# RECORD OF PROCEEDINGS

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## MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE BEEBE DRAW FARMS METROPOLITAN DISTRICT NO. 1 HELD MAY 10, 2011

A regular meeting of the Board of Directors of the Beebe Draw Farms Metropolitan District No. 1 (referred to hereafter as "Board") was convened on Tuesday, the 10th day of May, 2011, at 7:00 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.

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**ATTENDANCE**

**Directors In Attendance Were:**
Jeffrey T. Hare, President
Linda E. Cox
Rosalind Bader
Michael Welch

Following discussion, upon motion duly made by President Hare, seconded by Director Welch and, upon vote, unanimously carried, the absence of Angela Powell was excused.

**Also In Attendance Were:**
Lisa Johnson, Elizabeth Alexander and Meric Lallier; Special District Management Services, Inc.

Kristin J. Bowers, Esq.; McGeady Sisneros, P.C. (General Counsel for Beebe Draw Farms Metropolitan District No. 2)

Christine Hethcock and Paul "Joe" Knopinski; Beebe Draw Farms Metropolitan District No. 2 and Beebe Draw Farms Authority Board members

See attached sign-in sheet for additional attendees.

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**DISCLOSURES OF POTENTIAL CONFLICTS OF INTEREST**

**Disclosures of Potential Conflicts of Interest**: It was noted that disclosures of potential conflicts of interest statements for each of the Directors were filed with the Secretary of State at least seventy-two hours in advance of the meeting. Ms. Johnson requested that the Directors review the Agenda for the meeting and to advise the

Board of any conflicts of interest which should be disclosed. No additional disclosures were made by the Directors present at the meeting.

**ADMINISTRATIVE MATTERS**

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

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

**Approval of Meeting Location:** 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.

Following discussion, and upon motion duly made by President Hare, seconded by Director Welch and, upon vote, unanimously carried, the Board determined that because there was not a suitable or convenient location within its boundaries to conduct this meeting, it was determined to conduct the meeting at the above-stated location. The Board further noted that notice of this location was duly posted and that they have not received any objections to the location or any requests that the meeting place be changed by taxpaying electors within its boundaries.

**Meeting Schedule for the Remainder of 2011**: The Board entered into discussion regarding the meeting schedule for the remainder of 2011.

Following discussion, the Board determined to meet on June 14 and November 8, 2011. It was noted that work sessions will be scheduled at other times, for which notices will be posted; however no staff will attend.

**PUBLIC COMMENT** There were no public comments.

**CONSENT AGENDA** The Board considered the following actions:

- Review and approve Minutes of the April 12, 2011 regular meeting.

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

**Claims:** The Board reviewed and discussed the claims paid through the period ending May 10, 2011 as follows:

| | | |
|---|---|---|
| General Fund: | $ | 3,762.56 |
| **Total:** | **$** | **3,762.56** |

Following discussion, upon motion duly made by President Hare, seconded by Director Cox and, upon vote, unanimously carried, the Board approved the payment of claims paid through the period ending May 10, 2011 as presented.

**Unaudited Financial Statements:** The Board reviewed the unaudited Financial Statements for the period ending March 31, 2011 and discussed authorizing staff to open an account at FirstBank and close the account at Colorado Capital Bank.

Following discussion, upon motion duly made by President Hare, seconded by Director Cox and, upon vote, unanimously carried, the Board approved the unaudited Financial Statements for the period ending March 31, 2011 and authorized staff to open an account at FirstBank and close the account at Colorado Capital Bank.

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**LEGAL MATTERS**

**Dismissal of the Quinquennial Review**: The Board entered into discussion regarding the status of the dismissal of the Quinquennial Review. It was noted that once all of the compliance actions are completed District No. 2 and District No. 1 will need to file a request for dismissal of the Quinquennial Review.

It was noted that staff and legal counsel for District No. 2 will begin drafting the appropriate documents and begin conversations with interested parties related to the dismissal of the Quinquennial Review.

**Weld County District Court Exclusion Litigation Case No. 2009CV332**: The Board entered into discussion regarding the status of the dismissal of the Weld County District Court exclusion litigation Case No. 2009CV332. It was noted that the Stipulation entered into between the parties requires a dismissal once all of the compliance actions are completed. General Counsel for District No. 2 will contact Dan Rohner to begin drafting and processing the dismissal of exclusion litigation.

**District No. 1 Capital Pledge Agreement between District No. 1 and the Authority**: The Board deferred discussion on this matter to the June meeting.

**Inclusion and Exclusion Agreement between the Authority, District Nos. 1 and 2 and REI Limited Liability Company**: The Board reviewed the Inclusion and Exclusion Agreement between the Authority, District Nos. 1 and 2 and REI Limited Liability Company.

Following review, upon motion duly made by President Hare, seconded by Director Cox and, upon vote, unanimously carried, the Board approved the Inclusion and Exclusion Agreement between the Authority, District Nos. 1 and 2 and REI Limited Liability Company.

**Amended and Restated Improvements Agreement According to Policy Regarding Collateral for Improvements between the Authority and Weld County**: The Board deferred discussion on this matter to the June meeting.

