The Board engaged in general discussion regarding the election of officers. The Board declined to make any changes to the current slate of officers.

## **CONSENT AGENDA**

Ms. Murphy reviewed the items on the consent agenda with the Board. Ms. Murphy advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any director. Upon a motion duly made by Mr. Ross and seconded by Mr. Lis, the following items on the consent agenda were unanimously approved, ratified, and adopted:

- a. Approval of Minutes from May 26, 2022 Regular Meeting
- b. Ratification of Claims as of August 2, 2022 (\$38,034.74)
- c. Approval of Claims as of August 2, 2022

## **FINANCIAL MATTERS**

Consider Approval of Extension of 2021 Audit

Mr. Simmons presented this matter to the Board. The audit was due July 31 and Mr. Simmons requested an extension until

September 30 for filing. Upon a motion duly made by Mr. Marsh and seconded by Mr. Ross, the Board approved the extension.

Discussion Regarding  
Bookkeeping Services

The Board engaged in general discussion concerning current bookkeeping services and possible future action; the Board took no action at this time.

**MATTERS RELATED TO  
STAPLETON  
DEVELOPMENT  
CORPORATION**

None.

**MATTERS RELATED TO  
PARK CREEK  
METROPOLITAN  
DISTRICT**

Discussion Regarding  
Transfer of Assets (proposed  
deadline December 31, 2023)

Mr. Marsh addressed the matter with the Board, mentioning that he attended the last PCMD meeting, at which he asked that a member of the Board to be on the PCMD bond committee. Mr. Seward discussed the relationship between MCA and PCMD. The Board took no action at this time.

**OTHER BUSINESS**

Creation of District Email  
Addresses

The Board discussed the creation of district email addresses. The Board decided to use one email address, to be posted on the district website, which would forward to Board member emails: board@westerlycreekmetro.org.

Next Meeting—August 17,  
2022

Due to the change in the submission deadline for the audit, the Board chose to cancel the August 17, 2022 meeting and reschedule it to September 21, 2022.

**ADJOURNMENT**

There being no further business to come before the Board, upon motion, second, 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.

*KRISTIN FROZANSKY*

KRISTIN F ROZANSKY (Sep 23, 2022 13:46 MDT)

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Secretary for the District

The foregoing minutes were approved by the Board of Directors on the 21st day of September 2022.