BEEBE DRAW FARMS AUTHORITY

8390 E. Crescent Pkwy., Suite 300 Greenwood Village, Colorado 80111 Tel: 303-779-5710Fax: 303-779-0348

A copy of the agenda/meeting packet is available at the Beebe Draw Farms website at www.colorado.gov/beebedrawfarms

NOTICE OF SPECIAL MEETING AND AGENDA

Board of Directors:Office:Term Expires:Paul "Joe" KnopinskiPresidentJune 2023Christine HethcockVice-PresidentJune 2022Michael WelchTreasurerJune 2023Eric WernsmanAssistant SecretaryJune 2022

Lisa A. Johnson Secretary

DATE: August 18, 2021 TIME: 6:00 P.M.

PLACE: Via Microsoft Teams

https://teams.microsoft.com/l/meetup-

join/19%3ameeting NzUwNzY4YTctNzI2MS00MTk0LWEwZTctZGNIMTUwN2UxYWMw% 40thread.v2/0?context=%7b%22Tid%22%3a%224aaa468e-93ba-4ee3-ab9f-6a247aa3ade0%22%2c%22Oid%22%3a%22d42bab28-fbd8-4e65-a395-965cf9ef152f%22%7d

Or call in (audio only)

+1 720-547-5281,927320241# Phone Conference ID: 322 907 233#

1. ADMINISTRATIVE MATTERS

- A. Present Disclosures and Potential Conflicts of Interest.
- B. Approve Agenda and confirm posting of meeting notices.
- C. FIRST READING:

1.

D. SECOND READING:

1. Consider sending three Board Members to the 2021 SDA Annual Conference.

E. EMERGENCY READING:

1.

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2. CONSENT AGENDA

These items are considered to be routine and will be approved and/or ratified by one motion. There will be no separate discussion of these items unless a Board member requests; in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda.

- 1. Review and approve Minutes of the July 14, 2021 Special Meeting (enclosed 001).
- 2. Ratify approval of payment of claims through the period ending July 31, 2021, as follows (enclosed -002)

Total Claims: \$35,691.08

- 3. Consider approval of the Unaudited Financial Statements for the period ending June 30, 2021 (to be distributed separately).
- 3. PUBLIC COMMENT

A.

4. FINANCIAL MATTERS

A.

B. FIRST READING:

C. SECOND READING:

1. Consider approval of an increase to the water tap fee as follows and Consider Adoption of Resolution 2021-08-01 (enclosure -003): ½ water tap (Budget) fee to \$27,000 Full water tap fee to \$57,000

D. EMERGENCY READING

1.

5. OPERATIONS & MAINTENANCE

- A. Review and consider approval of proposal from Greely Lock & Key regarding new locks and keys for Sales and Information Center (enclosure -004).
- B. Discussion on pool closing date for 2021.

Beebe	Draw	Farms	Autho	rity
Augus	t 18,	2021		
Page 3	3			

- C. Discussion on replacement of resident mailbox keys and consider charging a fee to replace.
- D. FIRST READING:

1.

E. SECOND READING:

1.

- F. EMERGENCY READING:
- 6. CAPITAL AMENITIES
 - A. FIRST READING:
 - 1. Continue discussion on construction of walking path along Beebe Draw Parkway. Review proposals. (to be distributed).
 - B. SECOND READING:

1.

C. EMERGENCY READING:

1.

- 7. INFRASTRUCTURE
 - A. Filing No. 1:

1.

- B. FIRST READING:
- C. SECOND READING:

1.

D. EMERGENCY READING:

1.

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- 8. LEGAL MATTERS
 - A. FIRST READING:

1.

B. SECOND READING:

1.

C. EMERGENCY READING:

1.

- 9. OTHER BUSINESS
 - A. Consider Cancelling September 8, 2021 Board Meeting.
- 10. ADJOURNMENT:

THE NEXT REGULAR MEETING IS SCHEDULED FOR SEPTEMBER 8, 2021.

