

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

CONIFER METROPOLITAN DISTRICT

Held: Tuesday, July 11, at 1:00 P.M., *via* teleconference.

ATTENDANCE

The meeting was held in accordance with the laws of the State of Colorado. The following directors were in attendance:

Mike Staheli (Receiver)

Also present: Jon L. Wagner, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Christine McLeod of Haynie & Co., CPA

ADMINISTRATIVE MATTERS

Call to Order

The meeting was called to order at 1:05 pm.

Declaration of Quorum and Confirmation of Director Qualifications

Ms. Hartung noted that a quorum for the Board was present and that the Order Appointing the Receiver to act on behalf of and as the Board remains in full force and effect.

Reaffirmation of Disclosures of Potential or Existing Conflicts of Interest

Ms. Hartung advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Hartung reported that disclosures for potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Ms. Hartung noted that a quorum was present and inquired into whether any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Board determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda

Ms. Hartung presented the Board with the proposed agenda for the meeting. Upon motion duly made by Mr. Staheli, the Board unanimously approved the agenda as written.

PUBLIC COMMENT

None.

CONSENT AGENDA

The Board was presented with the consent agenda items. Upon motion duly made by Mr. Staheli, the Board unanimously took the following actions:

- a. Minutes from November 15, 2022, Regular Meeting
- b. Resolution Designating Meeting Notice Posting Location
- c. 2023 Property & Liability Renewals

FINANCIAL MATTERS

Consider Approval of Payables/Financials

Mr. Staheli presented the payables and financials through June 30, 2023. Following discussion, upon a motion duly made by Mr. Staheli, the Board accepted the payables and financials.

Presentation of 2022 Audit

Ms. McLeod presented the 2022 Draft Audit. Following discussion, upon a motion duly made by Mr. Staheli, the Board accepted the 2022 Draft Audit subject to legal review and it remaining a clean opinion. It was also approved to file an extension if needed. Ms. McLeod will file the 2022 Audit once finalized.

WATER AND WASTEWATER OPERATIONS MATTERS

Discuss Status of Response to Colorado Department of Public Health & Environment (CDPHE) Regarding Violation

Mr. Staheli noted that the violation has been cleared and the District is in compliance. The compliance order was dismissed and nothing else is needed.

Discuss Status of Modification of the Augmentation Plan and Request for Variance of Total Dissolved Solvents

Mr. Staheli discussed with the Board the variance to the Colorado Department of Public Health & Environment's total dissolved solids that the District is currently trying to obtain. Mr. Staheli noted that the application is still pending. The variance was sent for public comment and a lot of public comment was received – mainly relating to development. There is nothing to do at this time and we are just waiting on a response from Colorado Department of Public Health & Environment.

RECEIVER MATTERS

Update to Modification to District's Augmentation Plan

Mr. Staheli provided an update to the District's Augmentation Plan. The original Augmentation Plan included 5 wells, however, only 3 of the wells are working. The District

submitted a request to the Water Court to utilize a substitute well within the boundaries of the District. There was an objection filed by the Jefferson County School District R-1; however, the District revised the language in the requested decree and the school withdrew its objection. The District is currently waiting on an order from the water court.

Discuss Possible Needed Repairs to the Water System

Mr. Staheli discussed the possibility of needed repairs to the water system in the upcoming years.

LEGAL MATTERS

Discuss 2023 Legislative Memorandum

Ms. Hartung presented the 2023 Legislative Memorandum. It was noted there are no residential units within the district, so a Town Hall/Annual Meeting is not required until the new legislation.

Discuss 2023 Cancelled Election

Ms. Hartung discussed the cancelled election and the lack of any applicants for the Board.

OTHER BUSINESS

Next Regular Meeting Schedule

The next Regular Meeting is scheduled for November 16, 2023, at 1:00 pm via Zoom.

ADJOURNMENT

There being no further business to be conducted, the meeting was adjourned at 1:54 pm.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.



Secretary for the Meeting

The foregoing minutes were approved on the 16th day of November, 2023.