

RECORD OF PROCEEDINGS

**MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
ORCHARD FARMS METROPOLITAN DISTRICT**

HELD

WEDNESDAY, JUNE 22, 2022

A special meeting of the Board of Directors of the Orchard Farms Metropolitan District (referred to hereafter as the “Board”) was convened on Wednesday, June 22, 2022, at 3:00 p.m. via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

In Attendance were Directors:

Ben Reiter, President
Randall Stutz, Treasurer
Brian McNelly, Secretary
Nate Watkins, Assistant Secretary

Director John Cheney was absent and excused.

Also in Attendance were:

Stephanie Odewumi; CliftonLarsonAllen LLP (“CLA”)
Megan Murphy, Esq. General Counsel; White Bear Ankele Tanaka and
Waldron (“WBA”)
Debra Hessler; Lennar Colorado, LLC
Susie Ellis; Community Preservation Specialists, Inc.

CALL TO ORDER

The meeting was called to order at 3:02 p.m. by Ms. Odewumi.

**QUORUM/
REAFFIRMATION
OF 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.

AGENDA

Following discussion, upon a motion duly made by Director McNelly, seconded by Director Reiter and, upon vote, unanimously carried, the Board approved the agenda, as presented, and excused the absence of Director Cheney.

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PUBLIC COMMENT

None.

FACILITIES MANAGEMENT / DISTRICT OPERATIONS

Community Covenant Enforcement Process: Ms. Ellis reviewed the entire covenant enforcement process with the Board. Ms. Ellis reviewed when violation letters were sent, the causes for such violations and the community response. Director Stutz reported he will be at the food truck night and will be available to address concerns of the community.

Other: Ms. Hessler stated that at the time of closing, the builder is required to provide a Mortgage Disclosure in alignment with the Mortgage Disclosure Improvement Act noting all information regarding the District and Covenants.

LEGAL MATTERS

Executive Session - The Board intends to enter into executive session pursuant to § 24-6-402(4)(b), C.R.S., to conference with an attorney for the District for the purpose of receiving legal advice as it relates to Covenants and Restrictions of Morrison and Residential Improvement Guidelines and Site Restrictions for Big Dry Creek Metropolitan District: An Executive Session was not taken.

Other: None.

DIRECTORS' MATTERS

Community Engagement: The Board discussed signs that could be posted in the community as to when Board meetings are. Director Stutz recommended regular community engagement through eblasts and a newsletter.

Meeting Dates and Times: The Board discussed the frequency and timing of Board meetings in the future. CLA will follow up to coordinate.

Other: The Board noted the port-a-potty was removed and discussed the fees associated with servicing them. No action was taken.

ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director McNelly, seconded by Director Reiter and, upon vote, unanimously carried, the meeting was adjourned at 4:03 p.m.

Respectfully submitted,

DocuSigned by:



Secretary for the Meeting

The foregoing minutes were approved on the 3rd day of August 2022.