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE BEEBE DRAW FARMS AUTHORITY HELD July 14, 2021

A special 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, the 14th day of July, 2021, at 6:00 P.M. Due to the threat to health and safety caused by COVID-19, the meeting was held via Microsoft TEAMS Meeting. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Paul "Joe" Knopinski Christine Hethcock Josh Freeman Eric Wernsman

The Directors in attendance confirmed their qualifications to serve.

Also In Attendance Were:

Lisa Johnson & Rebecca Gianarkis; CliftonLarsonAllen LLP Alan Pogue, Esq.: Icenogle, Seaver, Pogue, P.C. William "Bill" Caldwell, Mike Welch and Todd Sundeen; Beebe Draw Farms Metropolitan District No. 1 Board Members Diane Wheeler; Simmons & Wheeler, P.C.

Tina Wernsman, Cindy Key, Nathan & Crystal Clark, John and Kim Coleman; Members of the Public

ADMINISTRATIVE MATTERS

<u>Disclosures of Potential Conflicts of Interest</u>: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board and to the Secretary of State.

Ms. Johnson noted that a quorum was present and requested members of the Board 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 the statute. It was noted that Directors Freeman, Wernsman, Hethcock and Knopinski's Disclosure Statements have been filed.

Agenda, Confirmation of Notice Posting: Ms. Johnson distributed for the Board's review and approval a proposed agenda for the Authority's special meeting.

Following discussion, upon motion duly made by Director Wernsman, seconded by President Knopinski and, upon vote, unanimously carried, the agenda was approved as amended. Ms. Johnson noted meeting notices were posted as required.

Acknowledge Appointment of one Board member from Beebe Draw Farms Metropolitan District No. 1 and one Board member from Beebe Draw Farms Metropolitan District No. 2 to serve on the Authority Board: The Board acknowledged the appointment of Michael Welch from Beebe Draw Farms MD No. 1 and Paul Joseph ("Joe") Knopinski from Beebe Draw Farms MD No. 2 to serve two-year terms on the Authority Board.

<u>Consider appointment of officers:</u> Upon a motion duly made by Director Hethcock, seconded by Director Wernsman and, upon vote, unanimously carried, the Board determined the same slate of officers for the current Directors and new Director, Mike Welch to serve as Treasurer.

FIRST READING:

1. Consider sending Board member(s) to the 2021 SDA Conference in Keystone for hybrid classes (virtual or in person option) on September 14-16, 2021: The Board considered the request from District No. 1 to send two Board members to the conference and District No. 2 to send one Board member to the conference. The Board will take action on the requests at their meeting in August.

SECOND READING: None.

EMERGENCY READING: None.

CONSENT AGENDA

The Board considered the following actions:

- Approve Minutes of the May 12, 2021 Special Meeting.
- Ratify approval of the payment of claims through the period ending June 30, 2021 as follows:

Total Claims: \$38,536.58

Following discussion, upon motion duly made by Director Wernsman, seconded by Director Hethcock and, upon vote, unanimously carried, the Board approved and/or ratified approval of the Consent Agenda as amended.

Public Comment: Ms. Coleman asked about the status of the drainage issue on their property. Mr. Pogue responded that the status is the same as it was in October 2020. He summarized the update and action taken at the October meeting. Mr. & Mrs. Coleman reported that they agree to move forward with the plan of resolution. They will let their attorney know that they agree with the

plan of resolution.

Ms. Wernsman asked what the Authority has spent on this drainage issue. Mr. Pogue will research the amount and report back at a future meeting.

FINANCIAL MATTERS

Consider approval of the Unaudited Financial Statements for the period ending March 31, 2021.

Ms. Wheeler presented the revised March 31, 2021 Financial Statements. She reported that the original financial statements provided to the Board were incorrect in the Amenities and Infrastructure Funds. Those were corrected and emailed to the Board prior to the meeting. Upon a motion duly made by President Knopinski, seconded by Director Wernsman and, upon vote, unanimously carried, the Board accepted the revised Financial Statements.

