

Anna Maria Ray, Assistant Secretary

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*); Debra Sedgeley, District Accountant, CliftonLarsonAllen, LLP (*via video/telephone conference*) and the following members of the public: Kendra Powell, John Powell, Ashley Wilson, Casey Wilson, Nick Viau, Greg Snyder (*all via video/telephone conference*).

Call to Order/
Declaration of
Quorum:

Director Hill called to order the consolidated special meeting of the Boards of Directors of the Buckhorn Valley Metropolitan Districts Nos. 1 & 2, at which time it was noted that the notice of this meeting was properly posted within the Districts. Director Hill noted that a quorum of each of the Boards were present, and he turned the meeting over to Mr. Beckman and Attorney Ivey. Mr. Beckman explained that in order to accommodate public comment and allow for the orderly conduct of District business, each speaker would be recognized individually and afforded the opportunity to comment on each agenda item, with a maximum of three minutes per person per agenda item.

Disclosure Matters:

The Boards of 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.

Director John Hill disclosed that he is a party to a contract to purchase taxable property located within the boundaries of the Districts and a beneficiary of a potential profits interest from entities which own taxable property located within the boundaries of the Districts. He also disclosed that he may perform consulting services for Colorado Land Management, LLC, a role in which he carries out the execution of management and project development duties performed for the Districts by Colorado Land Management, LLC in its management contract with the Districts. He is employed on an at-will verbal consulting agreement, compensation for which varies from time to time and may be greater than \$100,000, and, in part, is derived from compensation for management services by and between Colorado Land Management, LLC and the Districts. In the performance of his duties, Director Hill may, from time to time, perform consulting services for parties which are investigating possible purchases, are purchasing or have purchased lands within

the Districts. Such work is generally, but not always, performed on an at-will consulting basis, with compensation on a lump-sum, fixed fee or hourly basis, or may be based on a combination of these or some other basis as of yet undetermined. This disclosure is associated with approval of items on the agenda that may affect his interests.

Director Scott Green disclosed that he is a party to a contract to purchase taxable property located within the boundaries of the Districts. He further disclosed that he is the owner of Scott Green Excavating, Inc., a contractor which currently has contract(s) with the Districts to construct a roadway and ancillary improvements. These improvements are being paid for, in part, by the Districts, with funds from District No. 2's 2010 bond issue. Director Green also disclosed that the compensation to be paid in accordance with the contract(s) is in excess of \$600,000, and that he does not expect his position of Director to enhance his position or the position of Scott Green Excavating, Inc. either competitively or financially. This disclosure is associated with approval of items on the agenda that may affect his interests.

Director David Garton disclosed that he is a party to a contract to purchase taxable property located within the boundaries of the Districts. He also disclosed that he is a member of the board of directors of the Buckhorn Valley Master Owners Association and a member of the board of directors of the Single Family Residences at Buckhorn Valley, Inc. This disclosure is associated with approval of items on the agenda that may affect his interests.

Ms. Ivey advised that written disclosures of these interests were filed with the Secretary of State at least seventy-two hours prior to the meeting.

Approval of/Additions
to/Deletions from the
Agenda:

Mr. Beckman and Ms. Ivey addressed the Boards and the public noting that several emails were received from members of the public prior to the board meeting requesting that the meeting be rescheduled in order to allow additional time for review of the meeting packet and to a more convenient time for public to join the meeting. Ms. Ivey stated that she had forwarded each email that was received to the members of the Boards prior to the meeting. Mr. Beckman recommended that the Directors consider whether to continue certain items to a future date or continue the entire meeting. Ms. Ivey noted that certain matters were time sensitive and/or had been published for a public hearing at today's meeting and recommended that at least those matters be handled today. The Boards agreed with that approach.

Following discussion and upon motion of Director Hill and second of Director Garton, the Boards of Directors voted unanimously to approve the Agenda as presented.

Public Comment for
Matters Not on the
Agenda:

Ashley Wilson asked that meeting times be changed to a time more convenient for residents. She requested any time after 5:00 p.m.

