

MINUTES OF A SPECIAL MEETING OF THE BOARD OF  
DIRECTORS  
OF  
BIJOU METROPOLITAN DISTRICT (“District”)

Held: Monday, November 7, 2022 at 2:00 P.M. via teleconference

**ATTENDANCE**

The special meeting of the Board of Directors of the Bijou Metropolitan District, County of Morgan, Colorado (“Board”), was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following Directors present and acting:

Robert Graves  
Kurt Spears  
Alan Overton  
Rebecca Spears  
Lori Graves

Also present were:

George M. Rowley, Esq. and Audrey G. Johnson, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; and Eric Weaver and James Shultz, Marchetti & Weaver, District Accountants.

**CALL TO ORDER**

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

**DISCLOSURE OF  
POTENTIAL  
CONFLICTS OF  
INTEREST**

Mr. Rowley advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Rowley 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. Rowley 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 agenda for the District’s special meeting was distributed for the Board’s review. Following discussion and upon motion duly made and seconded, the Board unanimously approved the agenda as presented.

**PUBLIC COMMENT** None.

**CONSENT AGENDA** Mr. Rowley provided the items on the consent agenda to the Board. Mr. Rowley advised that any item can be moved 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 and adopted the following item:

- Minutes of May 11, 2022 Special Meeting

## **LEGAL MATTERS**

Approval of 2023 Annual Administrative Resolution Mr. Rowley presented the 2023 Annual Administrative Resolution to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the resolution.

Ratification of 2021 Annual Report Mr. Rowley presented the 2023 Annual Administrative Resolution to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously ratified the annual report.

Approval of Notice to Electors Pursuant to §32-1-809 C.R.S. Mr. Rowley presented the Notice to Electors to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the notice.

2022 Legislative Update Mr. Rowley presented the 2022 legislative update to the Board. No action taken.

Approval of Resolution Calling May 2, 2023 Election Mr. Rowley presented the Resolution Calling the May 2, 2023 Election to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the resolution.

## **FINANCIAL MATTERS**

Review of Payables/Financials Mr. Weaver presented the payables and financials to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the payables and financials.

Public Hearing on 2022 Budget Amendment Director Graves opened the public hearing on the 2022 Budget Amendment. Mr. Rowley 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. Weaver reviewed the Resolution Amending the 2022 Budget with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution amending the General Operating Fund to \$47,630, and the Capital Project Fund to \$112,000.

Public Hearing on Resolution Adopting 2023 Budget, Imposing Mill Levy and Appropriating Funds

Director Graves opened the public hearing on the proposed 2023 Budget. Mr. Rowley 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. Weaver reviewed the 2023 Budget Resolution with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2023 Budget, appropriating funds therefor and certifying mills for the General Operating Fund, as shown in the 2023 Budget, subject to receipt of final assessed valuation.

#### **OTHER BUSINESS**

The Board engaged in a general discussion regarding the update on construction. No action taken.

#### **ADJOURNMENT**

There being no further business to come before the Board following discussion, upon a 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.

*Alan Overton*

Alan Overton (Nov 14, 2023 09:15 MST)

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Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 7<sup>th</sup> of November, 2023.