Ms. Wheeler suggested the Authority open a separate bank account for the segregation of the Amenities and Infrastructure Funds. Checks will be written from the checking account so Director Hethcock did not feel that there was a benefit to open a separate account as suggested. The Board concurred.

Simmons & Wheeler, P.C. will begin preparing monthly financial statements for a flat fee of \$300 per month.

Review and Consider acceptance of the 2020 Audited Financial Statements and authorized execution of the representation letter: Ms. Wheeler presented the 2020 Audited Financial Statements. Upon a motion duly made by President Knopinski, seconded by Director Wernsman and, upon vote, unanimously carried, the Board accepted the 2020 Audited Financial Statements, subject to receipt of a clean opinion from the auditor and incorporation of the revisions provided by Director Hethcock and legal counsel review.

FIRST READING:

Discuss an increase to the water tap fee as follows and set date for special meeting to adopt fee increase:
 ½ water tap (Budget) fee to \$27,000
 Full water tap fee to \$57,000

Director Hethcock presented this information. The Board determined to schedule a special meeting for August 18, 2021 at 6:00 p.m. to consider approval of the fee increase.

SECOND READING: None.

EMERGENCY READING: None.

OPERATIONS AND MAINTENANCE

Pool Manager Report: Ms. Clark presented her report to the Board. She focused on the repairs to the gate locking system and has estimated the fee for repairing the gate locking system between \$500 and \$2,600. Upon a motion duly made by Director Wernsman, seconded by Director Welch and, upon vote, unanimously carried, the Board authorized a not to exceed amount (NTE) of \$3,000 for the repairs of the gate locking system. Directors Knopinski and Hethcock supported the action.

Ms. Clark then discussed the replacement of umbrellas. She stated that the cost estimates to replace each is at \$150 per umbrella, and she recommend 2-3 replacements of the umbrellas per year. President Knopinski suggested the Authority purchase 10 this year and then budget for 2-3 replacements each year thereafter. Director Wernsman suggested replacing four umbrellas based on the number of tables at the pool, and then a program to replace 2-3 each year. The Board directed Ms. Clark to purchase four umbrellas.

Ms. Clark will provide costs for replacing furniture and resurfacing of the pool in advance of the budget process.

<u>Status of Fishing Committee Activities:</u> Director Hethcock reported that the committee has not yet met at this time.

FIRST READING: None.

SECOND READING: None.

EMERGENCY READING: None.

CAPITAL AMENITIES

FIRST READING:

1. **Discuss construction of walking path along Beebe Draw Parkway:** The Board reviewed the request. Director Hethcock commented that as part of Phase 2, the Parkway would be widened by 3 feet, and perhaps at that time, solicit a proposal to install the same widening along the existing parkway. A proposal could include two alternates, one to pave a 3 ft. extension from the Sales and Info Center to the Maintenance Facility and an alternate proposal would pave the extension from the Gate House to the Maintenance Facility. Timing on construction will be roughly 1 – 1 ½ years. The 2021 Budget anticipated spending \$50,000 on some type of gravel trail along the pathway. Director Wernsman is supportive of waiting and installing an asphalt widening along the parkway as described above. Ms. Clark volunteered to obtain a quote for rubber resurfacing as an option. The Board will discuss this further at a future meeting.

SECOND READING: None.

EMERGENCY READING: None.

INFRASTRUCTURE MATTERS

Filing No. 1: None.

FIRST READING:

1. **Discuss Rezoning of Undeveloped Land to Estate Zone:** Director Hethcock presented an update on the rezoning process through Weld County. No action was needed at this time.

SECOND READING: None.

EMERGENCY READING: None.

<u>LEGAL MATTERS</u> **FIRST READING:** None.

SECOND READING: None.

EMERGENCY READING: None.

OTHER BUSINESS There was no other business discussed.

ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director Wernsman, seconded by President Knopinski and, upon vote, unanimously carried, the meeting was adjourned at 8:03 p.m.

