

1 RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF ALPENSEE WATER DISTRICT SUMMIT COUNTY, COLORADO

HELD: October 20, 2021 at 12:00 p.m. held via Zoom Meeting ID: 91531711510

ATTENDANCE:

A special meeting of the Board of Directors of Alpengsee Water District, of Summit County, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Jim Quartarone, President
David Flanigan, Director
Jeff Paddock, Director

No directors were absent and there are 2 vacancies on the Board.

Also present were Mike Kurth of Summit Bookkeeping, Lisa Mayers and Courtney Linney of Spencer Fane LLP, Alan Stremel, Paul Sparks, and Cherise Buckley.

CALL TO ORDER:

The meeting was called to order at 12:00 p.m. and it was noted that a quorum was present for the Board.

DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST:

The Board noted that all directors are property owners within the District and each director confirmed he had no conflicts of interest.

DISCUSS BOARD RESIGNATIONS AND APPOINTMENTS

Director Quartarone stated Deanna Carew resigned from the Board and there are two vacancies on the Board. Upon motion duly made, seconded and unanimously carried, the Board approved the appointments of Alan Stremel and Paul Sparks as directors. Director Quartarone administered their Oaths of Office at the end of the meeting.

APPROVAL OF MINUTES:

The Board reviewed the Minutes of the meeting of the Board held on September 7, 2021. Following discussion and upon motion duly made, seconded, and unanimously carried, the Board approved the Minutes as presented.

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PUBLIC HEARING RE CERTIFICATION OF DELINQUENT ACCOUNTS:

The public hearing on the certification of the delinquent account owned by Farmers Glen Ltd, was opened. There was no public comment and the hearing was closed. Discussion ensued concerning options for collecting the overdue amounts. Ms. Mayers advised the Board on the process of certifying the account to the County and the process of initiating foreclosure proceedings. Following discussion, upon motion duly made, seconded and unanimously carried, the Board adopted the Resolution to Certify the Delinquent Account, subject to final amounts to be determined by legal counsel and accountant towards the end of November. If payment is not made by November 30th, the Board will file the necessary documents with the County Treasurer on December 1st to certify the then delinquent amounts due.

EQUIPMENT REPAIR AND REPLACEMENT:

Director Flanigan discussed the age and status of various equipment and the need to begin planning for replacements and upgrades.

2022 BUDGET:

The public hearing was opened on the proposed budget for fiscal year 2022. It was noted that notice of the public hearing had been published in accordance with statutory requirements and Mr. Kurth presented the proposed 2022 budget to the Board. There being no public comment, the hearing was closed.

Discussion ensued concerning the appropriation of funds, prioritization of equipment repair and replacement, and the effect the delinquent tax account has had on the District's budget. Following discussion and upon motion duly made, seconded, and unanimously carried, the Board: (1) approved and adopted the 2022 budget; (2) authorized the appropriation of funds for the expenditures as discussed; (3) approved and adopted the mill levies for certification to the County, as indicated within the budget; (4) authorized the President and the Secretary to sign the necessary documentation; and (5) directed Spencer Fane LLP, to submit the certification of the tax levies to the Board of County Commissioners prior to December 15, 2021, and to file the budget with the Division of Local Government prior to January 31, 2021. Mr. Kurth will circulate a revised and final budget, pursuant to discussions at the meeting.

2021 BUDGET AMENDMENT:

It was determined that an amendment will likely not be needed. If, after final numbers are determined, an amendment is deemed necessary, the Board will hold a public hearing and meeting to consider same.

OFFICER APPOINTMENTS AND RESPONSIBILITIES:

Following discussion, upon motion duly made, seconded, and unanimously carried, the Board designated Director Quartarone as President, Director Stremel as Treasurer, Director Sparks as

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Secretary, and Directors Paddock and Flanigan will remain members-at-large. It was also noted that Spencer Fane's office will prepare meeting agendas, notices, and minutes going forward, and Director Flanigan will ensure minutes, notices, and agendas are posted to the District's website.

DISCUSSION RE: HAZARD/CAPITALIZATION REPORT:

Director Flanigan discussed the subdivision and conveyance of the Hendrickson parcel and that the District did not have notice of these transactions. One of the new owner has gated the pond, thus preventing access for the District to release its water from the pond. Director Flanigan is going to forward relevant documents, including the Water Court order, to counsel to review and advise.

OTHER BUSINESS:

Resolution re: 2022 Annual Administrative Matters. Ms. Mayers presented the Annual Administrative Matters Resolution for 2022. Following discussion and upon motion duly made, seconded, and unanimously carried, the Board approved the Resolution.

Resolution Calling 2022 Election. Ms. Mayers presented the Resolution Calling the Regular Election to be held May 3, 2022. Following discussion and upon motion duly made, seconded, and unanimously carried, the Board approved the Resolution.

ADJOURNMENT:

There being no further business to come before the Board and upon motion duly made, seconded, and unanimously carried, the meeting was adjourned at 1:26 p.m.

The foregoing Minutes constitute a true and correct copy of the Minutes of the above-referenced meeting and were approved by the Board of Directors of Alpensee Water District.

Secretary for the Meeting