Nicholas Viau noted that he echoes the concerns raised by Ms. Wilson that the early start time is not convenient. He then asked why the Board has not changed the time if transparency is important to the Board. Director Green explained that the meeting time was historically convenient for the board members, and prior to June of 2020 there was very little interest by members of the public. Ms. Ivey noted that this particular meeting was scheduled one year ago prior to the request to change the meetings times. Mr. Viau thanked the Board for hearing his concerns.

Gregg Snyder noted that he also echoes the concerns that 7:30 a.m. is not convenient for residents. He explained that he was made aware of the meeting last night and would like more time to review the budget.

Ashley Wilson then noted that there have been meetings since June in which the time change was requested.

Ms. Ivey advised the members of the public that the Board has requested that the District's meetings be structured more like the meetings conducted by the Town, in which speakers are recognized before speaking and allowed a maximum of three minutes for comment.

Casey Wilson complained that the same discussion has been repeated regarding the time of the meetings. He requested that more time be allowed for public comment.

Consent Agenda

Mr. Beckman queried the Board Members individually regarding their desire to address the matters on the Consent Agenda or to continue them to a future meeting.

Director Green noted that he has no problem continuing the meeting and was hopeful that the public would have and more information at its disposal at this point.

Director Hill noted that he would defer to the other board members.

Director Garton explained that he is not opposed to continuing the meeting and explained that he wants to be sure there is sufficient time for the review of meeting materials prior to future meetings.

Ms. Ivey explained that one of the Consent Agenda items is the Annual Administrative Resolution which includes the date and time for future regular meetings. She asked the Boards what time future regular meetings should be scheduled. Director Garton proposed 6:00 p.m. and Ms. Ivey noted that she would change the meeting time as suggested by Director Garton.

Process for
Appointment of
Director to Fill
Vacancy

Mr. Beckman discussed the Memorandum from Ms. Ivey enclosed in the meeting packet regarding the Board vacancies and suggested that he could add the solicitation to the District's website, and suggested that residents interested in serving on the Boards submit a bio or resume for the Board to review and consider. Ms. Ivey discussed the process outlined in her memo and suggested that a submittal deadline for interested candidates be included. Director Hill suggested that there be sufficient time to allow interested candidates to be made aware of the vacancy and to submit a letter of interest. Director Green agreed with that the process should be well publicized and should allow sufficient time for interested candidates to come forward. He then asked about the best way to notify the public. Mr. Beckman suggested that the information be added to the District's website and published in a local newspaper along with whatever other means of dissemination he may find at his disposal. Mr. Beckman then asked for public comment:

Gregg Snyder had no comment.

Nick Viau thanked the Directors for their sentiment and their desire to allow sufficient time for members of the public to express interest in the vacancies. He further noted that in his opinion it would not be appropriate to appoint anyone other than a homeowner to the Boards. He suggested that poster boards would also be a good way to communicate the vacancy.

Ashley Wilson commented that in her opinion it is important for the next board member to be a homeowner. She agreed that a sign is a good idea for advertising the vacancy.

Casey Wilson commented that the Boards need to be controlled by homeowners as in his opinion the current boards are not controlling expenses, and he would like to see the current board members resign.

John Powell commented that he thinks it is time for the District

Manager to run the boards with newly elected homeowners, who would hopefully focus on retiring debt and adding amenities and possibly a public school to the District.

Kendra Powell unavailable for comment.

Following discussion and upon motion of Director Hill and second of Director Garton, the Boards of Directors voted unanimously to approve the process for solicitation for eligible electors interested in filling the vacancies created by the resignation of Samantha Gale, with a deadline of 5:00 p.m. on January 15, 2021 for receipt of letters of interest to be considered for appointment at the following Board meeting.