Respectfully su	ıbmitted,
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By		
-	Secretary for the Meeting	

Active?	Vendor Name	Vendor #	Invoice #	Approval S I	nput Date	Invoice Date	Payment Due Date	GL Posting Date	Bill Line Item Bill Line Item Acc GI	Account
Active	Fairfield and Woods, P.C.	75	199021	Approved	4/26/2021	4/7/2020	4/7/2021	4/7/2021	1794 Legal	6090
Active	MLM & Associates LLC	200	1046	Approved	5/10/2021	5/1/2021	5/1/2021	5/31/2021	200 Engineering	8010
Active	Bill Caldwell	46	Jan-21	Approved	4/26/2021	4/7/2021	4/7/2021	4/7/2021	83.21 Lake Christina Mr	6440
Active	AJ's Backflow Testing LLC	9036	13527	' Approved	7/13/2021	5/20/2021	5/20/2021	5/31/2021	775 Landscape Maint	6650
Active	Planscapes	9035	1	Approved	7/13/2021	6/17/2021	6/17/2021	6/30/2021	11000 Infrastructure	8020
Active	United Site Services	14	114-12104	1 Approved	7/13/2021	6/22/2021	6/22/2021	6/30/2021	75.22 Other Repairs/Ma	6910
Active	Wernsman, Tina	91	06 30 202	1 Approved	7/13/2021	6/29/2021	6/29/2021	6/30/2021	281.44 Miscellaneous	6050
Active	Norton & Smith, P.C	93	06 21	Approved	7/13/2021	6/30/2021	6/30/2021	6/30/2021	490 Audit	6020
Active	Icenogle Seaver Pogue	48	20182	Approved	7/13/2021	6/30/2021	6/30/2021	6/30/2021	1495.5 Legal	6090
Active	Simmons & Wheeler, P.C.	54	30970) Approved	7/13/2021	6/30/2021	6/30/2021	6/30/2021	1355.19 Accounting	6010
Active	Fairfield and Woods, P.C.	75	216174	Assigned	8/13/2021	7/9/2021	7/9/2021	6/30/2021	1794 Infrastructure	8020
Active	Diversified Underground, Inc	99	23970) Approved	7/13/2021	6/30/2021	7/30/2021	6/30/2021	75 Locates	6920
Active	B&C Refuse	6	E21848	Approved	7/13/2021	7/5/2021	7/15/2021	7/31/2021	67 Community Cent	6230
Active	United Site Services	14	114-12199	9 Assigned	8/11/2021	7/20/2021	7/20/2021	7/31/2021	75.22 Other Repairs/Ma	6910
Active	Icenogle Seaver Pogue	48	20332	Assigned	8/13/2021	7/31/2021	7/31/2021	7/31/2021	5523.5 Legal	6090
Active	UNCC	3	2.21E+08	Assigned	8/13/2021	7/31/2021	7/31/2021	7/31/2021	1.32 Locates	6920
Active	Diversified Underground, Inc	99	24152	Assigned	8/13/2021	7/31/2021	7/31/2021	7/31/2021	75 Locates	6920
Active	Simmons & Wheeler, P.C.	54	31143	Assigned	8/13/2021	7/31/2021	7/31/2021	7/31/2021	1281.72 Accounting	6010
Active	MLM & Associates LLC	100	1055	Assigned	8/11/2021	8/3/2021	8/3/2021	7/31/2021	400 Engineering	8010
Active	Ireland Stapleton	11	131744	Assigned	8/13/2021	8/9/2021	8/9/2021	7/31/2021	589 Legal	6090
Active	Eric Wernsman	332	101	Assigned	8/13/2021	8/11/2021	8/11/2021	7/31/2021	200 Director's Fees	6030
Active	Christine Hethcock	47	101	Assigned	8/13/2021	8/11/2021	8/11/2021	7/31/2021	200 Director's Fees	6030
Active	Josh Freeman	80	101	Assigned	8/13/2021	8/11/2021	8/11/2021	7/31/2021	100 Director's Fees	6030
Active	Joe Knopinski	49	101	Assigned	8/13/2021	8/11/2021	8/11/2021	7/31/2021	200 Director's Fees	6030
Active	CliftonLarsonAllen	95	2969893	Assigned	8/13/2021	8/9/2021	8/9/2021	8/9/2021	7459.76 Admin & Manage	6110
Active	Michael Welch	119	101	Assigned	8/13/2021	8/11/2021	8/11/2021	7/31/2021	100 Director's Fees	6030

