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# RECORD OF PROCEEDINGS

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**Minutes of the Special Meeting  
of the Board of Directors  
Holland Creek Metropolitan District  
December 5, 2022**

**Attendance**

**The following Directors were present:**

- Kevin Hopkins
- Koby Kenny
- Lee Hoover

**Also in attendance were:**

- Brandee Caswell, Esq Faegre Drinker Biddle & Reath LLP
- Ken Marchetti, CPA Marchetti & Weaver LLC
- Kenji Nakata, MWllc Recording Secretary
- Kathy Lewensten, MWllc Recording Secretary
- Lisa Mayers, Esq. Spencer Fane LLP

**Call to Order**

The special meeting of the Board of Directors of the Holland Creek Metropolitan District was called to order at 2:00 p.m. by Director Hopkins chairman noting a quorum was present. This meeting was held in a teleconferencing format.

**Potential  
Conflicts**

The Board confirmed posting of conflict of interest that were received as certain written disclosures of potential conflicts of interest from each of the Directors.

**Public Input**

No public comment was offered

**Minutes**

Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the minutes of the October 17, 2022 meetings.

**New/Old Business**

**Wolcott Water Services:** No updates regarding the Wolcott area water service requests.

**Director's Compensation:** Director Hopkins requested consideration of Board compensation. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to instate Directors Pay at \$100 per meeting, up to \$1200 per year.

It was noted that Directors Kenny and Hoover indicated they would waive Directors Compensation.

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Subsequent to the meeting Director Hopkins resigned from the Board in mid-December. In consideration of the resignation and the other Directors waiving compensation there will not be a need to implement Directors fees at this time.

### **Water & Waste Water Matters**

There were no updates.

### **Legal**

**Resignation of White Bear Ankele Tanaka & Waldron:** The Board reviewed and acknowledged the resignation of White Bear Ankele Tanaka & Waldron. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to accept the resignation of White Bear Ankele Tanaka & Waldron.

**Ratification of Spencer Fane LLP Engagement:** The Board reviewed the engagement letter from Spencer Fane LLP. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to ratify the engagement of Spencer Fane LLP

### **Financial Statements**

**Review of Preliminary Financial Statements:** The Board reviewed and discussed the need to revise the October 2022 preliminary financials to add Director's compensation and adjust expenditures for Legal/special Counsel in the 2023 Budget.

**Public Hearing 2023 Budget:** Considering the Boards revisions to the 2023 budget as discussed, a revised 2023 budget was offered. The public hearing was opened. No public comment was offered and the public hearing was closed. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to adopt the Holland Creek Metropolitan District 2023 budget with revisions as discussed, and

**FURTHER RESOLVED** to appropriate the sums of money for 2023 for Holland Creek Metropolitan District, and

**FURTHER RESOLVED** to certify the mill levy at 45.000 mills.

### **Accounts Payable**

The Accounts Payable list was reviewed. Upon motion duly made and seconded, it was unanimously

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**RESOLVED** to approve and ratify the Accounts Payable as presented

**Resignation/Appointment**

**Of Director(s)** Subsequent to the meeting Director Hopkins resigned. No interested parties have come forward at this time for the vacancies.

Due to the turnover of the Board of Directors, Ms. Lewensten asked to add Director Lee Hoover to the First Bank Signature card and to remove former Board of Directors members. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to authorize the update to the First Bank signature card.

**Executive Session** The Board of Directors determined an Executive Session was unnecessary.

**Future Meetings** The next regular meeting is scheduled for Monday, February 20, 2023. at 2:00 p.m. The meeting will be held via zoom.

**Adjournment** Upon motion duly made and seconded, it was unanimously

**RESOLVED** to adjourn the December 5, 2022 meeting of the Holland Creek Metropolitan District Board of Directors.

Respectfully submitted,

*Kenji Nakata*  
Recording Secretary