

RECORD OF PROCEEDINGS

MINUTES OF THE CONSOLIDATED SPECIAL MEETING OF THE BOARDS OF DIRECTORS OF THE BUCKHORN VALLEY METROPOLITAN DISTRICTS NOS. 1 & 2

Held: Thursday, August 12, 2021 at 4:30 P.M., at
<https://us02web.zoom.us/j/7636703470>
Meeting ID: 763 670 3470, Or
Dial-In Number: 1 + (669) 900-9128
Meeting ID: 863 7332 2103, Passcode: 179855

Attendance:

The consolidated meeting of the Boards of Directors of Buckhorn Valley Metropolitan Districts Nos. 1 & 2 (the “Boards of Directors” or “Boards”) was called and held as shown in accordance with the statutes of the State of Colorado.

The following Directors were present:

John Hill, President (District No. 1 Director only)
Anna Maria Ray, Assistant Secretary (District No. 1 Director only)
Dave Garton, Assistant Secretary (District No. 1 Director only)
Nickolas Viau (*via video/telephone conference*) (District No. 2 Director only)
Erin Gallimore (*via video/telephone conference*) (District No. 2 Director only)

The following Directors were absent:

Scott Green, Assistant Secretary (District No. 1 Director only)

Also present were: Jennifer L. Ivey, Attorney for the Districts, Icenogle Seaver Pogue, P.C. (*via video/telephone conference*); AJ Beckman, District Manager, Public Alliance, LLC (*via video/telephone conference*) and the following members of the public: Brandon McGlamery and Derek Sutton (*all via video/telephone conference*).

**Call to Order/
Declaration of Quorum:**

Director Hill called the consolidated special meeting of the Boards of Directors of the Buckhorn Valley Metropolitan Districts Nos. 1 & 2 to order for District No. 1, and Director Viau called the consolidated special meeting to order for District No. 2 at 4:32 P.M., at which time it was noted that the notice of this meeting was properly posted within the Districts. Ms. Ivey noted that a quorum of both boards was present.

Mr. Beckman reviewed the District’s procedure for public comment. He explained that in order to accommodate public comment and allow for the orderly conduct of District business members of the public wishing to speak during agenda items are required to use the “raise hand” feature in Zoom and wait to be recognized by the host. Members of the public who joined by phone were asked at the time they connected to the Zoom platform to indicate which agenda items they were interested in speaking about. He noted that all public comment is limited to three minutes per person and explained that a warning would be provided when the speakers had 30 seconds remaining. Speakers were advised that at the expiration of the three minutes they would be muted.

Disclosure Matters:

The Directors reviewed the agenda for the meeting, following which each Board member confirmed the contents of written disclosures previously made, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting.

Approval of/Additions to/Deletions from the Agenda:

Following discussion and upon motion of Director Hill and second of Director Ray, the District No.1 Board of Directors voted unanimously to approve the Agenda as presented.

Following discussion and upon motion of Director Gallimore and second of Director Viau, the District No.2 Board of Directors voted unanimously to approve the Agenda as presented.

Public Comment for Matters not on the Agenda:

There was no public comment for matters not on the Agenda.

Legal Matters:

Executive Session pursuant to Sections 24-6-402(4)(b) and/or 24-6-402(4)(e), C.R.S. for purposes of conferences with an attorney for the purposes of receiving legal advice on specific legal questions and/or determining positions relative to matters that may be subject to negotiations regarding Districts’ fees and/or facilities

Pursuant to Sections 24-6-402(4)(b) and/or 24-6-402(4)(e), C.R.S., upon motion of Director Garton and second of Director Ray, and upon an affirmative vote of at least two-thirds of the quorum present for District No. 1, and upon motion of Director Viau and second of Director Gallimore, and upon an affirmative vote of at least two-thirds of the quorum present for District No. 2, the Boards convened in executive session at 4:36 p.m. for purposes of conferences with an attorney for the purposes of receiving legal advice on specific legal questions and/or determining positions relative to matters that may be subject to negotiations regarding Districts’ fees and/or facilities.

Pursuant to Section 24-6-402-(2)(d.5)(II)(B), C.R.S., no record will be kept of the remaining portion of this executive session that, in the opinion of the District’s attorney , constitutes privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

The District Boards reconvened in regular session at 5:54 p.m.

Engagement of Special
Litigation Counsel

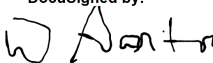
Ms. Ivey reviewed the engagement letter for Peter C. Forbes with Carver, Schwarz, McNab, Kamper & Forbes, LLC in connection with the water fee charge being disputed by B.V. Firewheel.


Following discussion, upon motion of Director Ray and second of Director Garton, with Directors Ray and Garton voting “yes” and Director Hill abstaining, the motion passed with a majority vote.

Ms. Ivey recommended that the Boards consider a rate study as it has been a few years since a study was done. Director Gallimore suggested that the Boards also review policies and review historical data on a regular basis going forward. Following discussion, the Boards directed Mr. Beckman to obtain proposals for a rate study.

Adjournment:

Following discussion and upon motion duly made and upon second the Boards adjourned at 4:56 p.m.

DocuSigned by:

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Secretary for the District No. 1

DocuSigned by:

68444158BB1948E...
Secretary for the District No. 2