

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF  
TODD CREEK VILLAGE METROPOLITAN DISTRICT  
ADAMS COUNTY, COLORADO  
November 12, 2009**

A regular meeting of the Board of Directors of Todd Creek Village Metropolitan District, Adams County, Colorado, was held on Thursday, November 12, 2009 at 10450 E. 159<sup>th</sup> Court, Brighton CO 80602. The meeting was called to order at 3:34 p.m.

The following Directors were present:

Roger Hollard  
Ken Hammerle  
George Hanlon  
Kathy Kropp  
Roger Addlesperger

Also Present:

Denise Vineyard, Admin. Assist. Village Water Management, LLC  
Tamara Gilida, Legal Counsel, Icenogle, Norton, Smith, Gilida & Pogue,  
P.C.  
Rick Goncalves, RG Consulting  
Shanna Massier, Fox Ridge Resident  
Linda Young, Todd Creek Resident  
Matt Deibel, Lennar Colorado, LLC  
Beth & Todd Reynolds Todd Creek Residents

**Conflict Disclosures**

Director Hanlon noted for the record that in accordance with state law written disclosures were filed with the Secretary of State. All directors reaffirmed the written disclosures on file with the Secretary of State. Ms. Gilida suggested that the Board file the conflict disclosures every month prior to the Board meeting.

**Public Comment**

Director Hanlon opened the floor for public comment. Ms. Young introduced new residents to the Board.

**Public Hearing- 2010 Budget**

Upon motion duly made by Director Hammerle, seconded by Director Hollard, and unanimously carried, the Board opened the Public Hearing at 3:38. Director Hanlon reviewed with the Board the rate study and the budget. Following discussion, upon motion duly made by Director Hollard, seconded by Director Kropp, and unanimously carried, the Board closed the public hearing at 3:45.

### **Approval of Minutes of October 8, 2009 Meeting**

The Board reviewed the minutes of the special meeting of the Board held on October 8, 2009. Following discussion and upon motion duly made by Director Hammerle, seconded by Director Hollard, and unanimously carried, the Board approved the minutes and authorized Director Hollard, as Secretary, to execute the minutes as constituting a true and correct record of the proceedings of the meeting.

### **Financial Report**

The Board reviewed and discussed the disbursements for November, 2009. Following discussion, upon motion duly made by Director Hollard, seconded by Director Kropp, and unanimously carried, the Board approved checks #8845-8888, in the amount \$165,243.75.

Director Hammerle reviewed for the Board the financial statements dated October 31, 2009. Following discussion, upon motion duly made by Director Kropp, seconded by Director Addlesperger, and unanimously approved, the Board accepted the financial statements as presented.

Director Hammerle reviewed the draft budget with the Board. The Board will adopt the budget at the December Board meeting.

### **Operations**

#### **Water Extension for TCVP&R – Irrigation water**

Director Hanlon reviewed with the Board the request from TCVP&R for the extension of the water agreement for irrigation water for the year of 2010. Director Hanlon noted for the Board the two parks are metered and that the water will be monitored for usage during the 2010 season.

### **Other Business Matters**

#### **Rate Study Review**

Director Hanlon introduced Mr. Goncalves from RG Consulting who worked with the Citizen committee on the rate study. Director Hanlon noted for the Board that Mr. Goncalves is reviewing the rate study for the Board with regards to the increase of the water rates.

### **Attorney Items**

No public attorney items were discussed.

### **Executive Session**


Ms. Gilida requested a motion that the Board go into executive session for the following purposes pursuant to C.R.S Section 24-6-402(4)(b) and Section 24-6-402(4)(e): to confer with the attorney for this body for the purpose to receiving legal advice on specific legal questions and determining positions on matters relative to negotiations, developing strategies for negotiations and instructing negotiators relative to Guaranty Bank, Lennar and CityWide Bank. Upon motion duly made by Director Hollard, seconded by Director Kropp, and unanimously approved, the Board agreed to enter into executive session at 4:25p.m.

Upon motion duly made by Director Hammerle, seconded by Director Kropp, and unanimously approved, the Board came out of executive session at 5:45 p.m.

### **Adjournment**

There being no further business, the Board of Directors adjourned the meeting at 5:50 p.m. The next scheduled meeting of the Board will be a regular meeting to be held on December 10, 2009 3:30 pm at the Todd Creek Village Metropolitan District office building located at 10450 E 159<sup>th</sup> Ct., Brighton, CO 80602.

The foregoing minutes constitutes a true and correct copy of the minutes of the above referenced meeting and was approved by the Board of Directors of the Todd Creek Village Metropolitan District.

  
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Roger Hollard, Secretary