

# RECORD OF PROCEEDINGS

---

## MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

HERITAGE TODD CREEK METROPOLITAN DISTRICT

Held: Monday, May 8, 2023 at 3:00 p.m., 8455 Heritage  
Drive, Thornton, CO 80602.

### Attendance

The special meeting of the Board of Directors of the Heritage Todd Creek 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:

Rod Stone, President  
Robert Tade, Asst. Secretary  
Paul Ozanich, Treasurer

Also in attendance were: Barbara T. Vander Wall, Seter & Vander Wall, P.C.; Georgia Harland\*, Simmons & Wheeler, P.C.; Director candidates Jon Rarick and John Laatsch; Doug and Pam Mayhew, 15264 Willow Drive, and Kent Ferguson, 15155 Willow Drive, District residents.

[\*Participating by phone.]

### Call to Order

Director Stone noted a quorum of the Board was in attendance and called the special meeting of the Board of Directors of the Heritage Todd Creek Metropolitan District to order at 3:04 p.m.

### Conflict of Interest / Disclosure Matters

The Board had been previously advised that pursuant to Colorado law certain disclosures by the Board members may be required prior to taking official action at the meeting. Legal counsel advised that written disclosures of the conflicts of interest for each Director had been filed with the Secretary of State prior to the meeting.

No additional conflict disclosures were announced.

### Approval of Agenda

The Board reviewed the agenda. Upon motion, second and unanimous vote, the agenda was approved as presented.

# RECORD OF PROCEEDINGS

---

Approval of Minutes                      The Board reviewed the draft minutes of the April 13, April 24, and April 27, 2023 special meetings. Upon motion duly made, seconded and unanimously carried, the minutes were approved as presented.

Director Matters:                      Ms. Vander Wall advised that Messrs. Jon Rarick and John Laatsch were elected to the Board by acclamation. Chairman Rod Stone administered the oaths of office to Mr. Rarick and Mr. Laatsch, and welcomed them to the Board. Ms. Vander Wall noted that the new directors will become “active” members of the Board following the filing of their oaths.

- New Directors / Oaths of Office

- Election of Officers                      Director Stone noted the open officer positions following the departure of Messrs. Wilmes and Anderson. Following discussion, and upon motion, second and unanimous vote, the Board approved the following officers:

- President/Chairman, Rod Stone
- Vice President, Paul Ozanich
- Treasurer, Robert Tade
- Secretary, John Laatsch
- Asst. Secretary, Jon Rarick

It was noted that the committee assignments would be considered at the next Board meeting.

Public Comment                      Mr. Doug Mayhew commented that he continues to have an issue regarding nearby irrigation water running constantly; his sump pump is continuously in use. Director Stone agreed to follow up on this issue.

[\*Doug and Pam Mayhew departed at this time.]

Mr. Kent Ferguson asked about the District’s work on the speed mediation and the underlying traffic study. He noted that he likes the speed signs, and suggested they be cleaned; the District should add more speed signs within the community. He believes that the contractors and delivery drivers are the biggest speeders. Mr. Ferguson asked about the access to Yosemite from the new area and whether it will be opened up to residents. Director Stone responded that this access will only be used by emergency vehicles, based on City of Thornton criteria.

[\*Kent Ferguson departed at this time.]

# RECORD OF PROCEEDINGS

---

District Management  
Services Agreement

Legal counsel provided a summary and history of the issues and steps taken to date regarding District management and billing services, the termination of such services by current contractor CCMC, and the proposed successor for the services following an RFP process. The Board determined to go into executive session for contract negotiation discussions.

Executive Session

Upon motion, second and unanimous vote, the Board agreed to enter into executive session for purposes of determining positions relative to matters that may be subject to negotiation and instructing negotiators, and consulting with the attorney and receiving advice thereon, pursuant to § 24-6-402(4)(b) & (e), C.R.S., at approximately 3:33 p.m.

At 4:50 p.m. the Board reconvened into open session and determined that no actions had been taken while in executive session.

District Management  
Services Agreement (cont'd)

The Board reviewed the proposed contract for District management and billing services with Advance HOA Management Services, Inc. Upon motion by Director Tade, second by Director Ozanich and unanimous vote, the Board approved the contract as presented.

Director Stone noted that he would like to have a “meet and greet” with the new management team and the community as soon as possible.

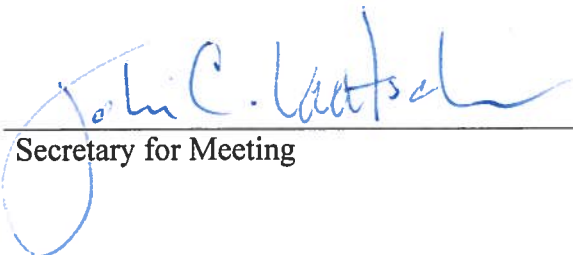
Other Business

There was no other business presented at this time.

Adjournment

The next regular meeting of the Board of Directors is scheduled for Monday, May 22, 2023, at 1:00 p.m.

The meeting was adjourned at approximately 5:08 p.m.

  
Secretary for Meeting