

MINUTES OF A SPECIAL MEETING OF THE BOARD OF
DIRECTORS OF SADDLER RIDGE METROPOLITAN
DISTRICT

Held: Tuesday, February 22, 2022 at 11:00 a.m.
via teleconference

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:

Gene Osborne
Kenji Matsuda
Dave Seidl
Jake Pault

Director Will Edgington was absent. All directors' absences are deemed excused unless a contrary notation is recorded in these minutes.

Also present were: Ashley B. Frisbie, White Bear Ankele Tanaka & Waldron, Attorneys at Law, District Manager; Eric Weaver and Krista Koenig, Marchetti & Weaver, LLC, District Accountant; JR Osborne, C3 Construction Management Co., Inc.; and Beth Kelsey, Liberty Savings Bank ("LSB").

Call to Order/Declaration of
Quorum

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

Director Disclosures

Ms. Frisbie advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Frisbie 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. Frisbie 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 review, upon a motion duly made and seconded, the Board unanimously approved the agenda, as amended.

Public Comment

There was no Public Comment.

Consent Agenda

The Board was presented with the consent agenda items. Director Osborne informed the Board that he has a potential conflict of interest involving a matter to be voted upon, and recused himself from voting on the matter. Upon a motion duly made and seconded, the Board unanimously took the following actions:

- a. Approved First Addendum to Independent Contractor Agreement with C3 Construction Management, Co. for Construction Management
- b. Ratified Second Amendment to Financing Agreement (General Obligation Limited Tax Bonds, Series 2017B) by and between the District and Liberty Savings Bank, F.S.B.

Operations and Maintenance Matters

Award of Contract for Pond Repair Project

Mr. JR Osborne presented the Board with a bid from Mendoza's Landscaping, LLC, in the amount of \$185,579, for the pond repair project. Mr. JR Osborne noted that the project was bid publicly, in accordance with Colorado law. Mr. JR Osborne reported that no other bids were received, and that the bid from Mendoza's Landscaping, LLC seems fair based off of the scope of work and material costs.

Director Seidl inquired about the installation of a pond aerator (bubbler) to keep water moving in the pond. Mr. JR Osborne noted that this item isn't included in this bid and will need to be addressed separately. Mr. JR Osborne noted that he will look into options and provide a recommendation at a later date.

Director Seidl inquired about removal of the volunteer trees around the pond and the possible addition of landscaping and irrigation. Mr. JR Osborne noted that these items aren't included in this bid and will need to be addressed separately. He also noted that irrigation may be an issue because a lot of the irrigation lines have been there for a long time without use and may require a lot of repair.

Director Pault inquired about the timeline for the project. Mr. JR Osborne reported that as long as the work can begin immediately, he anticipates that the project will be completed within 60 days. He also noted that the pond needs to be ready for spring irrigation and fill up, otherwise North Weld County Water District should be able to provide potable water for irrigation if there are unforeseen delays.

Director Pault inquired if the bid included removal of the islands, not just the trees. Mr. JR Osborne confirmed that the bid does include removal of the islands themselves, as it is easier to seal and maintain, and reduces the possibility of future root issues. All board members in attendance agreed.

Following discussion, upon a motion duly made and seconded, the Board unanimously approved the bid from Mendoza's Landscaping, LLC, in the amount of \$185,579, and awarded the contract.

Pump Station Agreement with
North Weld County Water District

Director Osborne provided the Board with an update on the status of the Pump Station Agreement with North Weld County Water District ("NWCWD"), noting that the District will be engineering and designing the pump station, rather than the Town of Severance (the "Town"). The project is in the preliminary phase, as the District will need to retain a water engineer, have the design prepared, and then coordinate with the Town on approval.

Director Osborne noted that he continues to work with NWCWD on the release of additional water taps.

Allowance of Horses on Carriage
Lots

Director Osborne provided an update on the allowance of horses on the carriage lots, reporting that, as discussed at the January 25, 2022 meeting, the Town is now requiring that Phase 2, including the carriage lots, be rezoned to rural residential in order to allow livestock. Ms. Kelsey reported that she attended a meeting with the Town to discuss the specifics, and the Town indicated that the project will require a surveyor, title work, management plan, public hearings, notices, signatures from residents, approvals from both the Planning Commission and Town Council, etc. The cost for this process is anticipated to be approximately \$30,000-\$35,000, much higher than initially anticipated.

Following discussion, the Board determined that the District would not move forward with rezoning of the lots to allow livestock.

Update on May 3, 2022 Election

Ms. Frisbie provided the Board with an update on the May 3, 2022 Election, noting that, as of today, 2 forms had been accepted for the 5 available seats.

Adjourn

There being no further business to come before the Board, and upon motion duly made, seconded, and unanimously carried, the meeting was adjourned.

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

A handwritten signature in black ink, consisting of several large, overlapping loops and a trailing line.

Secretary

The foregoing minutes were approved on the 16th day of March, 2022.