35,691.08

4/7/2021	1,877.21
5/1/2021	200.00
5/20/2021	775.00
6/17/2021	11,000.00
6/22/2021	75.22
6/29/2021	281.44
6/30/2021	3,340.69
7/9/2021	1,794.00
7/30/2021	75.00
7/15/2021	67.00
7/20/2021	75.22
7/31/2021	6,881.54
8/3/2021	400.00
8/9/2021	8,048.76
8/11/2021	800.00

35,691.08

RESOLUTION NO. 2021-08-01

BEEBE DRAW FARMS AUTHORITY RESOLUTION TO INCREASE WATER TAP FEE

- A. Beebe Draw Farms Authority (the "Authority") and REI Limited Liability Company are parties to that certain Developer Fee and Water Tap Fee Agreement dated December 8, 1998 (the "Original Agreement"), as amended by that certain First Amendment to Developer Fee and Water Tap Fee Agreement dated December 5, 2000 (the "First Amendment"), and as further amended by that certain Second Amendment to Developer Fee and Water Tap Fee Agreement dated January 13, 2016, with an effective date of November 10, 2015 (the "Second Amendment," and collectively with the Original Agreement and the First Amendment, the "Agreement"). The Agreement was assigned to the Authority by Beebe Draw Farms Metropolitan District No. 2 ("District No. 2") pursuant to that certain Assignment of Developer Fee and Water Tap Fee Agreement dated and effective as of November 8, 2016 between the Authority and REI Limited Liability Company (the "Assignment").
- B. The Original Agreement was recorded on December 18, 1998, at Reception No. 2661476 of the real property records of Weld County, Colorado.
- C. The First Amendment was recorded on February 8, 2016, at Reception No. 4179072 of the real property records of Weld County, Colorado.
- D. The Second Amendment was recorded on February 8, 2016, at Reception No. 4179097 of the real property records of Weld County, Colorado.
- E. All capitalized terms used but not otherwise defined in this Resolution shall have the meanings ascribed to them in the Agreement.
- F. As provided in the Original Agreement, a Water Tap Fee shall be payable in the amount of \$4,400 per Lot during the 1998 and 1999 fiscal years.
- G. Pursuant to the Agreement, the Board of Directors of the Authority (the "**Board**"), from time to time, may increase the amount of the Water Tap Fee as necessary to fund the actual costs of acquiring a water supply for the Development.
- H. On March 1, 2016, prior to the Assignment, District No. 2 adopted Resolution No. 2015-11-03, wherein the Board increased the amount of the Water Tap Fee to \$12,000 per lot during the 2016 and 2017 fiscal years, to fund the actual costs of acquiring a water supply for the Development.
- I. On November 8, 2016, the Authority adopted Resolution No. 2016-11-01, wherein the Board increased the amount of the Water Tap Fee to \$15,000 per lot effective December 1, 2016, to fund the actual costs of acquiring a water supply for the Development.

- J. On July 17, 2017, the Authority adopted Resolution No. 2017-07-01, wherein the Board increased the amount of the Water Tap Fee to \$18,000 per lot effective August 1, 2017, to fund the actual costs of acquiring a water supply for the Development.
- K. On July 10, 2018, the Authority adopted Resolution No. 2018-07-01, wherein the Board increased the amount of the Water Tap Fee to \$22,000 per lot effective August 1, 2018, to fund the actual costs of acquiring a water supply for the Development.
- L. On September 10, 2019, the Authority adopted Resolution No. 2019-09-01, wherein the Board increased the amount of the Water Tap Fee and recognized two Water Tap Fee options, including: (1) \$47,000 for a full tap, or (b) \$25,000 for a budget tap, per lot, effective October 1, 2019, to fund the actual costs of acquiring a water supply for the Development.
- M. The Authority desires to increase the amount of the Water Tap Fee as is necessary to fund the actual costs of acquiring a water supply for the Development.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Beebe Draw Farms Authority, Weld County, Colorado, as follows:

