

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO.11

Held: Tuesday, September, 20, 2022 at 1:00 P.M. via teleconference

**Attendance**

The Special Meeting of the Board of Directors of Cherry Creek South Metropolitan District No. 11 was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, have confirmed their qualifications to serve, were in attendance:

Kurt Wolter  
Kim Jensen

Also present were Kristin Bowers Tompkins, Esq. and Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, General Counsel; and Nancy Bach, CliftonLarsonAllen LLP, District Accountants.

**Call to Order/Declaration of Quorum**

It was noted that a quorum of the Board was present and the meeting was called to order.

**Conflict of Interest Disclosures**

Ms. Murphy advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Murphy reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of 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. Murphy inquired into whether members of the Board had 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 participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

**Approval of Agenda**

Ms. Murphy presented the proposed agenda to the Board for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda, as amended.

**Public Comment**

None.

**Consent Agenda**

Ms. Murphy provided the items on the consent agenda to the Board. Ms. Murphy advised that any item can be removed from the consent agenda to the regular agenda upon a request from any Director. No items were requested to be moved from the consent agenda. Upon a motion duly made, seconded and unanimously carried, the Board approved, ratified and/or adopted the following items:

- Minutes from December 8, 2021 Special Meeting;
- Haynie & Company to Prepare 2021 Audit;
- Request for Extension of Time to File 2021 Audit; and
- 2021 Annual Report.

**Financial Matters**

Consider Approval/Ratification of Claims Payable

Ms. Bach presented the claims to the Board in the amount of \$70,584.11. Following discussion, upon a motion duly made and seconded the Board unanimously ratified the claims.

Conduct 2021 Budget Amendment Hearing and Consider Adoption of Resolutions to Amend 2021 Budget

Ms. Murphy opened the public hearing on the 2021 Budget Amendment for District No. 11. Ms. Murphy noted that the notice of public hearing was published in accordance with Colorado law. No written objections were received prior to the meeting. There being no public comment, the hearing was closed.

Ms. Bach reviewed the 2021 Budget Amendment with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted resolution amending the Capital Project Fund to \$946,485.

Consider Acceptance of 2021 Audit

Ms. Bach presented the 2021 Audit to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the audit subject to final legal review and receipt of a clean opinion from the auditor.

**Legal Matters**

None.

**Other Business**


None.

## Adjourn

There being no further business to come before the Board, and following discussion and upon a motion duly made, seconded and unanimously carried, the Board determined to adjourn the meeting.

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

The foregoing minutes were approved by the District on the 27<sup>th</sup> day of October, 2022.

  
Kim Jensen (Nov 3, 2022 09:17 MDT)

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Secretary for the Meeting