

## **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: Monday, August 10, 2020 at 2:00 p.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 were Zachary P. White, Esq., District General Counsel,  
White Bear Ankele Tanaka & Waldron

#### ADMINISTRATIVE MATTERS

##### Director Conflict of Interest Disclosures

Mr. White advised the Board 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 Board 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 Board 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 Board to act.

PUBLIC COMMENT None.

LEGAL MATTERS

Conduct Public Hearing on Petition for Exclusion of Real Property from Forestar (USA) Real Estate Group (District No. 3 Initial District Boundaries) (District No. 3)

Mr. White noted that the Board had previously considered the proposed petition, but it was discovered that the newspaper had not properly published the notice of public hearing prior to the July 23, 2020.

Director Quinette opened the public hearing on the Petition for Exclusion of Property from Forestar (USA) Real Estate Group (District No. 3 Initial District Boundaries). 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.

Mr. White reviewed the Petition and Resolution and Order for Exclusion of Property with the Board of District No. 3. The Board of District No. 3 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. 3 determined to grant the petition and adopt the resolution for exclusion.

Conduct Public Hearing on Petition for Exclusion of Real Property from Forestar (USA) Real Estate Group (District No. 4 Initial District Boundaries) (District No. 4)

Mr. White noted that the Board had previously considered the proposed petition, but it was discovered that the newspaper had not properly published the notice of public hearing prior to the July 23, 2020.

Director Quinette opened the public hearing on the Petition for Exclusion of Property from Forestar (USA) Real Estate Group (District No. 4 Initial District Boundaries). 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.

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.

OTHER BUSINESS

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 16<sup>th</sup> day of September, 2020.

  
Harvey deutsch (Sep 17, 2020 15:15 PDT)

---

Secretary for the Meeting