

MINUTES OF A JOINT SPECIAL MEETING OF THE
BOARDS OF DIRECTORS

OF

POUDRE TECH METROPOLITAN DISTRICT AND WATER
VALLEY METROPOLITAN DISTRICT NOS. 1 AND 2
("Districts")

Held: Thursday, November 19, 2020 at 2:00 p.m.

Attendance

The joint special meeting of the Boards of Directors of the Districts was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, have confirmed their qualifications to serve, were in attendance:

Martin Lind, President (PTMD/WVMD Nos. 1 & 2)
Jerry Helgeson, Vice President (PTMD/WVMD Nos. 1 & 2)
Duane Sullivan, Secretary/Treasurer (WVMD No. 1)
Marissa Donahoo, Asst. Secretary (PTMD/WVMD Nos. 1 & 2)
Justin Donahoo, Asst. Secretary (PTMD/WVMD No. 1 & 2)
John Jensen, Secretary/Treasurer (PTMD/WVMD No. 2)

Also present were William P. Ankele, Jr., Esq., and Zachary P. White, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law; Lara Wynn, Gaudencio Holguin, and Gary Kerr, Water Valley Land Company; Hannah Barker, Advance HOA Management.

Call to Order/Declaration
of Quorum

It was noted that a quorum of the Boards was present and the meeting was called to order.

Conflict of Interest
Disclosures

Mr. Ankele advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Ankele 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 Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Mr. Ankele inquired into whether members of the Boards 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 Boards to act.

Approval of Agenda

Mr. Ankele presented the proposed agenda to the Boards for consideration. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the agenda as presented.

Public Comment

None.

Consent Agenda

Mr. Ankele reviewed the items on the consent agenda with the Boards. Mr. Ankele advised the Boards that any item may be removed from the consent agenda to the regular agenda upon the request of any director. No items were requested to be removed from the consent agenda. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved, ratified and adopted:

- Minutes from the August 6, 2020 Joint Special meeting
- 2021 Joint Annual Administrative Resolution
- 2019 Annual Report

Manager/Operations Items

District Manager/
Operations Report

Mr. Kerr discussed with the Boards the status of operations in the Districts and addressed ongoing projects.

Boat Storage Update

Ms. Barker updated the Boards regarding boat storage discussions. She noted that they are exploring a plan for carry-in/carry-out only, and the possibility to offer a carry-in/carry-out service for a fee to residents. The Boards will be presented with a formal proposal for action in the spring of 2021.

Utility Easement Variance
Request

Ms. Barker presented a request from a resident to construct a deck that will encroach on a PTMD owned 10' utility easement. The proposed deck would cover the existing non-potable water meter pit and proposed an access door on top of the deck. Mr. Holguin reported to the Boards that the encroachment would interfere with data collection from the meter. Mr. Holguin noted that a meter transponder could be mounted to the deck to improve data collection. Following discussion by the Boards, upon a motion duly made and seconded, the request was denied.

Insurance Renewal

Consider Approval of
Property and Liability
Schedule and Limits

Ms. Wynn informed the Boards that insurance renewal proposals were requested from the insurance provider but had been received yet. Following discussion, upon a motion duly made and seconded,

the Boards unanimously approved direction to the District General Manager to bind the insurance renewals upon receipt of the renewals.

Review Property and Liability Schedule

The Boards authorized the District General Manager to review and update the property and liability schedule.

Legal Matters

Consider Approval of Independent Contractor Agreement with Zak George Landscaping for Snow Removal Services

Mr. White presented the Independent Contractor Agreement with Zak George Landscaping for Snow Removal Services for the 2020/2021 season. Following discussion, upon a motion duly made and seconded, the Board of PTMD unanimously approved the agreement.

Consider Approval of Independent Contractor Agreement with AccuLocate, LLC for Utility Locate Services

Mr. White presented the Independent Contractor Agreement with AccuLocate, LLC for Utility Locate Services to the Boards. Mr. Holguin discussed with the Boards the current process for responding to utility locate requests. Following discussion, upon a motion duly made and seconded, the Board of PTMD unanimously approved the agreement.

Consider Approval of Independent Contractor Agreement with Spark Products, LLC for Regional Trail Signage Fabrication Services

Mr. White presented the Independent Contractor Agreement with Spark Products, LLC for Regional Trail Signage Fabrication Services to the Boards. Following discussion, upon a motion duly made and seconded, the Board of PTMD unanimously approved the agreement.

