

**MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
BENNT CREEK REGIONAL WATER AUTHORITY**

Held: Monday, December 14, 2020 at 5:00 p.m.

The meeting was held via teleconference due to the State of Emergency declared by Governor Polis and Public Health Order 20-23 Implementing Social Distancing Measures, and threat posed by the COVID-19 coronavirus.

Attendance

The meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following Directors were in attendance:

Board Member

Rich Pulliam
Marc Spezialy
Charles Bayley
Tony Carey

Also in attendance were:

Blair M. Dickhoner, Esq., White Bear Ankele Tanaka & Waldron; Trish Stiles, Town of Bennett; Rick Gonzales, Marchetti & Weaver, LLC and Martin Metsker, Alternative Director

Call to
Order/Declaration of
Quorum

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

Conflict of Interest
Disclosures

Mr. Dickhoner advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Dickhoner 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. Mr. Dickhoner 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

The Board reviewed the proposed agenda for the meeting. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda.

Public Comments

None.

Director Matters

Acknowledge
Appointment of Mr.
Tony Carey on behalf of
Todd Creek Village
Metropolitan District

The Board acknowledged the appointment of Mr. Tony Carey on behalf of Todd Creek Village Metropolitan District and his Oath of Office was administered.

Acknowledge
Appointment of Mr.
Martin Metsker, on
behalf of the Town of
Bennett, as an
alternative Director

The Board acknowledged the appointment of Mr. Martin Metsker on behalf of the Town of Bennett, as an alternative Director and his Oath of Office was administered.

The Board engaged in general discussion regarding the Election of Officers. Following discussion, upon a motion duly made and seconded, the Board elected Director Spezialy as Vice President and Treasurer and Director Carey as Secretary.

Administrative Matters

Consider Approval of
June 8, 2020 Minutes

Mr. Dickhoner presented the Minutes from the June 8, 2020 Special Meeting to the Board for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the minutes.

Discuss 2021 Meeting
Schedule and Consider
Adoption of 2021
Annual Administrative
Resolution

Mr. Dickhoner presented the 2021 Annual Administrative Resolution to the Board for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the 2021 Annual Administrative Resolution with direction to legal counsel to opt out of workers' compensation coverage and revise the resolution accordingly.

Liability Management

Consider Proposal for
Insurance Coverage

The Board reviewed the proposal for property and liability coverage from the Colorado Special Districts Property & Liability Pool. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal, adopted the Resolution Approving the Intergovernmental Agreement with the Colorado Special Districts Property and Liability Pool, and authorized membership with the Special District Association.

Legal Matters

Consider Approval of
Authority's Bylaws

Mr. Dickhoner presented the Authority's Bylaws to the Board for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the bylaws.

Consider Approval of Co-Applicant Agreement between the Authority and SP General Regional Water Company, LLC

Mr. Dickhoner presented the Co-Applicant Agreement between the Authority and SP General Regional Water Company, LLC to the Board for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agreement.

Financial Matters

Consider Approval/Ratification of Financials and Payables

Mr. Gonzales presented the Statement of Net Position dated November 30, 2020 and claims payable for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously ratified and approved claims totaling \$23,171.79.

Conduct Public Hearing on 2021 Budget and Consider Adoption of Resolution Approving 2021 Budget

Director Pulliam opened the public hearing on the proposed 2021 Budget. Mr. Dickhoner noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Mr. Gonzales reviewed the 2021 Budget with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2021 Budget.

Executive Session - Pursuant to Sec. 24-6-402(4)(b), C.R.S. for purposes of developing negotiation strategy and directing negotiators on water agreements

The Board determined an Executive Session was not needed.

Other Business

None.

Adjournment

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

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

Charles C Bayley

Charles C Bayley (Jan 27, 2021 07:51 MST)

Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 11th day of January, 2021.

2021-01-11 Execution Packet (BennT Creek)

Final Audit Report

2021-01-27

Created:	2021-01-12
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-  Document created by Andie Eckstrum (aekstrum@wbapc.com)
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-  Document emailed to Charles C Bayley (cbayley@bennett.co.us) for signature
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