

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARDS OF DIRECTORS OF THE
HORIZON METROPOLITAN DISTRICT NO. 2 (THE “DISTRICT”)
HELD
NOVEMBER 1, 2023

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

ATTENDANCE

Directors In Attendance Were:

David Crowder, Jr., President
Karen Voit, Vice President
Jason Rutt, Secretary
Victoria Partridge, Director

Director Lisa Garcia, Treasurer, was absent and excused.

Also, In Attendance Were:

Shauna D’Amato, Kaitlin Frey, Nic Carlson, Margaret Henderson and Terri Boroviak; CliftonLarsonAllen LLP (“CLA”)
Alan Pogue, Esq. and Deborah Early, Esq.; Icenogle Seaver Pogue, P.C.
Eric Keesen and William Medellin; BrightView Landscape Services, Inc.
Peter Navik and Jordan Honea; Members of the Public

ADMINISTRATIVE MATTERS

Call to Order and Agenda: Director Crowder called the meeting to order at 9:04 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 Rutt and, upon vote, unanimously carried, the Board approved the agenda, as presented.

Upon a motion duly made by Director Crowder, seconded by Director Voit and, upon vote, unanimously carried, the Board excused Director Garcia’s absence.

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 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 the Directors affiliated with the Developer, and no additional conflicts were disclosed at the meeting.

Quorum, Location of Meeting and Posting of Meeting Notice: A quorum was

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confirmed by Mr. Carlson. 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. The Boards determined that this meeting was to be 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.

Board Meeting Attendance Policy: Attorney Pogue reviewed the attendance policy statute with the Boards. Director Crowder directed CLA to track future attendance of Board members.

Public Comment: There was no public comment.

CONSENT AGENDA

- **2024 Annual Administrative Matters Resolution**
- **2024 Meeting Resolution**
- **Amended and Restated Public Records Policy**

Upon a motion duly made by Director Partridge, seconded by Director Rutt and, upon vote, unanimously carried, the Board adopted and approved the Consent Agenda items, as presented.

FINANCIAL MATTERS

Public Hearing on the Amendment of the 2023 Budget and Resolution to Amend 2023 Budget: Ms. Henderson reviewed the 2023 Budget amendment with the Board.

Director Crowder opened the public hearing at 9:18 a.m. There was no public that wanted to provide public comment.

Director Crowder closed the public hearing at 9:19 a.m.

Following review, upon a motion duly made by Director Rutt, seconded by Director Partridge and, upon vote, unanimously carried, the Board approved the 2023 Budget amendment and adopted the Resolution to Amend the 2023 Budget, as presented.

Public Hearing on the Proposed 2024 Budget and Resolution to Adopt 2024 Budget, Certification of Mill Levies, and Appropriate Sums of Money: Ms. Henderson reviewed the proposed 2024 Budget with the Board.

Director Crowder opened the public hearing at 9:36 a.m. Mr. Navik and Ms. Henderson discussed the mill levy calculations.

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Upon a motion duly made by Director Partridge, seconded by Director Rutt and, upon vote, unanimously carried, the Board left the budget hearing open to be continued at the December 6, 2023 meeting at 9:00 a.m.

Engagement Letter with BiggsKofford, P.C. to Prepare 2023 Audit: Ms. Henderson reviewed the engagement letter with the Board. Following review, upon a motion duly made by Director Partridge, seconded by Director Rutt and, upon vote, unanimously carried, the Board approved the engagement letter with BiggsKofford, P.C. to prepare the 2023 Audit, as presented.

September 30, 2023 Financial Statements: Ms. Henderson reviewed the financial statements with the Board. Following review, upon a motion duly made by Director Rutt, seconded by Director Voit and, upon vote, unanimously carried, the Board accepted the September 30, 2023 Financial Statements, as presented.

LEGAL MATTERS

Attorney Pogue provided an update to the Board regarding the slip and fall claim from January.

MANAGER MATTERS

CliftonLarsonAllen LLP Master Services Agreement and Statement(s) of Work for 2024: This item was deferred to the December 6, 2023 meeting.

2024 Insurance Renewal: This item was deferred to the December 6, 2023 meeting.

Worker's Compensation Insurance for 2024: This item was deferred to the December 6, 2023 meeting.

Renewal of Membership in the Special District Association for 2024: This item was deferred to the December 6, 2023 meeting.

DIRECTOR MATTERS

Director Crowder provided general comments regarding community maintenance, landscaping and safety issues to the Board.

OTHER BUSINESS

Mr. Navik addressed the Board regarding community issues previously communicated with the Board and CLA, and suggestions for improvement of the weekly site visits performed by CLA.

ADJOURNMENT

There being no further business to come before the Board at this time, Director Crowder continued the meeting until December 6, 2023 at 10:01 a.m.

Respectfully submitted,

DocuSigned by:

Jason Rutt

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Secretary for the Meeting