

RECORD OF PROCEEDINGS

MINUTES OF THE COMBINED SPECIAL MEETING OF THE BOARDS OF DIRECTORS OF THE HUNTERS OVERLOOK METROPOLITAN DISTRICT NOS. 1, 5 - 7 TOWN OF SEVERANCE, WELD COUNTY, COLORADO

HELD: Tuesday, March 3, 2021 at 2:00 p.m., 7251 20th Street, L-200, Greeley, CO
Via ZOOM - <https://www.zoom.us> Meeting ID: 784 1197 7535, Passcode: E7QdTS

ATTENDANCE:

A combined special meeting of the Boards of Directors (collectively, the “Board”) of the Hunters Overlook Metropolitan District Nos. 1, 5 - 7 (collectively, the “District”) was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The meeting was held by teleconference due to the State of Emergency declared by Governor Polis and the threat to health and safety posed by the COVID-19 pandemic.

In attendance were Directors:

Larry Buckendorf – President/Chairman

Laira Ziegler – Secretary/Treasurer

Morgan Kidder - Vice-President/ Assistant Secretary/Assistant Treasurer

Darrell McAllister - Vice-President/ Assistant Secretary/Assistant Treasurer

Joseph Schumacher - Vice-President/Assistant Secretary/Assistant Treasurer

Also present were:

Cathy Fromm and Megan Holmberg, Fromm & Company LLC

David S. O’Leary, Spencer Fane LLP

2 Members of the Public

CALL TO ORDER:

Mr. Buckendorf called the meeting to order at 2:03 p.m., noted that a quorum of the Board was present, and confirmed qualification of the Directors to serve on the Board. Notices of the Board Meetings were properly posted on the District’s website in compliance with state statutes, Board resolution and pursuant to Colorado HB19-1087 regarding meeting notices. The Notice also included the agenda items and language that meetings are open to the public. The Boards also confirmed prior to the meeting each of the Directors had been notified of the meeting.

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DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST:

Mr. O'Leary discussed the state law requirements for disclosure of potential conflicts of interest with the directors, noting that completed disclosure statements must be filed for each of the Directors with the Secretary of State and the Secretary of the District at least 72 hours prior to a meeting in which a potential conflict may arise. The Board noted that general disclosure statements had been filed on behalf of the members of the Board of Directors with the Office of the Colorado Secretary of State. Mr. O'Leary advised the Board that, pursuant to Colorado law, certain disclosures may be required prior to taking official action at the meeting. The Board reviewed the agenda for the meeting, following which they confirmed the contents of written disclosures previously made by the directors, stating the fact and summary nature of any matters, as required by Colorado law, to permit official action to be taken at the meeting.

APPROVAL OF THE AGENDA:

The Board reviewed the agenda. Upon motion duly made by Director Kidder, seconded by Director McAllister, and unanimously carried, the Board approved the agenda as presented. Mr. O'Leary reported that the meeting notice and agenda had been posted to the district website at www.frommco.us/client-homd.html, at least 24 hours prior to the meeting, pursuant to Statute.

LEGAL ITEMS:

a. Public Hearing on Inclusion of Sunset Ridge, 3rd Filing Property. Mr. O'Leary reported that proper publication had been made in order to allow the District Board to hold a public hearing on in the inclusion of the Sunset Ridge, 3rd Filing Property (Sunset Reserve Subdivision), into the Hunters Overlook Metropolitan District No. 7. Upon Motion duly made by Director Buckendorf and seconded by Director Kidder and unanimously carried, the public hearing was opened. No comments were received. Upon motion duly made by Director Kidder, seconded by Director Kidder and unanimously carried, the public hearing was closed. Mr. O'Leary presented a proposed Resolution to approve the Petition for Inclusion of Property. Discussion ensued. Upon motion made by Director Kidder, seconded by Director McAllister and unanimously carried, the Board approved the Resolution to include the Sunset Reserve Subdivision property into District No. 7 and authorized the execution of filing of documents to complete the inclusion, and further authorized the Confirming Consent of Sales & Construction Activity document.

b. Approval of Covenants, Conditions Restrictions and Easements – Severance Reserve. Mr. O'Leary presented the Declaration of Covenants for board Review. After discussion of the matter, and upon motion made by Director McAllister, seconded by Director Kidder and unanimously carried, the Board approved the Declaration of Covenants as presented.

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c. Approval of Residential Improvement Guidelines & Site Restrictions – Severance Reserve. Mr. O’Leary presented the Rules, Guidelines & Restrictions for board review. Upon motion made by Director Kidder, seconded by Director McAllister and unanimously carried, the Board approved the Declaration of Covenants as presented, noting that no large accessory/outbuildings would be permitted within the community.

MANAGEMENT ITEMS:

a. Updates to Rules, Guidelines & Restrictions – Hunters Crossing (District Nos. 5 & 6). Ms. Holmberg noted that there was a need to clarify the large accessory/outbuilding section within the current form of the Rules, Guidelines & Restrictions. Ms. Ziegler reported on the revised height requirements for roofs, side walls and doors, noting an increase from the prior version in order to allow for the parking and storage of standard sized RV’s and equipment. Upon motion made by Director Kidder, seconded by Director Ziegler and unanimously carried, the Board approved the language to clarify and directed updates as necessary to the District documents.

b. Updates to Resolution re District Service Fee, CCR’s and Enforcement. Ms. Holmberg noted that there had been a discrepancy on the interpretation of the payment of the District Fee and transfer of lots. Upon motion made by Director Kidder, seconded by Director Ziegler and unanimously carried, the Board approved to clarify the verbiage within the Resolution and directed Mr. O’Leary to transmit out a revised copy.

OTHER ITEMS:

Discussion ensued regarding taxes and district revenue. The Board directed that Ms. Fromm confirm amounts and report back.

PUBLIC COMMENT:

There was none.

ADJOURNMENT:

There being no further business to come before the Board and upon motion duly made by Director McAllister, seconded by Director Ziegler, and unanimously carried, the meeting was adjourned at 2:16 p.m.

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The foregoing Minutes constitute a true and correct copy of the Minutes of the above-referenced combined meeting and were approved by the Boards of Directors of the Hunters Overlook Metropolitan District Nos. 1, 5 - 7.

Respectfully Submitted,



Secretary for the Meeting