Consider Approval of Independent Contractor Agreement with Digi-Pix for Regional Trail Map Services

Mr. White presented the Independent Contractor Agreement with Digi-Pix for Regional Trail Map Services to the Boards. Following discussion, upon a motion duly made and seconded, the Board of PTMD unanimously approved the agreement.

Consider Approval Storage and Maintenance Easement with Fifth & Main Investments, LLC

Deferred.

Consider Approval of Landscape Maintenance Easement with Eagle Crossing Development, Inc

Mr. White presented the Landscape Maintenance Easement with Eagle Crossing Development, Inc with the Boards. Mr. White explained that due to a platting issue the landscaped berm was not included in a separate landscape tract to be dedicated to PTMD for ownership and maintenance. Following discussion, upon a motion duly made and seconded, the Board of PTMD unanimously approved the maintenance easement.

Consider Approval of Consent to Lighthouse Point Maintenance Easement

Mr. White presented the Lighthouse Point Maintenance Easement between Lighthouse and Trollco, Inc. to the Boards. Mr. White explained the purpose for the maintenance easement and PTMD's required consent to the easement. Following discussion, upon a motion duly made and seconded, the Board of PTMD unanimously approved the easement.

Consider Adoption of Resolution Certifying Delinquent Water Fees to County Treasurer for Collection

Mr. White presented the Resolution Certifying Delinquent Water Fees to County Treasurer for Collection to the Boards. Following discussion, upon a motion duly made and seconded, the Board of PTMD unanimously adopted the resolution.

Consider Approval of Resolution Appropriating Water Storage Refill Rights, to Appropriate a Direct Flow Water Right to Replace Historic Return Flows and as an Augmentation Source, to Approve and Authorized Filing a Water Court Application

Mr. White presented the Resolution Appropriating Water Storage Refill Rights, to Appropriate a Direct Flow Water Right to Replace Historic Return Flows and as an Augmentation Source, to Approve and Authorized Filing a Water Court Application to the Boards. Mr. Kerr discussed with the Boards the purpose and need for the resolution. Following discussion, upon a motion duly made and seconded, the Board of PTMD unanimously adopted the resolution.

Financial Matters

Consider Approval of Payables/Financials

Mr. Kerr presented the Payables and Financials to the Board. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the payables and financials as presented.

Conduct Public Hearing on 2020 Budget Amendments

Director Lind opened the public hearing on the proposed 2020 Amended Budget for PTMD. Mr. White 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.

Consider Adoption of Resolution Amending 2020 Budgets

Mr. Kerr reviewed the proposed 2020 Amended Budget for 2020 with the Board. Following discussion, upon a motion duly made and seconded, the Board of PTMD unanimously adopted the amended budget.

Conduct Public Hearing on 2021 Budgets

Director Lind opened the public hearing on the proposed 2021 Budgets. Mr. White 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.

Consider Adoption of Resolutions Approving 2021

Mr. Kerr reviewed the 2021 Budget Resolution with the Board of Poudre Tech Metropolitan District. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the Resolution adopting the 2021 Budget, appropriating funds therefor and certifying 0.000 mills for the General fund, 0.000 mills for the Debt Service fund, and 0.000 mills for the Capital Projects fund.

Mr. Kerr reviewed the 2021 Budget Resolution with the Board of Water Valley Metropolitan District No. 1. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the Resolution adopting the 2021 Budget, appropriating funds therefor and certifying 17.618 mills for the General fund, 15.574 mills for the Debt Service fund, and 8.751 mills for the Contractual Obligations fund.

Mr. Kerr reviewed the 2021 Budget Resolution with the Board of Water Valley Metropolitan District No. 2. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the Resolution adopting the 2021 Budget, appropriating funds therefor and certifying 14.943 mills for the General fund, 10.261 mills for the Debt Service fund, and 16.739 mills for the Contractual Obligations fund.

Consider Auditor Engagement Letters for 2020 Audits

Mr. Kerr present the Auditor Engagement Letters for 2020 Audits to the Boards. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the engagement of Haynie & Company for the 2020 audits.

Other Business

Next Meeting – February 25, 2021

Adjourn

There being no further business to come before the Boards, and following discussion and upon a motion duly made, seconded and unanimously carried, the Boards determined to adjourn the meeting.

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

Secretary for the Meeting

The foregoing minutes were approved on the 25th day of February, 2021.