

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARDS OF DIRECTORS OF THE
HORIZON METROPOLITAN DISTRICT NOS. 1-10 (THE “DISTRICTS”)
HELD
FEBRUARY 1, 2023

A regular meeting of the Boards of Directors (referred to hereafter as the “Boards”) of the Districts was convened on Wednesday, February 1, 2023, at 9:00 a.m. via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

District Nos. 1-3

David Crowder, Jr., President

Karen Voit, Vice President

Lisa Garcia, Treasurer

Jason Rutt, Secretary

Steven Oser, Assistant Secretary

District Nos. 4-10

David Crowder, Jr., President

Karen Voit, Vice President

Lisa Garcia, Treasurer

Jason Rutt, Secretary

Also, In Attendance Were:

Stephanie Odewumi, Shauna D’Amato, Rachel Alles, Margaret Henderson and

Terri Boroviak; CliftonLarsonAllen LLP (“CLA”)

Alan Pogue, Esq.; Icenogle Seaver Pogue, P.C.

Eric Keesen; BrightView Landscape Services, Inc.

Jordan Honea; D.R. Horton

Peter Navik; Member of the Public

ADMINISTRATIVE MATTERS

Call to Order and Approval of Agenda: Director Crowder called the meeting to order at 9:00 a.m. The Boards reviewed the agenda for the meeting. Following review and discussion, upon a motion duly made by Director Voit, seconded by Director Garcia and, upon vote, unanimously carried, the Boards approved the agenda, as amended to add an item discussing the Cohere proposal to Director Matters.

Disclosures of Potential Conflicts of Interest: The Boards discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Boards of Directors to the Secretary of State. The members of the Boards were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by

RECORD OF PROCEEDINGS

the Boards members prior to this meeting in accordance with statute. It was noted by Attorney Pogue that disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors, and no additional conflicts were disclosed at the meeting.

Quorum, Location of Meeting and Posting of Meeting Notice: A quorum was confirmed. The Boards entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the Districts' Boards meeting. Following discussion, and upon motion duly made by Director Voit, seconded by Director Crowder, and, upon vote, unanimously carried, the Boards determined that this meeting was conducted via Microsoft Teams, without any individuals (neither Districts' representatives nor the general public) attending in person. The Boards further noted that notice providing the time, date and video link information was duly posted and that no objections, or any requests that the means of hosting the meeting be changed by taxpaying electors within the Districts' boundaries were received.

Public Comment: There was no public comment.

CONSENT AGENDA

Minutes from the November 3, 2022 Regular Meeting of the Districts: Following review, upon a motion duly made by Director Voit, seconded by Director Garcia and, upon vote, unanimously carried, the Boards approved the Consent Agenda item, as presented.

FINANCIAL MATTERS

Previous and Current Claims for District No. 1: Ms. Henderson reviewed the previous and current claims with the Board of District No. 1. Following review, upon a motion duly made by Director Voit, seconded by Director Garcia and, upon vote, unanimously carried, the Board of District No. 1 ratified approval of previous claims and approved current claims, as presented.

December 31, 2022 Financial Statements for District Nos. 1, 2 and 3: Ms. Henderson reviewed the Financial Statements with the Boards of District Nos. 1, 2 and 3. Following review and discussion, upon a motion duly made by Director Voit, seconded by Director Rutt and, upon vote, unanimously carried, the Boards of District Nos. 1, 2 and 3 accepted the December 31, 2022 Financial Statements, as presented.

Public Hearings on the Amendment of 2022 Budgets and Resolutions to Amend the 2022 Budgets and Appropriate Sums of Money (District Nos. 1 and 2): Director Crowder opened the public hearing at 9:17 a.m. There was no public that wanted to provide public comment.

Ms. Henderson reviewed the 2022 Budget amendments with the Boards of District Nos. 1 and 2. Ms. Henderson noted that the District No. 1 General Fund will be increased from \$314,000 to \$500,000 and that the Special Revenue Fund

RECORD OF PROCEEDINGS

will be updated to \$9,000. She then stated that the District No. 2 Debt Service Fund will be updated to \$345,800 and that the 2022 adopted budget figure error will be rectified to reflect the accurate 2022 budget figure.

