

# RECORD OF PROCEEDINGS

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## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

TR RANCH METROPOLITAN DISTRICT

Held: Tuesday, November 17, 2020 at 10:00 a.m., at 4100 E.  
Mississippi Avenue, Suite 500 Denver, CO 80246

Attendance

The regular meeting of the Board of Directors of the TR Ranch Metropolitan District was called and held as shown above in accordance with the statutes of the State of Colorado. The following Directors, having confirmed their qualifications to serve on the Board, were in attendance:

Otis C. Moore, III  
Patrick Schmitz  
Kevin J. Smith

Also present were Elizabeth A. Dauer, Esq., Seter & Vander Wall, P.C.; and Nancy Bach, CliftonLarsonAllen, LLP.

Call to Order

Ms. Dauer called the regular meeting of the Board of Directors of the TR Ranch Metropolitan District to order at 10:00 a.m.

Disclosure Matters

Ms. Dauer advised the Board that pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board reviewed the agenda for the meeting, following which each Board member disclosed their conflicts of interest stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting. The Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

Director Moore reported that he is a property owner in the District, and is an employee for the developer, Westside Investment Partners, Inc. This disclosure is associated with the approval of items on the agenda which may affect his interests.

Director Smith reported that he is a property owner in the District, and is an employee for the developer, Westside Investment Partners, Inc. This disclosure is associated with the approval of items on the agenda which may affect his interests.

# RECORD OF PROCEEDINGS

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Director Schmitz reported that he is a property owner in the District, and is an employee for the developer, Westside Investment Partners, Inc. This disclosure is associated with the approval of items on the agenda which may affect his interests.

Ms. Dauer reported that written disclosures of these interests had been filed with the Secretary of State prior to the meeting.

## Approval of Minutes

Upon motion made, seconded and unanimously carried, the minutes of the November 19, 2019 regular meeting were approved as presented.

## Annual Administrative Matters

- Director Qualification Affidavit/General Conflicts Forms

Ms. Dauer distributed director qualification affidavits and general conflict forms. She asked the Directors to review the information provided, describing how to identify a conflict of interest, and the requirements under Colorado law for disclosure of such conflicts of interest by each Director. Ms. Dauer asked each Director to review the contents of the letter, and to identify all existing and potential conflicts of interest each Director may have in connection with serving as a member of the Board of the District.

- 2020 Annual Administrative Resolution

Ms. Dauer discussed a number of administrative matters with the Board, which are generally addressed at the Board's first meeting of the year, in accordance with Colorado law.

Following discussion, the Board determined that the officers of the Board are as follows:

President – Otis Moore, III  
Secretary/Treasurer – Patrick Schmitz  
Asst. Secretary – Kevin Smith

The Board reviewed and determined to continue to use its existing publication designated for publication of legal notices, identified as the *Commerce City Sentinel Express*.

The Board determined to forego director fees for 2020.

Next, the Board determined to identify its 24-hour posting location as the fence post located at the northwest corner of 112th and Himalaya in Commerce City, Colorado.

The Board designated its regular meeting schedule as the third Tuesday of November at 10:00 a.m., at 4100 E. Mississippi

# RECORD OF PROCEEDINGS

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Avenue, Suite 500, Glendale, CO 80246.

The Board determined to appoint Michele Barrasso of the law firm of Seter & Vander Wall, P.C., to serve as the Designated Election Official for the District for its election activities.

The Board reviewed the employment of its consultant Seter & Vander Wall, P.C. serving as the District's legal counsel and official custodian of the District's public records and determined to renew the legal consultant for 2020.

The Board reviewed the employment of its consultant, CliftonLarsonAllen, LLP, serving as the District's accountant, and determined to renew the accounting consultant for 2020.

Finally, the Board reviewed the proposed form of resolution presented by Ms. Dauer which memorializes the above determinations in addition to certain other annual administrative actions providing direction from the Board regarding actions to be taken by its consultants on the Board's behalf.

Upon motion by Director Moore and seconded by Director Smith, the Board unanimously approved the Resolution.

Financial Matters /  
Payment of Claims

Ms. Bach presented the financial report for the period ending October 31, 2020, and schedule of claims updated through November 13, 2020, for payment and ratification. Following further discussion, and upon motion, second and unanimous vote, the Board accepted the financial statements, and approved and ratified the schedule of claims as presented.

Public Hearing on the  
Proposed 2021 Budget

Director Moore opened the public hearing on the proposed 2021 budget. It was noted that notice of the date, time and place of the hearing on the proposed budget had been duly published in accordance with statute. There being no public present, Director Moore closed the public hearing.

Ms. Bach presented the proposed budget for 2021. She noted that there would be no budget amendment for 2020. Ms. Bach noted the minimal financial activity of the District in 2020. The Board determined to certify a zero-mill levy for the 2021 budget.

Following further discussion, and upon motion made by Director Smith, seconded by Director Schmitz and unanimously carried,

# RECORD OF PROCEEDINGS

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the Board approved the 2021 budget, appropriated the budgeted funds and certified the District's mill levy for 2021 as discussed. The Board further approved the 2021 budget resolution as presented.

## Attorney Report

- Ratify 2019 Annual Report to Commerce City

Ms. Dauer reviewed the annual report that was presented to Commerce City. Following further discussion, and upon motion, second and unanimous vote, the Board ratified the 2019 Annual Report to Commerce City.

## Development Update

Director Smith reported that there is no development anticipated in this District for a few years.

## Other Business

None.

## Adjournment

There being no further business to come before the Board, and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 10:20 a.m.

*patrick Schmitz*

[patrick Schmitz \(Aug 31, 2021 14:56 MDT\)](#)

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Secretary for the Meeting