

MINUTES OF THE SPECIAL MEETING OF THE  
BOARD OF DIRECTORS OF

POWHATON COMMUNITY AUTHORITY

Held: Wednesday, April 14, 2021, at 10:00 a.m.

*Due to Executive Orders issued by Governor Polis and Public Health Orders implementing the Executive Orders issued by the Colorado Department of Public Health and Environment, and the threat posed by the COVID-19 coronavirus, the meeting was held via teleconferencing.*

**Attendance**

The special meeting of the Board of Directors of Powhaton Community Authority was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve on the Board, were in attendance:

CJ Kirst  
Roger Hollard  
James Spehalski

Directors Jill Spehalski and Jennifer Kirst were absent. All absences are deemed excused unless otherwise noted in these minutes.

Also present were: Kristin B. Tompkins, Esq., Megan J. Murphy, Esq., Ashley B. Frisbie, and Dan Cordova, White Bear Ankele Tanaka & Waldron, Attorneys at Law; Legal Counsel, District Manager, and Project Manager; Diane Wheeler, Simmons & Wheeler, PC, Accountant; and Kim Martin, Esq., Otten Johnson Robinson Neff + Ragonetti, PC, Special Counsel.

**Call to Order**

It was noted that a quorum of the Board was present and the meeting was called to order.

**Conflict of Interest  
Disclosures**

Ms. Murphy advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Murphy reported that disclosures for those directors with 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. Ms. Murphy noted that a quorum was present and 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 Board determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

**Approval of Agenda**

Ms. Frisbie presented the agenda to the Board for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda as presented.

**Public Comment**

None.

**Consent Agenda**

Ms. Frisbie reviewed the items on the consent agenda with the Board. Ms. Frisbie advised the Board that any item may be moved 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/or adopted:

- March 24, 2021 Organizational Meeting Minutes

**Legal Matters**

Consider Approval of Operating Agreement by and among the Authority, Powhatan Road Metropolitan District Nos. 1-7, and Sun Meadows Metropolitan District Nos. 1-4

Ms. Martin presented the Board with the Operating Agreement by and among the Authority, Powhatan Road Metropolitan District Nos. 1-7, and Sun Meadows Metropolitan District Nos. 1-4 for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Operating Agreement, subject to confirmation of the required mill levy and final legal review, with an effective date of May 1, 2021.

**Management Matters**

Consider Adoption of Resolution Adopting a Fence Maintenance Policy

Mr. Cordova presented the Board with the Resolution Adopting a Fence Maintenance Policy for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

**Financial Matters**

Conduct Public Hearing on 2021 Budget and Consider Adoption of Resolution Adopting the 2021 Budget

Director Spehalski opened the public hearing on the proposed 2021 Budget. Ms. Frisbie noted that 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.

Ms. Wheeler presented the 2021 Budget to the Board for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2021 Budget and appropriating funds.

Consider Adoption of Joint Resolution Concerning the Imposition of a Capital Facilities Fee (Authority and Powhatan Road Metropolitan District No. 3)

Ms. Frisbie presented the Board with the Joint Resolution Concerning the Imposition of a Capital Facilities Fee with Powhatan Road Metropolitan District No. 3 for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Discuss Status of Bond Issuance

Mr. Spehalski provided the Board with an update on the status of bond issuance, noting that this will kick off again soon. No action was needed by the Board.

Other Financial Matters

None.


**Other Business**

The next meeting is scheduled for July 7, 2021.

**Adjournment**

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

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

  
Roger Hollard (Aug 17, 2021 12:41 MDT)

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Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 12<sup>th</sup> day of August, 2021.