

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: Wednesday, April 14, 2021 at 10:00 a.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, Gary Kerr, Water Valley Land Company; Hannah Barker, and Judy Smeltzer, 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. White 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.

Joint Meetings

The Boards of Directors of the Districts have determined to hold joint meetings of the Districts and to prepare joint minutes of action taken by the Districts in such meetings. Unless otherwise noted herein, all official action reflected in these minutes is the action of each of the Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

Director Matters

Director Remarks

Director Martin Lind discussed with the Boards and members of the public the history of development and the Districts in Water Valley, and the purpose for the Districts' non-potable water system being separate from the Town's water system. Director Lind discussed with the Boards and the public the cost savings afforded to users of the Districts' system compared to the Town, or other non-potable water service providers. In his remarks, Director Lind also responded to questions and concerns previously raised by members of the public related to the proposed water rate increase.

Public Comment

None.

Consent Agenda

Mr. White reviewed the items on the consent agenda with the Boards. Mr. White 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 and adopted:

- Minutes from the February 25, 2021 Joint Special Meeting
- Independent Contractor Agreement with Spartan Towing and Recovery for Watercraft Confiscation
- Independent Contractor Agreement with Zak George Landscaping for 2021 Landscape Services
- Independent Contractor Agreement with Pelican Lakes, LLC for Event Coordination, Beach and Aquapark Management, and Lifeguard Services
- Deed of Dedication for Right of Way to the Town of Windsor
- Temporary Construction Easement Agreement with the Town of Windsor

Manager/Operations Items

District Manager/
Operations Report

None.

District Manager's
Presentation re Water Rates
and Public Comments

Mr. Kerr presented an updated water rate proposal to the Boards for consideration. Mr. Kerr discussed with the Boards the water rate obligations under the bonds issued by and through the PTMD Water Enterprise and proposed a phased water rate increase over time in line with Town water rates.

Consider Adoption of Fifth
Amended and Restated
Resolution Concerning the
Imposition of Various Fees,
Rates, Penalties and
Charges for Water Service
and Facilities (PTMD)

Mr. Ankele presented the Fifth Amended and Restated Resolution Concerning the Imposition of Various Fees, Rates, Penalties and Charges for Water Service and Facilities to the Board of Poudre Tech Metropolitan District. Members of the public made comments related to the proposed water rate increase. The Board reviewed a letter from the Marina Doce HOA requesting differentiating rates for large lots in the District. Other HOA's requested the opportunity to enter into payment plans since the increase in rates impacts the association's budgets. Following discussion, upon a motion duly made and seconded, the Boards unanimously adopted the resolution as presented, and directed management to work with associations needing payment plans.

Discussion and Consider
Updated Boat Storage
Policy

The Boards discussed an Updated Boat Storage Policy. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved an updated policy, to include a designated storage location on each lake, sale of boat storage passes, and carry-in / carry-out for users who do not purchase boat storage passes.

Discussions re Updates to
Amenities Use Policy

Management discussed with the Boards the desire to update the Districts' Amenities Use Policy. Following discussion re common issues and comments, the Boards directed management and legal to prepare and present an updated Amenities Use Policy to the Boards for consideration.

Consider Request for Free
Little Library in Pelican
Farms

The Boards considered a request from the Pelican Farms HOA for a Free Little Library to be installed in Pelican Farms. The Districts own all of the common space property within Pelican Farms, so the HOA would need license to access District property. The Boards considered the Districts undertaking installation of Free Little Libraries. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the installation of up to five Free Little Libraries at locations to be determined by management.

Legal Matters

None.

Financial Matters

Consider Approval of
Payables/Financials

There were no Payables/Financials to approve.

Other Business

Next Meeting – July 22, 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.

DocuSigned by:

Justin Donahoo

1F0D65F83C2F4E...

Secretary for the Meeting

The foregoing minutes were approved on the 22th day of July, 2021.