

**MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
BEEBE DRAW FARMS METROPOLITAN DISTRICT NO. 2
HELD
NOVEMBER 10, 2021**

A special meeting of the Board of Directors (referred to hereafter as the “Board”) of the Beebe Draw Farms Metropolitan District No. 2 (referred to hereafter as the “District”) was convened on Wednesday, the 10th day of November, 2021, at 6:00 P.M. This District Board meeting was held via Microsoft Teams videoconference and teleconference without any person (neither District representatives nor the general public) in attendance. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Christine Hethcock
Diane Mead
Paul Joseph “Joe” Knopinski

Also In Attendance Were:

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

Members of the Public:

Tina Wernsman, Sharon Dillon, Steven Street, Kent and Brenda Lewis, Mark and Stevie Grage, Linda Cox, Ed and Mary Jo Farrell, Mary Jo Majors, Dave Miller, Nathan Clark and Crystal Clark, John Coleman and Kim Coleman;
Residents

ADMINISTRATIVE
MATTERS

Disclosures of Potential Conflicts of Interest: 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 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 and have been filed.

Agenda, Confirmation of Notice Posting: A quorum was confirmed. Ms. Johnson distributed for the Board’s review and approval a proposed agenda for the District’s special meeting.

Following discussion, upon motion duly made by Director Knopinski, seconded by Director Mead and, upon vote, unanimously carried, the Board approved the agenda. Ms. Johnson advised that meeting notices were posted as required.

Resolution No. 2021-11-01 Establishing Regular Meeting Dates, Time and Location, and Designation Location for Posting of 24-Hour Notice: Mr. Wernsman inquired about drive time and cost savings of virtual meetings. Ms. Johnson will send an estimate of cost savings to the Board. Mr. Caldwell noted that he prefers to meet in person and some members of the public prefer to meet in person in part due to poor internet service. Ms. Johnson requested Mr. Caldwell to remind residents that there is a call-in-option for Microsoft Teams.

President Hethcock noted that she prefers a hybrid option, Director Mead stated she is fine either way and Director Knopinski suggested the hybrid option. Ms. Johnson noted that the meetings might then be held at the maintenance facility if they are held in-person because the Sales and Information Center is too small to hold meetings.

Following discussion, upon a motion duly made by Director Knopinski, seconded by Director Mead and, upon vote, unanimously carried, the Board approved hybrid meeting options via Microsoft Teams and in person at the Maintenance Facility, to be held on July 23, 2022 and November 9, 2022 at 6:00 p.m., and adopted Resolution 2021-11-01, Resolution Establishing Regular Meeting Dates, Time and Location, and Designation Location for Posting 24-Hour Notice.

District Insurance and Special District Association membership for 2022: Following discussion, the Board authorized renewal of the District’s 2022 insurance and Special District Association membership.

CliftonLarsonAllen LLP Master Service Agreement and related statement(s) of work: Following discussion, upon a motion duly made by Director Knopinski, seconded by President Hethcock and, upon vote, unanimously carried, the Board approved the CliftonLarsonAllen LLP Master Service Agreement and related statement(s) of work.

PUBLIC COMMENT

There were no public comments.

CONSENT AGENDA

The Board considered the following actions under the Consent Agenda:

- Approval of the Minutes of the July 14, 2021 Special Meeting.
- Ratification of approval of the payment of claims through the period ending October 31, 2021, totaling \$8,417.37.
- Acceptance of the Unaudited Financial Statements for the period ending September 30, 2021.

Following discussion, upon motion duly made by Director Mead, seconded by

Director Knopinski and, upon vote, unanimously carried, the Board approved the Consent Agenda.

LEGAL
MATTERS

May 3, 2022 Regular Election new legislative requirements:

- **Resolution 2021-11-02, Calling May 3, 2022 Election for Directors:** Following review, Ms. Johnson noted that Jessie Stamper will serve as Designated Election Official (“DEO”). Upon a motion duly made by President Hethcock, seconded by Director Mead and, upon vote, unanimously carried, the Board adopted Resolution 2021-11-02, Calling May 3, 2022 Election for Directors, appointing DEO and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election, if necessary.

Requirements of Section 32-1-809, C.R.S. (District Transparency Notice): The Board directed staff to prepare and post the Transparency Notice on the SDA website and District website.

FINANCIAL
MATTERS

Preparation of Application for 2021 Audit Exemption: Upon a motion duly made by President Hethcock, seconded by Director Knopinski and, upon vote, unanimously carried, the Board appointed the Accountant to prepare and file an Application for the 2021 Audit Exemption.

Public Hearing on Amendment to 2021 Budget: Ms. Johnson opened the public hearing at 6:43 p.m. to consider amendment of the 2021 Budget. It was noted that Notice stating the Board would consider amendment of the 2021 budget, and the date, time and place of the public hearing was published in a newspaper having general circulation within the District.

No written objections were received prior to the public hearing, no public was in attendance and the public hear was closed at 6:45 p.m. Ms. Wheeler informed the Board that a 2021 amendment would not be necessary.

Public Hearing on the Proposed 2022 Budget: Ms. Johnson opened the public hearing at 6:43 p.m. to consider adopting the 2022 Budget. It was noted that Notice stating the Board would consider adopting the 2022 budget, and the date, time and place of the public hearing was published in a newspaper having general circulation within the District. No written objections were received prior to the public hearing, no public was in attendance and the public hear was closed at 6:45 p. m.

Following review and discussion, upon a motion duly made by Director Mead, seconded by President Hethcock and, upon vote, unanimously carried, the Board adopted the Resolution to Adopt the 2022 Budget and Appropriate Sums of Money and the Resolution to Set Mill Levies. Following discussion, upon vote unanimously carried, the Board adopted the Resolutions and authorized execution of the Certification of Budget. The

District Accountant was directed to transmit the Certification of Tax Levies to the Board of County Commissioners of Weld County not later than December 15, 2021. District Counsel was directed to transmit the Certification of Budget to the Division of Local Government no later than January 31, 2022.

Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan: Following review and discussion, upon a motion duly made by Director Knopinski, seconded by Director Mead and, upon vote, unanimously carried, the Board adopted the Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan.

DLG-70 Mill Levy Certification Form: Upon a motion duly made by Director Knopinski, seconded by President Hethcock and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

Preparation of 2023 Budget: Upon a motion duly made by Director Knopinski, seconded by President Hethcock and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2023 Budget.

Resignation of Simmons & Wheeler P.C. as District Accountant and proposal from CliftonLarsonAllen LLP for Accounting Services: Ms. Johnson noted that Marchetti & Weaver, LLC declined the opportunity to submit a proposal for accounting services. President Hethcock stated she may have another firm from which to solicit another proposal. Ms. Wheeler informed the Board that Simmons & Wheeler P.C. will stay on until another firm is hired.


OTHER BUSINESS

There was no other business discussed.

ADJOURNMENT

There being no further business to come before the Board at this time, President Hethcock adjourned the meeting at 8:41 p.m.

Respectfully submitted,

By  Secretary for the Meeting
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