

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

THOMPSON CROSSING METROPOLITAN DISTRICT NO. 4

Held: Tuesday, November 3, 2020 at 7:30 a.m. at the following telephone and/or electronic location: <https://us02web.zoom.us/j/84809765841?pwd=aElrUVNBZGFGZHIqcG43RERPZ0NaUT09>, Meeting ID: 848 0976 5841, Passcode: 326917; or via telephone Dial-In Number: 1-253-215-8782. All participation in this meeting, including public participation, was by telephone and/or electronic means to preserve the health, safety and welfare of the public in light of the imminent threat caused by the COVID-19 pandemic and due to the State of Emergency declared by Governor Polis, as amended and extended, corresponding executive orders and public health orders, as amended and extended, and CDC recommendations against gathering in large groups in order to mitigate the spread of the COVID-19 virus.

Attendance:

A special meeting of the Board of Directors of the Thompson Crossing Metropolitan District No. 4 was scheduled in compliance with the laws of the State of Colorado.

The following Directors were present:

Bruce Rau, President (*via video/telephone conference*)

Brandon Wyszynski, Secretary/Treasurer (*via video/telephone conference*)

Joel Kieseey, Assistant Secretary (*via video/telephone conference*)

Also present were: Jerry Jacobs and Brittany Barnett, Timberline District Consulting, LLC (*via video/telephone conference*); Shelby Clymer, CliftonLarsonAllen LLP (*via video/telephone conference*); Jennifer L. Ivey, Icenogle Seaver Pogue, P.C. (*via video/telephone conference*); and the following members of the public: Claudia Burgstahler, Elaine Hoffman; Chris Carlton, Oakwood Homes/Board Member, Thompson Crossing Metropolitan District Nos. 3 and 5; and Kim Kelley and Danny Fernandez, Board Members, Thompson Crossing Metropolitan District No. 6 (*all via video/telephone conference*).

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Call to Order: Director Rau, noting the presence of a quorum, called to order the special meeting of the Board of Directors of the Thompson Crossing Metropolitan District No. 4.

Director Matters/
Disclosure Matters: Ms. Ivey then advised the Board that pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board then reviewed the agenda for the meeting, following which each Board member confirmed the contents of any written disclosures previously made, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting. Additionally, the Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

Director Rau disclosed his interests and association with Clayton Properties Group II, Inc., a Colorado corporation and developer within the boundaries of the District and noted his board membership on each of Thompson Crossing Metropolitan District Nos. 3, 5, and 6. This disclosure is associated with approval of items on the agenda that may affect his interests.

Director Wyszynski disclosed his interests and association with Clayton Properties Group II, Inc., a Colorado corporation, and noted his board membership on each of the Thompson Crossing Metropolitan District Nos. 3, 5, and 6. This disclosure is associated with approval of items on the agenda that may affect his interests.

Written disclosures of these interests had been filed with the Secretary of State and the Board prior to the meeting.

Consider Appointments
to Vacancies on Board of
Directors: Ms. Ivey advised the Board that there are currently two vacancies on the Board of Directors of the District. Ms. Ivey further reported that Mr. Fernandez had announced these vacancies at a Citizens Advisory Committee meeting and that Ms. Hoffman had expressed interest but that no District-wide announcement and request for applications had gone out to date. After review and discussion, and upon motion of Director Wyszynski and second of Director Kiesey, and unanimous vote the Board directed Ms. Ivey and Mr. Jacobs to publish notices of the vacancies, distribute the notice and request for applicants via eblast and website posting, and post the information at the District's posting locations. The Board then

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determined to hold a special meeting the week of January 26, 2021 to consider appointments to the vacancies and any other business that may come before the Board.

Approval of/Additions to/Deletions from the Agenda:

There were no changes to the agenda.

Public Comment For Matters Not on the Agenda:

None.

Approval of Minutes -

Approval of Minutes of July 22, 2020 Special Meeting:

After review and discussion, and upon motion of Director Wyszynski and second of Director Kiesey, and unanimous vote the Board approved the minutes of the July 22, 2020 Special Meeting.

Approval of Minutes of October 29, 2020 Joint Special Meeting Study Session:

After review and discussion, and upon motion of Director Wyszynski and second of Director Kiesey, and unanimous vote the Board approved the minutes of the October 29, 2020 Joint Special Meeting Study Session.