- 1. <u>Water Tap Fee</u>. Effective September 1, 2021, there are two Water Tap Fee options as selected by the Lot owner and paid per Lot: (1) \$57,000 for a full tap, or (b) \$27,000 for a budget tap. The Board may, from time to time, increase the amount of the Water Tap Fee as necessary to fund the actual costs of acquiring a water supply for the Development.
- 2. <u>Central Weld County Water District Fees</u>. In addition to the Water Tap Fee provided for herein, fees may be payable to Central Weld County Water District, which are subject to change by the Central Weld County Water District.
- 3. <u>Water Use</u>. Water use for the full tap and budget tap is subject to the Central Weld County Water District's rules and regulations and fee schedule. The current annual allotment for the full tap is 228,000 gallons. The current annual allotment for the budget tap is 114,000 gallons.
- 4. <u>Agreement Remains Effective</u>. Except as expressly set forth herein, the Agreement continues to be effective without modification.

[SIGNATURE PAGE FOLLOWS]

ADOPTED AND APPROVED this 18TH day of AUGUST, 2021.

BEEBE DRAW FARMS AUTHORITY
By: Paul "Joe" Knopinski, President

LOCK & KEY



ightarrow New Location ightarrow

Hillside Shopping Center 2533 11th Avenue | Greeley, CO 80631

970-353-7880 | GreeleyLockAndKey.com

Pelican Lakes 16502 Beebe Draw Platteville CO 80651 7/28/2021

ESTIMATE #

ACCOUNT #

0000010836

0009455

The customer agrees that this is a good faith estimate, based on the information available at the time the estimate was created. Actual invoice amount may be different at the completion of the listed work, due to unforeseen factors such as additional work, broken hardware, additional keys, etd

P.O. NUMBER		TERMS DISPATCH #		SALES PERSON		
		COD		0001		
QUANITY		DESCRIPTION	l e e e e e e e e e e e e e e e e e e e	UNIT PRICE	AMOUNT	
1.00 12.00 12.00 20.00 4.00 1.00		ey And Reinstall ing existing hardwar evers due to wrong	re and basic rekey we'll keyway one being a knob	96.00 18.89 14.33 6.50 46.07	96.00 226.68 171.96 130.00 184.28	

JOB LOCATION:

Pelican Lakes 16502 Beebe Draw Platteville, CO 80651 SUBTOTAL TAX TOTAL \$808.92 \$22.03 \$830.95

LOCK & KEY

ESTIMATE⁵

ightarrow New Location ightarrow

Hillside Shopping Center 2533 11th Avenue | Greeley, CO 80631

970-353-7880 | GreeleyLockAndKey.com

Pelican Lakes 16502 Beebe Draw Platteville CO 80651 7/29/2021

ESTIMATE#

ACCOUNT #

0000010870

0009455

The customer agrees that this is a good faith estimate, based on the information available at the time the estimate was created. Actual invoice amount may be different at the completion of the listed work, due to unforeseen factors such as additional work, broken hardware, additional keys, etd

P.O. NUMBER		TERMS	DISPATCH #	SALES PERSON	
		COD			
QUANITY		DESCRIPTION		UNIT PRICE	AMOUNT
4.00 8.00 12.00 20.00	SFIC ADJ DEADBOLT Entry Clutched Lever S SFIC CORE Primus Multilock Assa Medeco		С	63.00 123.39 53.31 14.95	252.00 987.12 639.72 299.00
12.00 1.00 1.00	Restricted Key And Master High S Locksmithing Services Service Call Platteville	ecurity Cylinder		36.00 784.00 96.00	432.00 784.00 96.00

JOB LOCATION:

Pelican Lakes 16502 Beebe Draw Platteville CO 80651 SUBTOTAL TAX TOTAL \$3,489.84 \$152.67 \$3,642.51