

MINUTES OF A JOINT SPECIAL MEETING OF THE
BOARDS OF DIRECTORS

OF

RAINDANCE METROPOLITAN DISTRICT NOS. 1-4

Held: Thursday, April 15, 2021 at 10:00 a.m.

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 Public Health & Environment (CDPHE) on April 26, 2020, the meeting was held via teleconference.

The Boards of Directors of the Districts have determined to hold joint meetings of the Districts and to prepare joint minutes of action taken by the Districts in such meetings. Unless otherwise noted herein, all official action reflected in these minutes is the action of each of the Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

Attendance

The joint special meeting of the Boards of Directors of Raindance Metropolitan District Nos. 1-4 was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, have confirmed their qualifications to serve, were in attendance:

Martin Lind, President (District Nos. 1-4)
Justin Donahoo, Secretary/Treasurer (District Nos. 1-4)
Austin Lind, Assistant Secretary (District Nos. 1-4)
Ryan Scallon, Assistant Secretary (District No. 1 & 3)
Kris Kazian, Assistant Secretary (District No. 3)
Ryan Bach, Assistant Secretary (District No. 1)

Also present were William P. Ankele, Jr., Esq., and Zachary P. White, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law; Lara Wynn, and Gary Kerr, Water Valley Land Company; Hannah Barker, Judy Smeltzer Advance HOA Management.

Call to Order/Declaration
of Quorum

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

Conflict of Interest Disclosures

Mr. Ankele advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Ankele reported that disclosures for those directors that provided White Bear White Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Mr. Ankele inquired into whether members of the Boards 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 Boards to act.

Approval of Agenda

Mr. Ankele presented the proposed agenda to the Boards for consideration. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the agenda as presented.

Director Matters

Director Remarks

Director Martin Lind discussed with the Boards and members of the public the history of development and the Districts in Raindance, and the purpose for the Districts' non-potable water system being separate from the Town's water system. Director Lind discussed with the Boards and the public the cost savings afforded to users of the Districts' system compared to the Town, or other non-potable water service providers. In his remarks, Director Lind also responded to questions and concerns previously raised by members of the public related to the proposed water rate increase.

Public Comment

Members of the public discussed matters of interest to the community:

Consent Agenda

Mr. Ankele reviewed the items on the consent agenda with the Boards. Mr. Ankele advised the Boards that any item may be removed 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 adopted:

- Minutes from November 11, 2020 and February 25, 2021 Joint Special Meeting
- Independent Contractor Agreement with Pelican Lakes, LLC for Event Coordination
- Independent Contractor Agreement with Pelican Lakes, LLC for Lifeguard Services

- Independent Contractor Agreement with Pelican Lakes, LLC for Firedance Event Coordination and Management Services
- Independent Contractor Agreement with Hire UAV Pro for Firedance Drone Show Services
- Independent Contractor Agreement with Angel Light Pyrotechnics for Firedance Fireworks Services
- Independent Contractor Agreement with Lumina Entertainment for Firedance Entertainment Services

Manager/Operation Items

Manager's Report

District Manager's Presentation re Water Rates and Public Comment

Mr. Kerr presented an updated water rate proposal to the Boards for consideration. Mr. Kerr discussed with the Boards the water rate obligations under the bonds issued by and through the PTMD Water Enterprise and proposed a phased water rate increase over time in line with Town water rates.

Consider Adoption of Amended and Restated Resolution Concerning the Imposition of Various Fees, Rates, Penalties and Charges for Water Service and Facilities (RDMD No. 1)

Mr. Ankele presented the Amended and Restated Resolution Concerning the Imposition of Various Fees, Rates, Penalties and Charges for Water Service and Facilities to the Board of District No. 1. Members of the public made comments related to the proposed water rate increase. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Raindance River Resort Report

None.

Discussion re Raindance River Resort Membership and Rates

The Boards engaged in a discussion regarding Raindance River Resort Membership and Rates. Guest passes will be offered to residents at the beginning of the season. Additional passes may be made available mid-season as demand permits.

Discussion re Rules and Regulations

Management discussed with the Boards the desire to adopt and implement District Rules and Regulations. Following discussion re common issues and comments, the Boards directed management and legal to prepare and present Rules and Regulations to the Boards for consideration.

Legal Matters

There were no legal matters to discuss.

Financial Matters

Consider Approval of Payables/Financials

Mr. Kerr presented the Payables/Financials to the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the payables and financials.

Conduct Public Hearings on 2020 Budget Amendments

Director Martin Lind opened the public hearing on the 2020 Budget Amendments. Mr. Ankele noted that the 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.

Consider Approval of Resolution Amending 2020 Budget (No.1)

Mr. Ankele reviewed the Resolution Amending the 2020 Budget with the Board of District No. 1. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 unanimously adopted the resolution amending the Capital Projects Fund to \$47,455,000.

Consider Approval of Resolution Amending 2020 Budget (No. 3)

Mr. Ankele reviewed the Resolution Amending the 2020 Budget with the Board of District No. 3. Following discussion, upon a motion duly made and seconded, the Board of District No. 3 unanimously adopted the resolution amending the Capital Projects Fund to \$3.00.

Other Business

Next Meeting – July 22 , 2021

Adjourn

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

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

DocuSigned by:

Justin Donahoe

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Secretary for the Meeting Districts

The foregoing minutes were approved on the 22nd day of July, 2021.