

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF BEEBE DRAW FARMS METROPOLITAN DISTRICT NO. 2 HELD JUNE 10, 2014

A regular meeting of the Board of Directors (referred to hereafter as "Board") of Beebe Draw Farms Metropolitan District No. 2 (referred to hereafter as "District") was convened on Tuesday, the 10<sup>th</sup> day of June, 2014, at 6:00 P.M., at the Pelican Lake Ranch Community Info and Sales Center, 16502 Beebe Draw Farms Parkway, Platteville, Colorado. The meeting was open to the public.

#### ATTENDANCE

##### Directors In Attendance Were:

Christine Hethcock, President  
Paul "Joe" Knopinski  
Thomas A. Burk (via speakerphone)

Following discussion, upon motion duly made by Director Knopinski, seconded by President Hethcock and, upon vote, unanimously carried, the absence of John B. Warnick was excused.

##### Also In Attendance Were:

Lisa A. Johnson and Divena Mortimeyer; Special District Management Services, Inc.

MaryAnn McGeady, Esq.; McGeady Sisneros, P.C. (via speakerphone)

Paul Goedecke; L. Paul Goedecke, P.C.

Doug Tabor, Michael Welch, Glen Adkins, Josh Freeman and Linda Cox; Beebe Draw Farms Metropolitan District No. 1 Board members

Mark Volle; Tamarack Consulting, LLC

Kelly Deitman; Halcyon Design, LLC

Jennifer Teets and Bill Caldwell, Residents

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### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

**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 of Directors and to the Secretary of State.

Ms. Johnson noted that a quorum was present and requested members of the Board to 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 disclosure statements for Directors Hethcock, Knopinski and Warnick were filed in accordance with the statute.

### ADMINISTRATIVE MATTERS

**Agenda:** The Board reviewed the proposed Agenda for the District's regular meeting.

Following discussion, upon motion duly made by Director Knopinski, seconded by President Hethcock and, upon vote, unanimously carried, the Board approved the Agenda for the District's regular meeting.

**Status of Board Appointment:** President Hethcock reported that there may be candidates to consider for appointment to the Board at the November 2014 meeting.

**May 6, 2014 Election:** Ms. Johnson noted for the Board that the May 6, 2014 election was cancelled, as allowed under Colorado law, by the Designated Election Official because there were no more candidates than positions available on the Board of Directors. President Hethcock and Director Burk were deemed elected to 4-year terms ending in May, 2018.

**Appointment of Officers:** Following discussion, upon motion duly made by Director Knopinski, seconded by President Hethcock and, upon vote, unanimously carried, the following slate of officers was appointed:

President	Christine Hethcock
Treasurer	Thomas A. Burk
Secretary	Lisa A. Johnson
Assistant Secretary	Paul "Joe" Knopinski
Assistant Secretary	John B. Warnick

**Appointment of Board Member to the Authority Board of Directors:** The Board considered the appointment of a Board member to serve on the Authority

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Board of Directors for a term which expires in June of 2016. Director Burk noted that he was not interested in serving on the Authority Board at this time.

Following discussion, upon motion duly made by Director Knopinski, seconded by Director Burk and, upon vote, unanimously carried, the Board appointed Christine Hethcock to the Authority Board of Directors for a term that will run through June of 2016.

**Resolution No. 2014-06-01 regarding 24-hour Posting Place:** The Board considered Resolution No. 2014-06-01 designating the place at which notice will be posted at least 24 hours prior to each meeting.

Following review, upon motion duly made by Director Knopinski, seconded by President Hethcock and, upon vote, unanimously carried, the Board adopted Resolution No. 2014-06-01, as presented. A copy of the Resolution is attached hereto, and incorporated herein, by this reference.

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### **PUBLIC COMMENT**

**Public Comment:** There were no public comments.

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### **CONSENT AGENDA**

**Consent Agenda:** The Board considered the following action:

- Review and approve Minutes of the November 12, 2013 regular meeting.
- Review and approve the payment of claims paid through the period ending June 10, 2014, as follows:

General Fund:	\$ 7,435.01
Debt Service Fund:	\$ -0-
Total:	\$ <u>7,435.01</u>

- Review and accept the unaudited financial statements through the period ending March 31, 2014

Following discussion, upon motion duly made by Director Knopinski, seconded by President Hethcock and, upon vote, unanimously carried, the Board approved the consent agenda.

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### LEGAL MATTERS

**Posting of Policy and Fee Schedule for Open Records Act Requests:** Attorney McGeady presented an amendment to the Resolution Regarding Colorado Open Records Act Requests and a summary of the policy to meet the new requirements.

Following discussion, upon motion duly made by Director Knopinski, seconded by President Hethcock and, upon vote, unanimously carried, the Board approved an amendment to the Resolution Regarding Colorado Open Records Act Requests and the summary of the policy and directed staff to post the information on the Public Custodian's website, the Special District Association ("SDA") website and the Authority's website.