Discussion Regarding
Citizens Advisory
Committee

Mr. Beckman discussed the formation of a Citizens Advisory Committee to review matters related to the raw water system, report its findings to the Boards and make recommendations for subsequent actions. He noted that the idea of forming the committee is in response to concerns raised over the operation and maintenance of the system in an effort to invite cooperative participation with the public. Mr. Beckman then asked for public comment:

John Powel expressed support for the idea of a committee as he recognizes the Districts' water rights and future infrastructure needs are a high priority for the community.

Ashley Wilson noted that she thinks the committee is a very good idea and would prefer to have five members comprise the committee, preferably homeowners. She then recommended that the matters on today's agenda be rescheduled for a future date after the holidays and conducted in the evening. Director Garton commented that he would also like to continue this meeting to December 4th at 6:00 p.m. Director Green recommended that Mr. Beckman assemble the committee.

Casey Wilson commented that he appreciates Director Garton's comments and noted that he believes Director Green should not be on the Board as his interest in the community is strictly financial.

Nick Viau commented that he thinks the committee is a great idea and believe that the committee members should live in the community. He then thanked Director Garton for his willingness to continue the meeting to a future date at a time in the evening.

Gregg Snyder noted that he supports the idea of an advisory committee and believes a 6:00 p.m. meeting time would be ideal for

soliciting public input on the matter.

Following discussion, upon motion of Director Hill and second of Director Garton, the Boards of Directors voted unanimously to authorize Mr. Beckman to establish a Citizens Advisory Committee of up to five constituents for the purpose of reviewing matters related to the raw water system, reporting findings and making subsequent recommendations to the Board.

Certification of
Delinquent Accounts

Mr. Beckman discussed the need for the Boards to act on this matter at today's meeting in order to certify the accounts prior to the County's deadline of December 1, 2020. Ms. Ivey explained that the District is legally authorized to certify accounts that are at least \$150 and at least six months in arrears, to the County Treasurer for collection with the following year's property taxes. Ms. Ivey further discussed the process and recommended that the Board take action today in order to submit the accounts prior to the deadline.

Mr. Beckman then invited comment from members of the public.

Gregg Snyder noted that he is in support of the action.

Nick Viau noted that he is also in support of the action

Ashley Wilson asked if this costs the District anything for debt collection. Ms. Ivey explained that the County withholds a fee to cover their costs. Ms. Wilson expressed support for the action.

Following discussion, upon motion of Director Garton and second of Director Green the Boards of Directors voted unanimously to approve the resolution certifying the delinquent accounts to the County Treasurer for collection and directed Ms. Ivey to work with Ms. Jones to update the final list of accounts prior to certification..

Public Hearings on
Proposed 2021
Budgets

Director Hill opened the public hearings on the proposed 2021 budgets for District Nos. 1 and 2. Ms. Ivey explained that notice of the public hearings for the proposed 2021 budgets for the Districts were published in the Eagle Valley Enterprise on October 29, 2020. Ms. Ivey explained that holding the public hearings today does not prevent the District from having additional public input in the future. Mr. Beckman asked for public comment:

John Powell requested that the budget be considered at the next board meeting.

Ashley Wilson requested that the budget be discussed at a future

meeting.

Casey Wilson requested that the budget be discussed at a future meeting

Nick Viau requested that the budget be discussed at a future meeting.

Greg Snyder requested that the budget be deferred to the next meeting.

There being no other members of the public wishing to address the Boards regarding the proposed 2021 budgets for the District, Director Hill closed the public hearing.

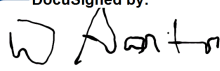

Other Business

There was no other business

Adjournment:

Following discussion and upon motion of Director Green and second of Director Hill the Board unanimously approved continuing the meeting to December 7, 2020 at 6:00 p.m. via Zoom:

<https://us02web.zoom.us/j/82091861281?pwd=aTBRZXZmckpFSEdGVmFpb0xFTmtmdz09>, Meeting ID: 820 9186 1281, Passcode: 863788, Dial-In Number: +1 669 900 9128.

DocuSigned by:

B20A5161DF7D4F5
Secretary for District No. 1
DocuSigned by:

68444158BB1948E
Secretary for District No. 2