

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
THIRD CREEK METROPOLITAN DISTRICT NO. 2**

**HELD
JUNE 20, 2024**

A regular meeting of the Board of Directors of the Third Creek Metropolitan District No. 2 (referred to hereafter as the “Board”) was convened on Thursday, June 20, 2024, at 11:00 a.m. The meeting was open to the public. The meeting was held via Microsoft Teams video teleconference.

ATTENDANCE

In Attendance were Directors:

Kent Pedersen, President
Debra Hessler, Treasurer
Brian Stockton, Assistant Secretary
Jennifer Thornbloom, Assistant Secretary

Also, in Attendance were:

Francyne DeBauge and Gigi Pangindian; CliftonLarsonAllen LLP (“CLA”)
Suzanne Meintzer, Esq. and Lisa Jacoby; McGeady Becher P.C.

ADMINISTRATIVE MATTERS

Call to Order, Quorum and Agenda: The meeting was called to order and a quorum was confirmed. Following review, upon motion duly made by Director Pedersen, seconded by Director Stockton, and upon vote unanimously carried, the Board approved the agenda, as amended, and excused the absence of Director Beckwitt.

Location of Meeting, 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 determined to conduct this meeting via Microsoft Teams. Notice providing the date, time, and location information was duly posted and no taxpaying electors within the District's boundaries objected or requested that the means of hosting the meeting be changed.

Disclosures of Potential Conflicts of Interest: The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The Board members (the “Directors”) were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting. In accordance with statute, those applicable disclosures made by the Directors prior to this meeting, were noted for the record. Disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors, and no additional conflicts were disclosed at the meeting.

Public Comment:

None.

March 21, 2024 Regular Meeting Minutes: Following review, upon motion duly made by Director Thornbloom, seconded by Director Pedersen, and upon vote unanimously carried, the Board approved the March 21, 2024 Regular Meeting Minutes.

FINANCIAL / LEGAL / CAPITAL IMPROVEMENT MATTERS

Claims: Ms. DeBauge presented the claims from the period of March 8, 2024 through June 10, 2024. Following review, upon motion duly made by Director Pedersen, seconded by Director Stockton, and upon vote unanimously carried, the Board approved the claims in the amount of \$1,606,231.71.

March 31, 2024 Unaudited Financial Statements and Schedule of Cash Position: Ms. DeBauge presented the Unaudited Financial Statements and Schedule of Cash Position. Following review, upon motion duly made by Director Pedersen, seconded by Director Stockton, and upon vote unanimously carried, the Board accepted the March 31, 2024, Unaudited Financial Statements and Schedule of Cash Position.

Project Funds Escrow Deposit Request Nos. 3 and 4: There were no Project Funds Escrow Deposit Requests presented; however, it was noted by Director Stockton that contracts for Diversified Underground, Inc. and for Fiore & Sons, Inc. are subject to future Project Funds Escrow Deposit Requests.

Draw Request Nos. 4 and 5: Ms. DeBauge noted that Draw Request No. 4 in the amount of \$89,115.13 has been prepared and will be presented to District No. 1 for approval. Following discussion, motion duly made by Director Pedersen, seconded by Director Hessler, and upon vote unanimously carried, the Board approved Draw Request No. 4 in the amount of \$89,115.23. No Draw Request No. 5 was presented.

Engineer's Report and Verification of Costs Reports Prepared by Schedio Group, LLC: The Board reviewed Report Nos. 4 and 5.

Report No. 4: Following review, upon motion duly made by Director Stockton, seconded by Director Pedersen, and upon vote unanimously carried, the Board accepted Report No. 4 in the amount of \$108,840.13.

Report No. 5: Following review, upon motion duly made by Director Stockton, seconded by Director Pedersen, and upon vote unanimously carried, the Board accepted Report No. 5 in the amount of \$565,590.61.

MANAGER MATTERS

None.

DIRECTOR'S MATTERS

Director Stockton addressed the Board regarding establishment of a capital cash account for project expenses requiring immediate fund access.

Following discussion, upon motion duly made by Director Pedersen, seconded by Director Stockton, and upon vote unanimously carried, the Board approved establishment of a capital cash account, and authorized the President to approve up to \$50,000 in expenditures in between meetings.

OTHER MATTERS

None.

ADJOURNMENT

There being no further business to come before the Board at this time, Director Pedersen adjourned the meeting.

Respectfully submitted,

By: Jonathan Beckwitt
Secretary

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