

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
BEEBE DRAW FARMS AUTHORITY
HELD
JANUARY 10, 2024**

A regular meeting of the Board of Directors (referred to hereafter as the “Board”) of the Beebe Draw Farms Authority (referred to hereafter as the “Authority”) was convened on Wednesday, January 10, 2024, at 6:00 p.m. This meeting was a hybrid meeting held via Microsoft Teams and at the Pelican Lake Ranch Community Info & Sales Center, 16502 Beebe Draw Farms Pkwy. Platteville, CO. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Sharon Dillon, President
Paul “Joe” Knopinski, Vice President
Diane Mead, Treasurer
William Caldwell, Secretary

Also In Attendance Were:

Lisa Johnson; CliftonLarsonAllen LLP
Alan Pogue, Esq.; Icenogle Seaver Pogue, P.C.
Christine Hethcock, Crystal Clark, Linda Black, Carol Satersmoen, Patty Caldwell, Dory Martin, Ed and Mary Jo Farrell, Scott Edgar, Cindy Billinger, Gerry Tschirpke, Judy Tunis, Roy Wandell, Cindy Key, Catrena Rosentreader, Chris Craver and other members of the public.

ADMINISTRATIVE
MATTERS

Call to Order and Agenda: The meeting was called to order at 5:08 p.m. Following discussion, upon a motion duly made by Director Knopinski, seconded by Director Mead and, upon vote, unanimously carried, the Board approved the agenda, as presented.

Confirm Quorum, Location of Meeting and Posting of Meeting Notice: The presence of a quorum was confirmed. It was further noted that notice of the time, date and location was duly posted and that no objections to the location or any requests that the meeting place be changed by taxing electors within the District’s boundaries have been received.

Disclosures 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 to the Board and 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 Pogue that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors, and no additional conflicts were disclosed

at the meeting.

Board Meetings at Facilities and Maintenance Building 16494 Beebe Draw Farms Parkway Platteville, CO 80651. Resolution No. 2024-01-01 First Amendment to 2024 Meeting Resolution: Ms. Johnson presented the Resolution to the Board. Following review, upon a motion duly made by Director Knopinski, seconded by Director Caldwell and, upon vote, unanimously carried, the Board approved holding Board meetings at the Facilities and Maintenance Building, 16494 Beebe Draw Farms Parkway Platteville, CO 80651, and adopted Resolution No. 2024-01-01 First Amendment to 2024 Meeting Resolution, as presented.

Constituent Communications and Requests to Management, Accounting and Legal: Director Dillon presented the constituents communications and requests to the Board, reminding the attendees that communications to consulting staff from constituents do increase the consulting fees to the Authority. She requested constituents contact her and or Director Caldwell first with any concerns or questions.

FIRST READING: None.

SECOND READING: None.

EMERGENCY READING: None.

**CONSENT
AGENDA**

The Board considered the following items and actions:

- Approve Minutes of the November 8, 2023 Regular Meeting
- Ratify approval of payment of claims totaling \$370,850.58
- Acceptance of Cash Position Schedule
- Acknowledge AV Equipment Gift from POA and the Installation of Same

The Board reviewed the Consent Agenda items. Following review, upon motion duly made by Director Knopinski, seconded by Director Dillon and, upon vote, unanimously carried, the Board approved, ratified approval of and/or accepted the Consent Agenda items as presented.

PUBLIC COMMENT

Judy Tunis addressed the Board regarding the current lease for use of the Sales and Info Center. She then addressed the Board regarding the land conveyance concern.

Crystal Clark addressed the Board regarding the expense of the potential land conveyance and asked if the insurance for the Authority will be contacted about this and a claim filed. She asked if a community meeting could be held regarding the land conveyance issue.

Linda Black addressed the Board regarding the insurance option mentioned by Ms. Clark. She encouraged the Authority Board and Mr. Edgar to provide the community with a timeline on when this issue will be addressed and resolved.

Carol Satersmoen addressed the Board regarding the current state of the Authority website and asked if updates could be made. She also asked about the beavers at Lake Christina. She suggested the Board consider preparing a Wildlife Management Policy.

FINANCIAL
MATTERS

FIRST READING: None.

SECOND READING:

Fee Committee Recommendations for 2024 Fees. Resolution No. 2024-01-02 to Adopt 2024 Fee Schedule: Ms. Clark presented the recommendations for fee changes in 2024 to the Board. Following review, upon a motion duly made by Director Dillon, seconded by Director Knopinski and, upon vote, unanimously carried, the Board adopted the Resolution No. 2024-01-02 to Adopt 2024 Fee Schedule, as presented.

EMERGENCY READING: None.

OPERATIONS AND
MAINTENANCE

FIRST READING:

Proposals for 2024 Road Maintenance: The Board discussed the proposals from T Case for road maintenance in the amount of \$31,425. No action was taken.

SECOND READING: None.

EMERGENCY READING:

Proposals from Big Horn Buildings LLC and Fossil Creek Builders to Repair Pillars at Sales and Info. Center Facility: Ms. Johnson presented the proposals to the Board. Director Caldwell provided additional information on the proposals and his agreement with this being considered as an emergency reading as this issue is considered a safety concern at the Sales and Info. Center.

Following review, upon a motion duly made by Director Dillon, seconded by Director Caldwell and, upon vote, unanimously carried, the Board approved the proposal from Big Horn Buildings LLC to repair pillars at Sales and Info. Center Facility and directed legal counsel to draft an agreement.