### FINANCIAL MATTERS

**2013 Budget Amendment Hearing:** The President opened the public hearing to consider a Resolution to Amend the 2013 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2013 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

Following discussion, upon motion duly made by Director Knopinski, seconded by President Hethcock and, upon vote, unanimously carried, the Board adopted a Resolution to Amend the 2013 Budget. A copy of the Resolution is attached hereto, and incorporated herein, by this reference.

**2013 Audit:** Mr. Goedecke reviewed the 2013 draft Audited Financial Statements with the Board.

Following review and discussion, upon motion duly made by Director Knopinski, seconded by President Hethcock and, upon vote, unanimously carried, the Board approved the 2013 Audited Financial Statements, as discussed and revised, and authorized execution of the Representations Letter.

**2015 Budget Preparation:** The Board discussed the preparation of the 2015 Budget.

Following discussion, upon motion duly made by President Hethcock, seconded by Director Knopinski and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2015 Budget. The Board determined to hold the public hearing to consider adoption of the 2015 Budget on Tuesday, November 11, 2014 at 6:00 p.m. at the regular meeting location.

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### OTHER MATTERS

**2014 SDA Conference:** Ms. Johnson discussed with the Board the 2014 SDA Conference in Keystone, Colorado on September 10, 11, and 12, 2014 and asked if any Board members were interested in attending the conference this year. It was noted that President Hethcock and Director Knopinski are interested in attending the conference. Directors Burk and Warnick will not attend.

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### ADJOURNMENT

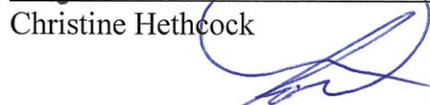
There being no further business to come before the Board at this time, upon motion duly made by President Hethcock, seconded by Director Knopinski and, upon vote, unanimously carried, the meeting was adjourned.

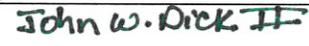
Respectfully submitted,

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

THESE MINUTES ARE APPROVED AS THE OFFICIAL JUNE 10, 2014  
MINUTES OF BEEBE DRAW FARMS METROPOLITAN DISTRICT NO. 2  
BY THE BOARD OF DIRECTORS SIGNING BELOW:

  
\_\_\_\_\_  
Christine Hethcock

  
\_\_\_\_\_  
Thomas A. Burk

  
  
\_\_\_\_\_  
Paul "Joe" Knopinski

\_\_\_\_\_  
John B. Warnick

RESOLUTION NO. 2014-06-01  
RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
BEEBE DRAW FARMS METROPOLITAN DISTRICT NO. 2  
REGARDING POSTING FOR MEETINGS

WHEREAS, Special Districts are required by Subsection 24-6-402(2)(c), C.R.S., to designate annually at the District Board's first regular meeting of each calendar year, the place at which notice will be posted at least 24 hours prior to each meeting.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BEEBE DRAW FARMS METROPOLITAN DISTRICT NO. 2 AS FOLLOWS:

1. Notices of meetings of the District Board required pursuant to Section 24-6-401, et seq., C.R.S., shall be posted within the boundaries of the District at least 24 hours prior to each meeting at the following location:

The Pelican Lake Ranch Community  
Info and Sales Center  
16502 Beebe Draw Farms Parkway  
Platteville, Colorado

2. Notices of regular or special meetings required to be posted at three public places within the District and at the office of the County Clerk and Recorder at least 72 hours prior to said meeting shall continue to be made pursuant to Section 32-1-903(2), C.R.S.

ADOPTED this 10<sup>th</sup> day of June, 2014.

BEEBE DRAW FARMS  
METROPOLITAN DISTRICT NO. 2

  
Secretary

RESOLUTION TO AMEND 2013 BUDGET  
BEEBE DRAW FARMS METROPOLITAN DISTRICT NO. 2

WHEREAS, the Board of Directors of the Beebe Draw Farms Metropolitan District No. 2 adopted a budget and appropriated funds for the fiscal year 2013 as follows:

General Fund	\$2,262,399
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WHEREAS, the necessity has arisen for additional expenditures in the General Fund requiring the unanticipated expenditure of funds in excess of those appropriated for the fiscal year 2013; and

WHEREAS, the expenditure of such funds is a contingency which could not have been reasonably foreseen at the time of adoption of the budget; and

WHEREAS, funds are available for such expenditures in the General Fund from property taxes and specific ownership taxes.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Beebe Draw Farms Metropolitan District No. 2 shall and hereby does amend the adopted Budget for the fiscal year 2013 and adopts a supplemental budget and appropriation for the General Fund for the fiscal year 2013, as follows:

General Fund	\$2,275,000
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BE IT FURTHER RESOLVED, that such sums are hereby appropriated from the revenues of the District to the proper funds for the purposes stated.

DATED this 10<sup>th</sup> day of June, 2014.

BEEBE DRAW FARMS METROPOLITAN  
DISTRICT NO. 2

By:  \_\_\_\_\_  
Secretary