

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE STC METROPOLITAN DISTRICT NO. 2 HELD JULY 14, 2021

A Special 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 14<sup>th</sup> day of July, 2021, 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. The meeting was open to the public.

#### ATTENDANCE

#### Directors In Attendance Were:

James A. Brzostowicz  
Angie Hulsebus  
Terry Willis

#### Also In Attendance Were:

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

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

Bill Flynn; Simmons & Wheeler, P.C.

Bill Jenks, Sonia Chin and Jessica Sergi; Ranch Capital, LLC

#### 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 Special Meeting.

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Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Hulsebus and, upon vote, unanimously carried, the Board approved the Agenda, as amended to discuss the location of the remaining 2021 Regular Meetings.

**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. Ms. Ivey reported that House Bill 21-1278, effective July 7, 2021, expressly clarifies that a meeting of the board of a special district may be held at a physical location, telephonically, electronically, virtually, or any combination of such means. Meeting notices for meetings held telephonically, electronically, or by other virtual means must include the method or procedure (i.e., conference number or link) by which members of the public can attend.

**Minutes:** The Board reviewed the Minutes of the June 2, 2021 Special Meeting.

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Hulsebus and, upon vote, unanimously carried, the Board approved the Minutes of the June 2, 2021 Special Meeting.

**PUBLIC  
COMMENTS**

There were no public comments.

**FINANCIAL  
MATTERS**

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

Fund	Period Ending June 24, 2021
General	\$ 10,054.84
Debt	\$ -0-
Capital	\$ 1,350.00
Payroll	\$ 184.70
<b>Total</b>	<b>\$ 11,589.54</b>

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

**Unaudited Financial Statements:** Mr. Flynn presented to the Board the unaudited financial statements for the period ending May 31, 2021 and schedule of cash position, dated May 31, 2021.

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Following review and discussion, upon motion duly made by Director Brzostowicz, seconded by Director Hulsebus and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending May 31, 2021 and schedule of cash position, dated May 31, 2021.

**2021 Regular Meeting:** The Board entered into discussion regarding amending the location for the 2021 Regular Meetings.

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Hulsebus and, upon vote, unanimously carried, the Board determined to change the location of the Regular Meetings to meet via Zoom Meeting.

### **LEGAL MATTERS**

**Resolution Designating an Official Custodian and Custodian for the Colorado Open Records Act:** The Board reviewed a Resolution Designating an Official Custodian and Custodian for the Colorado Open Records Act.

Following discussion, upon motion duly made by Director Brzostowicz, seconded by Director Hulsebus and, upon vote, unanimously carried, the Board adopted the Resolution Designating an Official Custodian and Custodian for the Colorado Open Records Act.

**Rules Related to Requests for Inspection of Public Records Pursuant to Colorado Open Records Act:** The Board reviewed the Rules Related to Requests for Inspection of Public Records Pursuant to Colorado Open Records Act.

Ms. Ripko further adopted the Rules Related to Requests for Inspection of Public Records Pursuant to Colorado Open Records Act.

### **OPERATIONS AND MAINTENANCE**

**Operating Projections:** Ms. Ripko gave an update regarding the operating projections, noting they are expected to be complete by the end of July 2021.

**Removal and Replacement of Four (4) Dead and/or Dying Trees Inside the North Courtyard:** Ms. Ripko reported to the Board that the removal and replacement of 4 dead and/or dying trees inside the north courtyard is complete.

#### **Homeowner Requests:**

**Signage Area Near the Mailboxes in Downtown Superior for Posting Community Events:** The Board deferred discussion.

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Shade/Umbrellas Over the Tables at the Park: The Board directed that this be referred to the Town of Superior.

Movie Nights in the Park: The Board directed that this be referred to the Town of Superior.

Signage in the Parking Garage: The Board deferred discussion.

Obligation of the District for Snow Removal on the Sidewalks: The Board entered into discussion regarding the obligation of the District for snow removal on the sidewalks. The Board directed Ms. Ripko to conduct more research on the District's obligations.

### COVENANT CONTROL

Community Manager's Update: The Board reviewed the Community Manager's Report presented by Ms. Ripko.

Proposal from Vargas Property Services, Inc. for Services to Take Place Adjacent to 432 Promenade, in the amount of \$4,260: The Board deferred discussion.

Second Amended and Restated Resident Rules, Regulations and Design Guidelines: The Board entered into discussion regarding the logistics of enforcing very specific landscaping standards contained in FDP's and directed Ms. Ripko to follow-up on this matter.

### CAPITAL PROJECTS

Final Engineers Report and Certification #73 prepared by Ranger Engineering, LLC, dated June 23, 2021: Following review and discussion by the Board, upon motion duly made by Director Brzostowicz, seconded by Director Hulsebus and, upon vote, unanimously carried, the Board approved and accepted improvement costs in the amount of \$1,396,777.50, detailed in the Final Engineers Report and Certification #73 prepared by Ranger Engineering, LLC, dated June 23, 2021.

### DEVELOPER UPDATE

Status of Lot and Home Sales: Mr. Jenks provided an update to the Board on the status of the lot and home sales. It was noted the homeowners have requested more turf in the new park instead of bocce ball courts and a dog park in the area. The developer will research the homeowners' requests and provide an update to the Board.

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**Necessary Inclusions:** No action was taken by the Board.

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**OTHER MATTERS** **Pet Signage from Fusion Sign and Design:** The Board discussed alternate options for signage. Ms. Ripko will bring additional options to the Board for consideration at its next meeting.

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

Respectfully submitted,

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