

**RESOLUTION OF
THE BOARD OF DIRECTORS OF
SUBDISTRICT NO. 1 OF THE COALTON METROPOLITAN DISTRICT**

2023 MEETING RESOLUTION

WHEREAS, Subdistrict No. 1 of the Coalton Metropolitan District (the "Subdistrict") was formed pursuant to Sections 32-1-1101(1)(f) and 32-1-1101(1.5), C.R.S.; and

WHEREAS, on December 2, 2021, the Subdistrict t adopted that certain First Amended and Restated Meeting Resolution to designate the time and place of all regular meetings and to set forth specific requirements for the Board to call emergency meetings when such meetings are deemed necessary for the immediate protection of the public health, safety, and welfare of the property owners and residents of the Subdistrict (the "Prior Meeting Resolution"); and

WHEREAS, pursuant to Section 32-1-903(1), C.R.S., the Board of Directors (the "Board") of the Subdistrict shall meet regularly at a "location" to be designated by the Board; and

WHEREAS, pursuant to Section 32-1-903(5)(a), C.R.S., the term "location" means the physical, telephonic, electronic, other virtual place, or combination of such means where a meeting can be attended; and

WHEREAS, Section 32-1-903(1), C.R.S. requires that all meetings of the Board held solely at physical locations must be held at physical locations that are within the boundaries of the Subdistrict or which is within the boundaries of any county in which the Subdistrict is located, in whole or in part, or in any county so long as the meeting location does not exceed twenty (20) miles from the Subdistrict's boundaries; and

WHEREAS, the provisions of Section 32-1-903(1.5), C.R.S. may be waived only if the following criteria are met: (a) the proposed change of the physical location of the Board appears on the agenda of a meeting of the Board, and (b) a resolution is adopted by the Board stating the reason for which meeting of the Board is to be held in a physical location under than the provisions of Section 32-1-903(1.5), C.R.S., and further stating the date, time, and physical location of such meeting; and

WHEREAS, pursuant to Section 32-1-903(2)(a), C.R.S., special meetings may be held as often as the needs of the Subdistrict require, upon notice to each director, and may include study sessions at which a quorum of the Board is in attendance, and at which information is presented; provided that no official action is taken by the Board; and

WHEREAS, pursuant to Section 32-1-903(2), C.R.S. notice of the time and location designated for all meetings of the Board shall be provided in accordance with Section 24-6-402, C.R.S.; and

WHEREAS, Section 24-6-402(2)(c)(I), C.R.S. requires the Subdistrict to annually designate one public place within the boundaries of the Subdistrict where notice of the Board's meetings shall be posted no less than twenty-four (24) hours prior to the Board's meetings, and where possible, the posting shall include specific agenda information; and

WHEREAS, pursuant to Section 24-6-402(2)(c)(III), C.R.S., the Subdistrict shall be deemed to have given full and timely notice of a public meeting if the Subdistrict posts the notice, with specific agenda information if available, no less than twenty-four (24) hours prior to the meeting on the public website of the Subdistrict; and

WHEREAS, if the Subdistrict posts notice on the Subdistrict's public website pursuant to Section 24-6-402(2)(c)(III), C.R.S., the Subdistrict must also designate a public place within its boundaries at which the Subdistrict may post a notice no less than twenty-four (24) hours prior to a meeting if the Subdistrict is unable to post notice online in exigent or emergency circumstances; and

WHEREAS, the meeting notice of all meetings of the Board that are held telephonically, electronically, or by other means not including physical presence must include the method or procedure, including the conference number or link, by which members of the public can attend the meeting in accordance with Section 32-1-903(2)(a), C.R.S.; and

WHEREAS, the Board desires to designate the time and location of all regular meetings in 2023 and to set forth specific requirements for the Board to call emergency meetings when such meetings are deemed necessary for the immediate protection of the public health, safety, and welfare of the property owners and residents of the Subdistrict pursuant to this 2023 Meeting Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SUBDISTRICT NO. 1 OF THE COALTON METROPOLITAN DISTRICT THAT:

1. The Subdistrict Board hereby determines to hold regular meetings on the first Thursday of March, June, September, and December at 2:00 P.M. The location of all regular and special meetings of the Boards shall be held virtually via MS Teams or other reliable virtual platform and telephonically. The meeting notice of all meetings of the Boards shall include the method or procedure, including the conference number or link, by which member of the public can attend the meeting.
2. The Subdistrict Board hereby designates the Coalton Metropolitan District's public website, <https://www.coaltonmd.live/>, which will be shared with the Subdistrict, as the twenty-four (24) hour posting location for all meeting notices. The Subdistrict Board hereby designates West Flatiron Crossing Drive, (entry 206) N 39 deg 55.780' W 105 deg 08.542' north, as the posting location for meeting notices if the Subdistrict is unable to post a notice online in exigent or emergency circumstances.
3. The designation set forth in Paragraph 2 is hereby deemed to be the Subdistrict Board's annual designation of the location where notices of meetings shall be posted twenty-four (24) hours in advance of said meetings and shall be effective until such time as the Subdistrict Board determines to designate a new posting location.
4. Emergency meetings may be called by the Subdistrict without notice, if notice is not practicable, by the President or any two (2) Subdistrict Board members in the event of an emergency that requires the immediate action of the Subdistrict Board in order to protect the public

health, safety, and welfare of the property owners and residents of the Subdistrict. If possible, notice of such emergency meeting may be given to the members of the Subdistrict Board by telephone or whatever other means are reasonable to meet the circumstances of the emergency, and shall be provided to the public via any practicable means available, *if any*, including, but not limited to, posting notice of such emergency meeting on the Subdistrict's website, if any. At such emergency meeting, any action within the power of the Subdistrict Board that is necessary for the immediate protection of the public health, safety and welfare may be taken; provided however, that any action taken at an emergency meeting shall be ratified at the first to occur: (a) the next regular meeting of the Subdistrict Board, or (b) the next special meeting of the Subdistrict Board.

5. This Resolution shall repeal, supersede, and replace the Prior Meeting Resolution and any and all previous resolutions or provisions of previous resolutions adopted by the Board concerning meeting location, time, and posting of notices.

6. This Resolution shall take effect on the date and time of adoption and shall remain effective until otherwise supplemented or amended by the Subdistrict Board.

(Signature Page Follows)

ADOPTED AND APPROVED THIS 1ST DAY OF DECEMBER, 2022.

SUBDISTRICT NO. 1 OF THE COALTON
METROPOLITAN DISTRICT

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By: Kristopher Barnes
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Kristopher Barnes, President