

**RESOLUTION OF
THE BOARDS OF DIRECTORS OF
WEST BOYD METROPOLITAN DISTRICT NOS. 1-3**

2023 MEETING RESOLUTION

WHEREAS, West Boyd Metropolitan District Nos. 1-3 (individually, a “District,” and collectively, the “Districts”) were organized pursuant to the Special District Act, Sections 32-1-101 *et seq.*, C.R.S.; and

WHEREAS, on November 29, 2021, the Boards of Directors (individually, the “Board” and collectively, the “Boards”) of the Districts adopted an Amended and Restated Meeting Resolution to designate the time and place of all regular meetings, and to set forth specific requirements for the Boards 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 Districts (“Prior Meeting Resolution”); and

WHEREAS, pursuant to Section 32-1-903(1), C.R.S., the Boards shall meet regularly at a time and in 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(1.5), C.R.S., requires that all meetings of the Boards that are held solely at physical locations must be held at physical locations that are within the boundaries of each District or that are within the boundaries of the county in which the Districts are located, in whole or in part, or in any county so long as the physical location does not exceed twenty miles from the district 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 a meeting of the Boards appears on the agenda of a meeting of the Boards, and (b) a resolution is adopted by the Boards stating the reason for which meetings of the Boards are to be held in a physical location other than under 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), special meetings may be held as often as the needs of each District require, upon notice to each director, and may include study sessions at which a quorum of each Board is in attendance, and at which information is presented but no official action can be taken by each Board; and

WHEREAS, pursuant to Section 32-1-903(2)(a), C.R.S., notice of the time and location designated for all regular and special meetings of each 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 each District to annually designate one public place within the boundaries of each District where notice of the Board's meetings shall be posted no less than twenty-four (24) hours prior to the Board's meetings; and

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

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

WHEREAS, the meeting notice of all meetings of the Boards 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 Boards desire to designate the time and location of all regular meetings, and to set forth specific requirements for the Boards 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 each District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARDS OF DIRECTORS OF WEST BOYD METROPOLITAN DISTRICT NOS. 1-3 THAT:

1. Effective January 1, 2023, the Boards hereby determine to hold a regular meeting on the third Thursday of October at 3:00 P.M. The location of all regular and special meetings will be held electronically via Microsoft Teams or other reliable virtual platform. The meeting notices of all meetings of the Boards will include the method or procedure, including the conference number or link, by which members of the public can attend the meeting.

2. The Boards hereby designate the Districts' public website, www.westboydmd.live, as the twenty-four (24) hour posting location for all meeting notices. The Boards designate the posting locations shown in Exhibit A as the posting location for meeting notices if the Districts are 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 Boards' annual designation of the location where notices of meetings shall be posted twenty-four hours in advance of said meetings and shall be effective until such time as each Board determines to designate a new posting location.

4. Emergency meetings may be called by the Districts without notice, if notice is not practicable, by the President or any two (2) members of each Board in the event of an emergency that requires the immediate action of the Boards in order to protect the public health, safety, and welfare of the property owners and residents of the Districts. If possible, notice of such emergency meeting may be given to the members of each 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 Districts' website. At such emergency meeting, any action within the power of each 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 Districts' Boards, or (b) the next special meeting of the Districts' Boards.

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 Boards 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 Boards.

(Signatures Appear on Following Page.)

ADOPTED AND APPROVED THIS 16th DAY OF NOVEMBER, 2022.

WEST BOYD METROPOLITAN DISTRICT NOS. 1-3

DocuSigned by:

Tim DePeder

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Timothy DePeder, President

EXHIBIT A

POSTING LOCATIONS

● - Posting Location in Each District

