

## **RECORD OF PROCEEDINGS**

### **MINUTES OF THE JOINT SPECIAL MEETING OF THE BOARDS OF DIRECTORS OF THE JOHNSTOWN VILLAGE METROPOLITAN DISTRICT NOS. 3 & 4 (the “Districts”)**

Held: Thursday, October 22, 2020 at 11:00 a.m. via Teleconference

Due to the Executive Order issued by Governor Polis on April 26, 2020, requiring all residents of the State of Colorado to stay-at-home to minimize the spread and impact of COVID-19, and the Updated Public Health Order 20-28 implementing the Executive Order, issued by the Colorado Department of Health and Environment (CDPHE) on April 26, 2020, the meeting was held via teleconference.

#### ATTENDANCE

The joint special meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve, were in attendance:

Robert Quinette, President  
Harvey Deutsch, Secretary/Treasurer  
Michael Blumenthal, Assistant Secretary

Also in attendance was Zachary P. White, Esq.

#### ADMINISTRATIVE MATTERS

##### Director Conflict of Interest Disclosures

Mr. White advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. White 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 Board. Mr. White 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

The Board reviewed the proposed agenda. Following discussion, upon motion duly made and seconded, the Board unanimously approved the agenda as amended.

PUBLIC COMMENT

None.

CONSENT AGENDA

Mr. White reviewed the items on the consent agenda with the Board(s). Mr. White advised the Board(s) 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, ratified and adopted:

- Consider Approval of Minutes from September 16, 2020 Special Meetings
- Consider Adoption of 2021 Annual Administrative Resolution
- Consider Ratification of 2019 Annual Report
- Consider Approval of Property and Liability Schedule and Limits

LEGAL MATTERS

Conduct Public Hearing on Petition for Exclusion of Real Property from Johnstown Village LLC (Tract P) (District No. 4)

Director Quinette opened the public hearing on the Petition for Exclusion of Property (Tract P) Mr. White noted that notice of the public hearing was published in accordance with Colorado law and no written objections or comments have been received. There being no public comment, the hearing was closed.

Consider Adoption of Resolution and Order for Exclusion of Real Property (Tract P) (District No. 4)

Mr. White reviewed the Petition and Resolution and Order for Exclusion of Property with the Board of District No. 4. The Board of District No. 4 considered the factors to determine whether to grant or deny the petition for exclusion pursuant to Colorado law. Following discussion, upon a motion duly made and seconded, the Board of District No. 4 determined to grant the petition and adopt the resolution for exclusion.

Conduct Public Hearing on Petition for Inclusion of Real Property from Johnstown Village LLC (District No. 4 Tract L, M, and N) (District No. 4)

Director Quinette opened the public hearing on the Petition for Inclusion of Property District No. 4 Tract L, M, and N. Mr. White noted that notice of the public hearing was published in accordance with Colorado law and no written objections or comments have been received. There being no public comment, the hearing was closed.

Consider Adoption of Resolution and Order for Exclusion of Real Property (District No. 4)

Mr. White reviewed the Petition and Resolution and Order for Inclusion of Property District No. 4 Tract L, M and N with the Board of District No. 4. Following discussion, upon a motion duly made and

Tract L, M and N)  
(District No. 4)

seconded, the Board of District No.4 determined to grant the petition and adopt the resolution.

FINANCIAL  
MATTERS

Public Hearings on  
Amended 2020 Budget  
and Consider Adoption of  
Resolution Amending  
2020 Budgets

Not Needed

Public Hearings on 2021  
Budgets (District Nos. 3  
& 4)

Director Quinette opened the public hearing on the proposed 2021 Budget. Mr. White noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of  
Resolutions Approving  
2021 Budgets

Mr. White reviewed the 2021 Budget Resolution with the Board of District No. 3. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2021 Budget, appropriating funds therefor and certifying 10.000 mills for the General Operating fund, 50 mills for the Contractual Obligation fund.

Mr. White reviewed the 2021 Budget Resolution with the Board of District No. 4. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2021 Budget, appropriating funds therefor and certifying 0.00 mills.

OTHER BUSINESS

Discussion and Consider  
Options for District  
Websites – SIPA and  
Heatherly  
Creative, LLC

The Boards opted to wait for the State system design via SIPA

ADJOURNMENT

There being no further business to come before the Boards and following discussion and upon motion duly made, seconded and unanimously carried, the Boards determined to adjourn the meeting.

The foregoing record constitutes a true and correct copy of the minutes of the above-referenced meeting.

The foregoing minutes were approved on the 3rd day of December, 2021.

  
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Handwritten signature (Jan 5, 2022 17:36 PST)  

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**Secretary for the Meeting**