

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE SPRING VALLEY METROPOLITAN DISTRICT NO. 5 HELD JUNE 25, 2024

A Special Meeting of the Board of Directors (the “Board”) of the Spring Valley Metropolitan District No. 5 (the “District”) was convened on Tuesday, June 25, 2024, at 3:00 p.m. by Zoom video/telephone conference. The meeting was open to the public.

ATTENDANCE

Directors Present:

James E. Marshall
Shelley Marshall
Holly D. Robinson

Also Present:

AJ Beckman; Public Alliance, LLC

Suzanne Meintzer, Esq., Eric Trout, Esq., and Craig Sorensen; McGeady Becher P.C.

Eric Weaver and Cheri Curtis; Marchetti & Weaver, LLC

Wayne Ramey and Mike Murphy; Ramey Environmental Compliance, Inc.

Brenda Owings; Century Communities

Kim Herman; Melody Homes

Leigh Lutz; Board Candidate for Spring Valley MD No. 5 and Board Member of Spring Valley MD Nos. 1-4 and 6

PUBLIC COMMENTS

There were no public comments.

ADMINISTRATIVE MATTERS

Disclosures of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State.

Mr. Beckman noted that a quorum was present and requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting and incorporated for the record those applicable

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disclosures made by the Board members prior to this meeting in accordance with the statute. Attorney Meintzer noted that Disclosure Statements have been filed for all directors. No additional conflicts were disclosed.

Agenda: Mr. Beckman distributed, for the Board's review and approval, a proposed agenda for the District's Special Meeting.

Following discussion, upon motion duly made by Director Robinson, seconded by Director J. Marshall and, upon vote, unanimously carried, the agenda was approved.

Meeting Location and Posting of Meeting Notices: The Board entered into discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the Board meeting.

Following discussion, upon motion duly made by Director Robinson, seconded by Director J. Marshall and, upon vote, unanimously carried, the Board determined the meeting would be held by video/telephonic means, and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location was duly posted and that no objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District boundaries, have been received.

Board Appointment: The Board considered appointment of qualified individual Leigh Lutz to the Board of Directors to fill a current vacancy (Notice of Vacancies was published on May 9, 2024).

Following discussion, and upon motion duly made by Director Robinson, seconded by Director J. Marshall and, upon vote, unanimously carried, the Board appointed Leigh Lutz to the Board of Directors, and appointed him as an Assistant Secretary. The Oath of Director was administered to Mr. Lutz, but it was noted that he may not take any action until the signed Oath of Director is filed with the Elbert County Clerk and Recorder.

Special District Association's ("SDA") Annual Conference: Mr. Beckman discussed with the Board the Special District Association's Annual Conference on September 10-12, 2024. Director Lutz expressed interest in attending.

Following discussion and review, upon a motion duly made by Director J. Marshall, seconded by Director S. Marshall and, upon vote unanimously carried, the Board authorized any interested Director to attend the SDA Conference.

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Website Accessibility Matters: Mr. Beckman discussed with the Board website accessibility matters and explained that the District’s website is compliant with current accessibility requirements. Public Alliance will manage the accessibility compliance going forward.

Following discussion and review, upon a motion duly made by Director S. Marshall, seconded by Director Robinson and, upon vote unanimously carried, the Board authorized Public Alliance to take actions necessary to maintain accessibility compliance.

CONSENT AGENDA

The Board considered the following actions:

- Approval of Minutes of the May 16, 2024 Special Meeting.

Following discussion, upon motion duly made by Director J. Marshall, seconded by Director S. Marshall and, upon vote, unanimously carried, the Board approved, ratified approval of, adopted, or acknowledged (as appropriate) the Consent Agenda items.

FINANCIAL MATTERS

Claims: Mr. Weaver reviewed with the Board the payment of claims as follows:

Fund	Period ending June 20, 2024
General	\$ 1,920.79
Debt Service	\$ -0-
Capital	\$ -0-
Enterprise	\$ -0-
Total Claims	\$ 1,920.79

Following discussion, upon motion duly made by Director J. Marshall, seconded by Director Robinson and, upon vote, unanimously carried, the Board ratified approval of the payment of claims, as presented.

Cost Verification Report No. 52: A brief discussion was held, but the Board deferred action.

Cost Verification Report No. 53: The Board reviewed Cost Verification Report No. 53 dated June 12, 2024, prepared by Schedio Group LLC, verifying costs associated with the design and construction of public improvements in the amount of \$227,243.70.

Following discussion, upon motion duly made by Director S. Marshall, seconded by Director J. Marshall and, upon vote, unanimously carried, the Board acknowledged Cost Verification Report No. 53 dated June 12, 2024, prepared by

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Schedio Group LLC, verifying the costs associated with the design and construction of public improvements in the amount of \$227,243.70.

2025 Budget Hearing: The Board discussed the 2025 Budget Hearing. Following discussion, the Board determined to hold the public hearing to consider adoption of the 2025 Budget on November 21, 2024, at 4:00 p.m., to be held via Zoom.

LEGAL MATTERS

Second Amended and Restated Service Plan: Attorney Meintzer discussed with the Board the status of the submittal/review process for the District's Second Amended and Restated Service Plan ("Amended Service Plan"). She reported that the Planning Commission unanimously recommended approval of the Amended Service Plan, and that a public hearing before the Board of County Commissioners is scheduled for July 24, 2024 at 1:00 p.m.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director J. Marshall, seconded by Director Robinson and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By _____
DocuSigned by:
AJ Beckman
Secretary for the Meeting