

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE STC METROPOLITAN DISTRICT NO. 2 HELD JULY 6, 2022

A Regular Meeting of the Board of Directors (referred to hereafter as the "Board") of the STC Metropolitan District No. 2 (referred to hereafter as the "District") was convened on Wednesday, the 6<sup>th</sup> day of July, 2022, at 9:00 A.M. This District Board meeting was held by Zoom at: <https://us02web.zoom.us/j/89797364658?pwd=SHJkTkdyUmVxYjBYUDcvcHNmN3I0dz09>; Meeting ID: 897 9736 4658, Passcode: 115782 and via telephone conference at: 1-253-215-8782. The meeting was open to the public.

#### ATTENDANCE

##### Directors In Attendance Were:

James A. Brzostowicz, President  
Terry Willis, Treasurer

##### Also In Attendance Were:

Peggy Ripko; Special District Management Services, Inc. ("SDMS")

Jennifer L. Ivey, Esq.; Icenogle Seaver Pogue, P.C.

Diane Wheeler; Simmons & Wheeler, P.C.

Sonia Chin and Bill Jenks; Ranch Capital, LLC

Anthony Harrigan and Lea Maxwell; District 1 Board Members

#### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

**Disclosure of Potential Conflicts of Interest:** The Board noted it was in receipt of disclosures of potential conflicts of interest statements for each of the Directors and that the statements had been filed with the Secretary of State at least seventy-two hours in advance of the meeting. Ms. Ripko requested that the Directors review the Agenda for the meeting and advised the Board to disclose any new conflicts of interest which had not been previously disclosed. No further disclosures were made by Directors present at the meeting.

#### ADMINISTRATIVE MATTERS

**Agenda:** Ms. Ripko noted a quorum was present. The Board reviewed the proposed Agenda for the District's Regular Meeting.

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board approved the Agenda, as presented.

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**Confirm Quorum, Location of Meeting and Posting of Meeting Notices:** Ms. Ripko confirmed the presence of a quorum and that notice of the time, date and location/manner of the meeting was duly posted and that that no objections to the virtual/telephonic manner of the meeting have been received.

**Minutes:** The Board reviewed the Minutes of the May 4, 2022 and June 1, 2022 Regular Meetings.

Following discussion, upon motion duly made by Director Brzostowicz seconded by Director Willis and, upon vote, unanimously carried, the Board approved the Minutes of the May 4, 2022 and June 1, 2022 Regular Meetings.

### PUBLIC COMMENTS

There were no public comments.

### FIRE RESPONSE

**Federal Emergency Management Agency “FEMA” Grant:** It was noted the District has withdrawn from the FEMA Grant as it was not going to be financially beneficial to the District.

**Proposal from Reconstruction Experts for Fire Cleanup:** The Board reviewed a proposal from Reconstruction Experts for fire cleanup.

Following discussion, upon motion duly made by Director Brzostowicz seconded by Director Willis and, upon vote, unanimously carried, the Board approved the proposal from Reconstruction Experts for fire cleanup, subject to checking with Vargas Property Services, Inc. and the Town of Superior regarding soil concerns and confirming that there will not be any duplicating efforts.

### FINANCIAL MATTERS

**Claims:** The Board considered the ratification of approval of the payment of claims as follows:

Fund	Period Ending May 31, 2022	Period Ending June 30, 2022
General	\$ 20,787.84	\$ 18,577.48
Debt	\$ -0-	\$ -0-
Capital	\$ 825.00	\$ -0-
Payroll	\$ -0-	\$ -0-
<b>Total</b>	<b>\$ 21,612.84</b>	<b>\$ 18,577.48</b>

Following review and discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board ratified approval of the payment of claims, as presented.

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**Unaudited Financial Statements:** Ms. Wheeler presented to the Board the unaudited financial statements for the period ending May 31, 2022.

Following review and discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending May 31, 2022.

**2021 Audit:** Ms. Wheeler discussed with the Board the status of the 2021 Audit.

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board authorized Simmons & Wheeler P.C. to file a request for an extension of time to file the 2021 Audit with the State Auditor's office.

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### **LEGAL MATTERS**

**Resolution and Policy re Acceptance of Facilities/Improvements:** The Board deferred discussion.

**Engagement of Ballard Spahr LLP as Special Legal Counsel:** The Board entered into discussion regard the engagement of Ballard Spahr LLP as Special Legal Counsel.

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board approved the engagement of Ballard Spahr LLP as Special Legal Counsel.

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### **OPERATIONS AND MAINTENANCE**

**Operating Projections:** The Board deferred discussion.

**Proposal from Commuting Solutions to Create a Transportation Demand Management ("TDM") Plan for Downtown Superior:** The Board reviewed a proposal from Commuting Solutions to create a TDM plan for Downtown Superior. Following discussion, the Board determined they were not able to support a TDM plan at this time due to insufficient funding being available.

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### **CAPITAL PROJECTS**

**Final Engineers Report and Certification #84 prepared by Ranger Engineering, LLC, dated May 25, 2022:** Following review and discussion by the Board, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the Board approved and accepted improvement costs in the amount of \$1,048,191.22, detailed in the Final Engineers Report and Certification #84 prepared by Ranger Engineering, LLC, dated May 25, 2022.

**Final Engineers Report and Certification #85 prepared by Ranger Engineering, LLC, dated June 21, 2022:** Following review and discussion by the Board, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon

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vote, unanimously carried, the Board approved and accepted improvement costs in the amount of \$436,697.76, detailed in the Final Engineers Report and Certification #85 prepared by Ranger Engineering, LLC, dated June 21, 2022.

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### DEVELOPER UPDATE

**Status of Lot and Home Sales:** Mr. Jenks provided an update to the Board regarding the status of Lot and Home Sales. He noted the commercial development is in the planning stages.

**Necessary Inclusions:** There were no updates at this time.

**Conveyance of Facilities:** There were no updates at this time.

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### COVENANT CONTROL

**Community Manager's Update:** The Board reviewed the Community Manager's Report presented by Ms. Ripko. She noted that covenant enforcement will continue after cleanup is complete.

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### OTHER MATTERS

There were no other matters.

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### ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Brzostowicz, seconded by Director Willis and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By  \_\_\_\_\_  
Secretary for the Meeting