CAPITAL
AMENITIES

Broadband Project: Mr. Farrell provided an update on the project to the Board, noting that Hilltop Broadband continues to wait for the application window to open again for grant funds. It was noted that certification of need has been completed.

FIRST READING: None.

SECOND READING: None.

EMERGENCY READING:

Change Order No. 1 to the Construction Contract with Fossil Creek Builders to Install 2 New Culverts: Ms. Johnson presented the reason for adding this as an emergency reading due to the timing of the next Board meeting in relation to the completion of the path project. It was noted that waiting until March could cause the project to not be completed on time and therefore increase the overall cost. Mr. Caldwell summarized the change order and the need to install the two new culverts.

Following discussion, upon a motion duly made by Director Dillon, seconded by Director Caldwell and, upon vote, unanimously carried, the Board approved the Change Order No. 1 to the Construction Contract with Fossil Creek Builders to install 2 new culverts.

INFRASTRUCTURE
MATTERS

Filing No. 2: Ms. Hethcock provided an update for the Board, noting that Filing No. 2 was submitted to Weld County staff for review a few weeks ago.

FIRST READING:

Cost Verification Report No. 4 Prepared by Schedio Group: The Board reviewed the Cost Verification Report No. 4 prepared by Schedio Group. No action was taken.

Cost Verification Report No. 5 prepared by Schedio Group: The Board reviewed the Cost Verification Report No. 5 prepared by Schedio Group. No action was taken.

SECOND READING:

Cost Verification Report No. 3 prepared by Schedio Group: Following review, upon a motion duly made by Director Knopinski, seconded by Director Mead and, upon vote, unanimously carried, the Board accepted the Cost Verification Report No. 3 prepared by Schedio Group.

EMERGENCY READING: None.

LEGAL MATTERS

Authority Establishment Agreement (AEA) Regarding Items Requiring Action to be Discussed at Two Meetings: Attorney Pogue discussed the language in the AEA related to the requirement that all matters that require approval from the Board require discussion at two meetings prior to taking action with the exception of the pledge agreements. Attorney Pogue and Ms. Johnson discussed this matter in detail and suggest a few options for Board consideration:

1. Every matter requiring action by the Board would need to be discussed at two meetings prior to action other than items deemed to be an emergency. The suggestion would be that the Board would meet twice monthly to accomplish this.
2. The Board could prepare a list of matters that do not require discussion at two meetings and those matters can be approved via a consent agenda.
3. An amendment to the AEA could be prepared to more clearly define the two-meeting discussion rule requirement.

Director Knopinski provided comments on what he feels the intent of this requirement was at the time the AEA was approved.

Director Dillon commented that she is not in favor of not adhering to the terms of the AEA. She would agree to an amendment to the AEA but if the Board is going to amend the AEA then she has other items in the AEA that she would like to see amended. She would be willing to review a list of items that might be exempt from the requirement.

Director Caldwell provided his comments in that he does not feel that waiting two months to hire a contractor to do time sensitive work is reasonable.

FIRST READING: None.

SECOND READING:

Amended and Restated Improvement Acquisition, Advance, and Reimbursement Agreement and Promissory Note Securing Payment of Same with REI: Attorney Pogue presented the agreement to the Board. Following review, upon a motion duly made by Director Knopinski, seconded by Director Mead and, upon vote, with Directors Knopinski and Mead voting yes, the Board approved the Amended and Restated Improvement Acquisition, Advance, and Reimbursement Agreement and Promissory Note securing payment of same with REI. Directors Caldwell and Dillon were opposed. The Board members discussed the concerns that Directors Caldwell and Dillon have with the agreement. Director Knopinski will work with Attorney Pogue to address the concerns shared by Directors Caldwell and Dillon regarding

the agreement.

EMERGENCY READING: None.

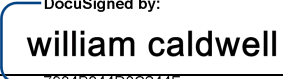
OTHER BUSINESS

None.

ADJOURNMENT

There being no further business to come before the Board at this time, Director Dillon adjourned the meeting at 7:45 p.m.

Respectfully submitted,

By 
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Secretary for the Meeting

Certificate Of Completion

Envelope Id: C55820B7792142D9A1A57B7FB115BC96	Status: Completed
Subject: Complete with DocuSign: BBDFa - Minutes 01-10-2024 (BBDFa) (final).pdf	
Client Name: BBDFa	
Client Number: A176953	
Source Envelope:	
Document Pages: 6	Signatures: 1
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped Stamping: Enabled	Natalie Herschberg
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 S 6th St Ste 300
	Minneapolis, MN 55402-1418
	Natalie.Herschberg@claconnect.com
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Status: Original	Holder: Natalie Herschberg	Location: DocuSign
3/20/2024 4:40:09 PM	Natalie.Herschberg@claconnect.com	

Signer Events

william caldwell
 bcaldwell.beebedraw@gmail.com
 Secretary
 Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:
william caldwell
7984B344D8C244F...

Signature Adoption: Pre-selected Style
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 Signed using mobile

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In Person Signer Events	Signature	Timestamp
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Editor Delivery Events	Status	Timestamp
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Agent Delivery Events	Status	Timestamp
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Intermediary Delivery Events	Status	Timestamp
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Certified Delivery Events	Status	Timestamp
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Electronic Record and Signature Disclosure:
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 ID: 2eeab7cf-9041-488d-bed0-8baedf289723

Stacie Pacheco
 spacheco@isp-law.com
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	3/20/2024 5:15:21 PM
Signing Complete	Security Checked	3/20/2024 5:21:40 PM
Completed	Security Checked	3/20/2024 5:21:40 PM

Payment Events	Status	Timestamps
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