**Other Compliance Period Actions**: There were no other compliance period actions for discussion.

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**FINANCIAL MATTERS**

**2011 Budget Amendment Hearing**: The President opened the public hearing to consider the Resolution to Amend the 2011 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 2011 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 review and discussion, President Hare moved to adopt the Resolution to Amend 2011 Budget, Director Welch seconded the motion and, upon vote, unanimously carried, the Board adopted the Resolution to Amend the 2011 Budget, as discussed and amended. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

**2010 Audit**: Mr. Lallier reported to the Board that the auditors have completed their review of the District's records and a draft audit will be available for approval at the June 14, 2011 meeting.

**Conservation Trust Funds Distribution**: Mr. Lallier informed the Board that the Authority will need to apply for Conservation Trust funds in order to receive the funds from District No. 1.

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**OTHER MATTERS**

**Action Items Status**: The Board reviewed and discussed the action items status matrix. No action was taken.

**Improvements to RV Storage**: The Board discussed improvements to the RV storage area and other potential locations for the RV storage area. It was noted that

due to the potential expansion of the Community Center, Mr. Colby's office and equipment may need to be relocated. Members of the community requested that horse trailers be allowed to store at the RV storage area. Director Hare suggested the Authority consider a covered, secure RV storage facility and noted that a 24' x 48' building would cost approximately $42,500 and a 48' x 144' building would cost approximately $155,000. The Board determined to include this item in the District No. 1 survey of the community soliciting feedback on future amenities.

**Installation of Speed Limit Signs**: The Board discussed the potential installation of speed limit signs. Director Hare will draft an e-mail and Ms. Alexander will distribute it to the community soliciting input on solutions to encourage slower speeds on Beebe Draw Farms Parkway. The Board listed the following suggestions which will be included in the correspondence to all residents:

- Set the speed limit at 25 mph
- Install slow 30mph signs throughout the community
- Install slow zone signs
- Install slow children at play signs
- Paint center lines
- A combination of any of the above
- Take no action

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**ADJOURNMENT**

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

Respectfully submitted,

By _____
Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL MAY 10, 2011 MEETING MINUTES OF THE BEEBE DRAW FARMS METROPOLITAN DISTRICT NO. 1 BY THE BOARD OF DIRECTORS SIGNING BELOW:

Jeffrey T. Hare

Linda E. Cox

Michael Welch

Angela Y. Powell

Rosalind Bader

# BEBEE DRAW FARMS METROPOLITAN DISTRICT NOS. 1 and 2

## MAY 10, 2011

Please ***print*** your name, address and phone number and the issue(s) you are interested in addressing at this meeting.

| NAME | ADDRESS | TELEPHONE/EMAIL | ISSUE(S) TO BE ADDRESSED |
|---|---|---|---|
| Stephen Hurst | 16510 Essex Rd. N | 970-515-7438 shurst21@gmail.com | |
| Steven Street | 16495 Ledyard Rd S. | 970-785-2141 stevenstreet@mindspring.com | |
| Sandy Adkins | 16493 Essex Rd | 6Adkinsfam @gmail.com | |
| Glen Adkins | 16523 ESSEX RD | GLEN.ADKINS@ | DENVER SYRUP.COM |
| Debra Street | 16495 Ledyard Rd. | silksensations@mindspring.com 970-785-2141 | |
| [illegible] | 16478 Burghley | 970 785-2621 prairie.rose.kay9@gmail.com | |
| | | | |

E:\BBDRAWMD1\Sign-In Sheet.doc

## Anna Mercurio

**From:** Anna Mercurio
**Sent:** Wednesday, August 03, 2011 2:58 PM
**To:** dlg-filing@state.co.us
**Cc:** Rick Kron (rickkron@grimshawharring.com); Dawn J. Fredette; Lisa Johnson; Jennifer Henry (jhenry@mcgeadysisneros.com)
**Subject:** Beebe Draw Farms Metropolitan District No. 1; 2011 Budget Amendment
**Attachments:** Beebe_Draw_Farms_Metropolitan_District_No. 1(62082)2011_Budget_Amendment.pdf

To Whom It May Concern:

Attached is the Resolution to Amend the 2011 Budget and appropriation duly adopted by the Board of Directors of Beebe Draw Farms Metropolitan District No. 1 on May 10, 2011.

Please feel free to contact me with any questions.

Thank you,

Anna Mercurio
Administrative Assistant
Special District Management Services, Inc.
141 Union Blvd., Suite 150
Lakewood, CO 80228
(303) 987-0835 phone
(303) 987-2032 fax
amercurio@sdmsi.com

RESOLUTION TO AMEND 2011 BUDGET
BEEBE DRAW FARMS METROPOLITAN DISTRICT NO. 1

WHEREAS, the Board of Directors of the Beebe Draw Farms Metropolitan District No. 1 adopted a budget and appropriated funds for the fiscal year 2011 as follows:

| | |
|---|---|
| General Fund | $277,017 |
| Debt Service Fund | $338,124 |
| Conservation Trust Fund | $505 |

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 2011; 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 specific ownership taxes.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Beebe Draw Farms Metropolitan District No. 1 shall and hereby does amend the adopted Budget for the fiscal year 2011 and adopts a supplemental budget and appropriation for the General Fund for the fiscal year 2011, as follows:

| | |
|---|---|
| General Fund | $290,187 |

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 10th day of May, 2011.

BEEBE DRAW FARMS METROPOLITAN DISTRICT NO. 1

By: Linda Evans Cox
Secretary