#### **RECORD OF PROCEEDINGS**

# MINUTES OF A CONTINUED MEETING OF THE BOARD OF DIRECTORS OF THE LAKE OF THE ROCKIES METROPOLITAN DISTRICT (THE "**DISTRICT**") HELD DECEMBER 4, 2020

A continued meeting of the Board of Directors of the Lake of the Rockies Metropolitan District (referred to hereafter as the "**Board**") was convened on December 4, 2020, at 1:30 p.m. Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board meeting was held via Microsoft Teams. The meeting was open to the public.

#### **ATTENDANCE**

### Directors In Attendance Were:

Mike Fenton, President Scott Bogart, Secretary Tia Mayer, Treasurer Randy Lucas, Assistant Secretary Eddie Jones, Assistant Secretary

#### Also, In Attendance Were:

Elisabeth A. Cortese, Esq.; McGeady Becher P.C. Josh Miller, Chelsea Gondeck, Carrie Bartow, Adam Mounce; CliftonLarsonAllen LLP

## FINANCIAL MATTERS

<u>Third Amendment to the Operations Funding Agreement</u>: Discussion was deferred.

<u>Public Hearing on 2021 Budget</u>: Director Fenton noted that the public hearing opened on November 20, 2020 was continued to this meeting, and therefore, continued the public hearing to consider the proposed 2021 Budget and discuss related issues.

It was noted that Notice stating that the Board would consider adoption of the 2021 budget and the date, time and place of the public hearing was published pursuant to statute. No written objections were received prior to the public hearing.

No public comments were received.

#### **RECORD OF PROCEEDINGS**

The Board and District consultants discussed the status of receiving additional funding from Century at LOR, LLC and it was noted that the matter is still pending. The Board deferred approval of the 2021 Budget.

Resolution No. 2020-12-01 to Set Mill Levies: Ms. Bartow reviewed the proposed mill levy certifications with the Board. Following discussion, upon motion duly made by Director Bogart, seconded by Director Mayer, and upon vote unanimously carried, the Board approved Resolution No. 2020-12-01 Resolution to Set Mill Levies. The District Accountant was directed to transmit the Certification of Tax Levies to the Board of County Commissioners of El Paso County not later than December 15, 2020.

<u>DLG-70 Mill Levy Certification Form</u>: Following discussion, upon motion duly made by Director Bogart, seconded by Director Mayer, and upon vote unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification Form for certification to the Board of County Commissioners and other interested parties.

Resolution Authorizing the Adjustment of the District Mill Levy in Accordance with the Colorado Constitution: Following discussion, upon motion duly made by Director Bogart, seconded by Director Mayer and, upon vote, unanimously carried, the Board adopted Resolution No. 2020-12-02 Authorizing the Adjustment of the District Mill Levy in Accordance with the Colorado Constitution, Article X, Section 3 (Gallagher Adjustment).

<u>Preparation of 2022 Budget</u>: Following discussion, upon motion duly made by Director Bogart, seconded by Director Mayer, and upon vote unanimously carried, the Board ratified the appointment of CliftonLarsonAllen LLP to prepare the District's 2022 Budget.

**CONTINUANCE** 

Upon motion duly made by Director Fenton, seconded by Director Mayer, and upon vote unanimously carried, the Board continued the meeting to December 17, 2020 at 1:30 p.m. via Microsoft Teams.

Respectfully submitted,

1 som

Secretary for the Meeting

#### **Certificate Of Completion**

Envelope Id: E097188BBC724E969C248C10E3ED61A4

Subject: MBPC Revised 12.4.20 Lake of the Rockies MD Continued Special Meeting Min...

Client Name: LOTR Client Number: 44713 Source Envelope:

Document Pages: 2 Signatures: 1 **Envelope Originator:** Initials: 0 Certificate Pages: 4 Kimbrie Garcia 220 South 6th Street AutoNav: Enabled

Envelopeld Stamping: Enabled Suite 300

Time Zone: (UTC-06:00) Central Time (US & Canada)

Minneapolis, MN 55402 Kimbrie.Garcia@claconnect.com IP Address: 174.51.146.125

**Record Tracking** 

Holder: Kimbrie Garcia Status: Original Location: DocuSign

5/17/2021 1:43:39 PM Kimbrie.Garcia@claconnect.com

Signer Events Signature **Timestamp** 

**Eddie Jones** 

EddieLeeJones@gmail.com

Security Level: Email, Account Authentication

(None)

Signature Adoption: Drawn on Device Using IP Address: 75.163.167.186

Signed using mobile

E66F1EEB56D941A.

100/1/22

**Electronic Record and Signature Disclosure:** 

Accepted: 5/25/2021 12:51:29 PM

ID: 6ab0e0b4-9ad9-47c2-a784-7467e51d527c

Status: Completed

Sent: 5/17/2021 1:44:28 PM Viewed: 5/25/2021 12:41:01 AM Signed: 5/25/2021 12:51:42 PM

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent Certified Delivered Signing Complete Completed	Hashed/Encrypted Security Checked Security Checked Security Checked	5/17/2021 1:44:28 PM 5/25/2021 12:41:01 AM 5/25/2021 12:51:42 PM 5/25/2021 12:51:42 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

#### ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, CliftonLarsonAllen LLP (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

### **Getting paper copies**

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

#### Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

#### Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

#### All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

#### How to contact CliftonLarsonAllen LLP:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: BusinessTechnology@CLAconnect.com

#### To advise CliftonLarsonAllen LLP of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at BusinessTechnology@CLAconnect.com and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

#### To request paper copies from CliftonLarsonAllen LLP

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to BusinessTechnology@CLAconnect.com and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

### To withdraw your consent with CliftonLarsonAllen LLP

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an email to BusinessTechnology@CLAconnect.com and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

#### Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <a href="https://support.docusign.com/guides/signer-guide-signing-system-requirements">https://support.docusign.com/guides/signer-guide-signing-system-requirements</a>.

### Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify CliftonLarsonAllen LLP as described above, you consent to
  receive exclusively through electronic means all notices, disclosures, authorizations,
  acknowledgements, and other documents that are required to be provided or made
  available to you by CliftonLarsonAllen LLP during the course of your relationship with
  CliftonLarsonAllen LLP.