Legal Matters -

Adoption of 2021 Annual Resolution/Election of Officers:

After review and discussion, and upon motion of Director Wyszynski and second of Director Kiesey, and unanimous vote the Board adopted the 2021 annual resolution, part of which was the election of officers as follows:

President: Brandon Wyszynski
Secretary: Bruce Rau
Treasurer: Joel Kiesey

and setting the regular meeting of the Board for the first Tuesday in November 2021, at 7:30 a.m. at the Abundant Life Tabernacle, 5450 River Ranch Parkway, Johnstown, Colorado 80534.

Public Hearing on Petition Concerning the Proposed Inclusion of Real Property within the District:

Upon motion of Director Wyszynski and second of Director Kiesey, the Board unanimously approved opening a public hearing on the petition for inclusion of property consistent with published public notice. No members of the public were present to address the Board. Upon motion of Director Wyszynski and second of Director Kiesey, the Board unanimously approved closing the

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public hearing. Ms. Ivey reviewed with the Board a proposed resolution and order regarding the inclusion of property into the District.

Approval of Resolution Approving the Petition for Inclusion of Property within the District (Tabernacle Parcel):

After discussion, and upon motion of Director Kiesey and second of Director Wyszynski, the Board unanimously approved adopting a resolution and order regarding the inclusion of real property into the District.

Financial Matters –

Approval of Financial Statements:

Ms. Clymer presented the financial statements through the period ending September 30, 2020. After discussion and review, upon motion of Director Wyszynski and second of Director Kiesey and unanimous vote, the Board accepted the financial statements with an adjustment to reflect the reinstatement of the reserve of approximately \$37,500 from the 2.000 mills reserved for capital enhancements from the operations and maintenance mill levy.

Public Hearing on Proposed 2021 Budget:

Ms. Clymer reviewed with the Board of Directors the draft of the proposed 2021 budget. It was noted that Notice stating the board would consider adoption of the 2021 budget and the public hearing was published pursuant to statute. Upon the motion of Director Wyszynski and second of Director Kiesey the Board of Directors voted unanimously to open a public hearing on the proposed 2021 budget for the District. Ms. Hoffman inquired about the posting of the meeting information on the community website; Mr. Jacobs stated that it was completed but may have been since removed as new information was posted. Upon the motion of Director Wyszynski and the second of Director Kiesey the Board of Directors voted unanimously to close the public hearing on the proposed 2021 budget.

Approval of 2021 Budget, Appropriation of Funds, and Certification of

After discussion and review, upon the motion of Director Wyszynski and second of Director Kiesey the Board of Directors voted unanimously to approve the resolution adopting the 2021 budget and appropriating the funds to the approved budget and certifying the mill levies as provided in the budget, with the 2.000

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Mill Levy: mills from the operations and maintenance mill levy being reserved for capital projects and approximately \$95,000 (comprised of one half of the following: \$50,000 in 2020 system development fees, \$64,000 in 2021 system development fees, and approximately \$76,000 from the 2.000 mills from the operations and maintenance mill levy in 2020 and 2021) being appropriated for specific landscape enhancement that will be determined by the Board at a special meeting to be held in January.

District Manager's Report: The Manager's Report was distributed prior to the meeting. There was no specific discussion related to this Item.

Other Business -
Approval of SDA Pool Member Representatives: Ms. Ivey presented the Designation of Member Representative and Alternate Member Representative for the Colorado Special Districts Property and Liability Pool designating Mr. Jacobs, District Manager, as the Member Representative for the District and Ms. Barnett, Assistant District Manager, as the Alternate Representative for the District. Upon motion of Director Wyszynski and second of Director Kiesey and unanimous vote, the Board approved the Designation of Member Representative and Alternate Member Representative with Ms. Ivey being designated as the Alternate Representative for the District.

Oakwood Homes Report Regarding Development and Amenities: Directors Rau and Wyszynski and Mr. Carlton provided a report to the Board regarding Oakwood Homes' current development and amenities. A written report will be provided after the meeting.

Adjournment: There being no further business to come before the Board of Directors, upon motion of Director Kiesey and second of Director Wyszynski, the Board of Directors voted unanimously to adjourn the meeting.

DocuSigned by:
Brandon Wyszynski
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Secretary of the District