

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARDS OF DIRECTORS OF THE
HORIZON METROPOLITAN DISTRICT NOS. 1-10 (THE “DISTRICTS”)
HELD
MAY 24, 2023

A special meeting of the Boards of Directors (referred to hereafter as the “Boards”) of the Districts was convened on Wednesday, May 24, 2023, at 11:00 a.m. via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

District Nos. 1 and 3-10

David Crowder, Jr., President
Karen Voit, Vice President
Lisa Garcia, Treasurer
Jason Rutt, Secretary

District No. 2

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

Also, In Attendance Were:

Josh Miller, Shauna D’Amato, Kaitlin Frey, Margaret Henderson, Raul Uribe Jr. and Terri Boroviak; CliftonLarsonAllen LLP (“CLA”)
Alan Pogue, Esq.; Icenogle Seaver Pogue, P.C.
Eric Keesen and William Medellin; BrightView Landscape Services, Inc.
Steven Oser; Member of the Public

ADMINISTRATIVE MATTERS

Call to Order and Approval of Agenda: The Board and staff introduced Director Partridge as the newest Board member for District No. 2. Director Crowder called the meeting to order at 11:08 a.m. The Boards reviewed the agenda for the meeting. Following review and discussion, upon a motion duly made by Director Crowder, seconded by Director Voit and, upon vote, unanimously carried, the Boards approved the agenda, as amended to add an Executive Session item at the end of the meeting.

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

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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 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.

Results of May 2, 2023 Directors' Elections: Attorney Pogue informed the Boards that the May 2, 2023 Regular Elections have been canceled because the Districts did not receive more self-nominations than seats available. Director Crowder was elected by acclamation to four-year terms to District Nos. 1, 3 and 4 – 10. Directors Partridge and Crowder were elected to four-year terms to District No. 2.

Following discussion, the Boards of District Nos. 1, 3 and 4-10 appointed the following slate of officers for the Districts:

President: David Crowder, Jr.
Vice-President: Karen Voit
Treasurer: Lisa Garcia
Secretary: Jason Rutt

Following discussion, upon motion duly made by Director Voit, seconded by Director Garcia and, upon vote, unanimously carried, the following slate of officers were appointed for District No. 2:

President: David Crowder, Jr.
Vice President: Karen Voit
Treasurer: Lisa Garcia
Secretary: Jason Rutt
Assistant Secretary: Victoria Partridge

CONSENT AGENDA

Minutes from the February 1, 2023 Regular Meeting of the Districts:

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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. Boroviak 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.

March 31, 2023 Financial Statements for District Nos. 1, 2, 3 and 4: Ms. Boroviak reviewed the Financial Statements with the Boards of District Nos. 1, 2, 3 and 4. 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, 3 and 4 accepted the March 31, 2023 Financial Statements, as presented.

Districts' Accountant to Obtain Federal Entity Identification Numbers for District Nos. 4, 5, 6, 7, 8, 9 and 10: Ms. Boroviak provided an update to the Boards, noting District Nos. 4, 5, 6, 7, 8, 9 and 10 do not currently have FEINs. Following discussion, upon a motion duly made by Director Voit, seconded by Director Garcia and, upon vote, unanimously carried, the Boards directed the Districts' accountant to work with Attorney Pogue's office to obtain the FEINs or proceed with the application process.

2022 Audits: Ms. Boroviak provided an update to the Boards, noting that nearly all audits are in the final review process and the District No. 2 audit is transitioning to the auditor for review.

MANAGER MATTERS

Covenant Enforcement Report: Ms. Frey reviewed the covenant enforcement report with the Boards, highlighted violations for weeds and informed the Boards of the upcoming fence audit.

Design Review Guidelines: Ms. D'Amato provided an update to the Boards regarding the Design Review Guidelines. It was noted that Ms. Frey will provide the redlined version to Directors Voit and Crowder to review.

Covenant Enforcement and Community Management:

Large Number of Vehicles at SWC of Park: The Boards discussed boats and large recreational vehicle issues within the community and directed staff to come up with a solution. It was noted that Ms. Frey will draft a violation document for food trucks and boats and coordinate with the City of Aurora to resolve these issues.

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

Community Tracking Process Options: Ms. D'Amato presented community tracking process options to the Boards. The Boards directed staff to move forward with website and Smartsheet options.

Establishment of Community Garden Committee and Construction of Community Garden:

Community Garden Rules: Following discussion, upon a motion duly made by Director Voit, seconded by Director Garcia and, upon vote, unanimously carried, the Boards approved the Community Garden Rules subject to final legal review and review by Director Crowder.

Possible Grant Options: Ms. D'Amato presented possible grant options to the Boards. The Boards directed staff to move forward with a Community Garden committee.

Quality Site Assessment and 2023 Landscape Maintenance Gantt Chart from BrightView Landscape Services, Inc.: Mr. Medellin reviewed the Quality Site Assessment and 2023 Landscape Maintenance Gantt Chart with the Boards.

Proposal for Enhancement Work from BrightView Landscape Services, Inc. in the amount of \$3,084.99: Mr. Medellin reviewed the proposal with the Boards. Following review, upon a motion duly made by Director Crowder, seconded by Director Voit and, upon vote, unanimously carried, the Boards approved the proposal for enhancement work from BrightView Landscape Services, Inc. in the amount of \$3,084.99, as presented.

DIRECTOR MATTERS

Newsletters, Programming and Engagement: Director Crowder provided an update to the Boards.

OTHER BUSINESS

None.

LEGAL MATTERS

Executive Session, pursuant to Section 24-6-404(4)(b), C.R.S., for the purpose to receive legal advice from general counsel regarding a potential claim. Upon a motion duly made by Director Crowder, seconded by Director Voit and, upon vote, unanimously carried, the Boards entered into Executive Session at 12:23 p.m.

Upon a motion duly made by Director Crowder, seconded by Director Voit and, upon vote, unanimously carried, the Boards convened the Executive Session at 12:48 p.m. pursuant to Section 24-6-404(4)(b), C.R.S., for the purpose of receiving legal advice from general counsel regarding a potential claim. No

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action was taken at this time.

ADJOURNMENT

There being no further business to come before the Boards at this time, Director Crowder adjourned the meeting at 12:49 p.m.

Respectfully submitted,

DocuSigned by:

Jason Rutt

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Secretary for the Meeting