

## 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 JUNE 2, 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 2nd day of June, 2021, at 9:00 A.M. Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, 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; 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 Willis and, upon vote, unanimously carried, the Board approved the Agenda, as presented.

**Location of Meeting and Posting of Meeting Notices:** The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. The Board recognized that due to concerns regarding the spread of the coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, the meeting was being held by virtual/telephonic means, and that the meeting was open to the public by such virtual/telephonic means. The Board further noted 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 5, 2021 Special Meeting.

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 5, 2021 Special Meeting.

**2021 SDA Conference:** Ms. Ripko discussed the SDA Conference with the Board and noted that the information concerning the details of the conference will be emailed to them once the information is available.

### **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 May 25, 2021
General	\$ 34,796.96
Debt	\$ -0-
Capital	\$ 4,162.50
Payroll	\$ 184.70
<b>Total</b>	<b>\$ 39,144.16</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:** Mr. Flynn presented to the Board the unaudited financial statements and cash position for the period ending April 30, 2021 and schedule of cash position, dated April 30, 2021.

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 and cash position for the period ending April 30, 2021 and schedule of cash position, dated April 30, 2021.

**2020 Audit:** Mr. Flynn reviewed with the Board the draft 2020 Audit.

Following review and discussion, upon motion duly made by Director Brzostowicz, seconded by Director Willis, and upon vote, unanimously carried, the Board approved the 2020 Audited Financial Statements and authorized execution of the Representations Letter, subject to review of purchase agreements with Carmel.

**2022 Budget Public Hearing:** The Board entered into discussion regarding setting the date for a Public Hearing to adopt the 2022 Budget.

The Board determined to hold the public hearing to consider adoption of the 2022 Budget on November 3, 2021, at 9:00 A.M., at the Special District Management Services, Inc, 141 Union Boulevard, Suite 151, Lakewood, CO 80228 or virtually, pending COVID-19 restrictions.

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### **LEGAL MATTERS**

There were no legal matters.

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### **OPERATIONS AND MAINTENANCE**

**Operating Projections:** Ms. Ripko gave an update regarding the operating projections.

**Proposal from Vargas Property Services, Inc. for the Removal and Replacement of Four (4) Dead and/or Dying Trees Inside the North Courtyard:** The Board reviewed a proposal from Vargas Property Services, Inc. for the removal and replacement of 4 dead and/or dying trees inside the north courtyard.

Following review and discussion, upon motion duly made by Director Brzostowicz, seconded by Director Hulsebus, and upon vote, unanimously carried, the Board approved the proposal from Vargas Property Services, Inc. for

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the removal and replacement of 4 dead and/or dying trees inside the north courtyard, in the amount of \$3,880, subject to confirmation that the replacement is not the responsibility of Samora Construction.

### 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.

### CAPITAL PROJECTS

**Final Engineers Report and Certification #72 prepared by Ranger Engineering, LLC, dated May 25, 2021:** 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 \$1,124,128.85, detailed in the Final Engineers Report and Certification #72 prepared by Ranger Engineering, LLC, dated May 25, 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.

**Necessary Inclusions:** The Board discussed the status of any necessary inclusions. No action was taken by the Board.

### OTHER MATTERS

**Tract Conveyance:** It was noted that the Tract Conveyance to the District is pending.

### 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 Peggy Ripko  
Secretary for the Meeting