Director Crowder closed the public hearing at 9:22 a.m.

Upon a motion duly made by Director Voit, seconded by Director Garcia and, upon vote, the Boards of District Nos. 1 and 2 approved the amendment of the 2022 Budgets, subject to revision of the District No. 2 original 2022 budget figure, and adopted Resolutions to Amend the 2022 Budgets and Appropriate Sums of Money, as presented. Director Oser abstained from the vote.

Other: None.

LEGAL MATTERS

Facilities Acquisition Agreement Among District No. 1, HUMF1, LLC and Melody Homes, Inc.: Attorney Pogue tabled discussion regarding the Facilities Acquisition Agreement. No action was taken.

MANAGER MATTERS

Covenant Enforcement Report: Ms. Odewumi reviewed the covenant enforcement report with the Boards, noting that fines are being issued for alley parking. The Boards requested that CLA pay specific attention to trash bins and lighting on the next visit.

Covenant Enforcement and Community Management:

Alley Repairs: Ms. Odewumi informed the Boards that a homeowner communicated concerns regarding damage following acceptance of the alley. Director Crowder noted that once the alley is accepted, it is the Districts' responsibility. Discussion ensued regarding establishment of criteria for related issues in the future.

Potential Neighborhood Watch Program/Solutions: Ms. Odewumi provided an update to the Boards regarding resident interest in establishing a neighborhood watch program. Discussion ensued. The Boards directed staff to work with the City of Aurora to determine typical processes in similar situations for implementation in the Districts.

Trailers (Boat and Catering): Ms. Odewumi updated the Boards regarding homeowner trailers. Discussion ensued Ms. Odewumi confirmed she will keep track of the amount of homeowner trailers are within the community.

Large Number of Vehicles at SWC of Park – Potential Home-Based Rental Car Business? Ms. Odewumi discussed the number of vehicles

RECORD OF PROCEEDINGS

parked within the Districts and noted she will research what can be enforced per City ordinances.

Actions Taken by Management Since the Last Meeting: There were no items to ratify.

Management Coverage: Ms. Odewumi informed the Boards that Ms. D'Amato and Ms. Alles will be the points of contact for CLA while she is out.

Quality Site Assessment from BrightView Landscape Services, Inc.: Mr. Keesen reviewed the Quality Site Assessment with the Boards. The Boards expressed concerns regarding dog waste. Mr. Keesen noted he will prioritize proper monitoring and disposal going forward.

Snow Removal and Management: Mr. Keesen reviewed snow removal and management with the Boards, noting that five snow events have already occurred this year. Discussion ensued. Following discussion, upon a motion duly made by Director Voit, seconded by Director Crowder and, upon vote, unanimously carried, the Boards approved the adjustment of the trigger for services in the alleys from four inches to two inches. Mr. Keesen noted he will distribute an amended snow removal agreement for execution.

Establishment of a Community Garden Committee and Construction of Community Garden: Director Crowder provided an update to the Boards regarding community garden efforts, noting that he would like to hold an initial meeting with residents who have expressed interest in participating. It was noted that Ms. D'Amato will research potential grants for the community garden.

Other: None.

DIRECTOR MATTERS

Cohere Proposal: Director Crowder reviewed the proposal with the Boards. Following review and discussion, upon a motion duly made by Director Crowder, seconded by Director Voit and, upon vote, unanimously carried, the Boards authorized Director Crowder to negotiate a contract with Cohere in an amount not to exceed \$26,250 for the Park-A-Palooza event and quarterly newsletters in 2023.

Newsletters, Programming and Engagement: This item was previously discussed.

Method and Timing for Noticing Board Meetings to Residents/Owners: Director Crowder noted he would like the Districts' website home page to include language soliciting agenda items from residents for each Board meeting.

Other: None.

RECORD OF PROCEEDINGS

OTHER BUSINESS

Other: None.

ADJOURNMENT

There being no further business to come before the Boards at this time, Director Crowder adjourned the meeting at 10:31 a.m.

Respectfully submitted,

DocuSigned by:

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Secretary for the Meeting