

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
REUNION METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
AUGUST 8, 2023

A special meeting of the Board of Directors of the Reunion Metropolitan District (referred to hereafter as the “Board”) was held on August 8, 2023 at 6:00 p.m. This District Board meeting was held via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were (with titles as approved at the meeting):

Brett Price, President
Bruce Rau, Treasurer
Teresa Kershnik, Assistant Secretary
Tim Roberts, Assistant Secretary

Director Bauer was absent and excused.

Also, In Attendance Were:

Matt Ruhland; Cockrel Ela Glesne Greher & Ruhland, P.C.
Matt Urkoski, Anna Jones, Shelby Clymer and Curtis Bourgouin;
CliftonLarsonAllen LLP (“CLA”)
Bill Kyriagis; Otten Johnson
Curtis Hain; MSI
Raul Martinez; Reunion Metropolitan District
Greg Doyle, Julie Cataldo and Kimberly Armitage; YMCA
Scott Davis; North Range Metropolitan District No. 1
Jessica Reynolds; Wolfersberger, LLC
Chris Shamel, Andrea Christensen, David Polley, Erik Fallik; members of the public

ADMINISTRATIVE MATTERS

Call to order and approval of agenda: Director Rau called the meeting to order at 6:00 p.m. Upon a motion duly made by Director Kershnik, seconded by Director Rau and, upon vote, unanimously carried, the Board approved the agenda as presented.

Disclosures of potential conflicts of interest: The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested 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 disclosures made by the Board members prior to this meeting in accordance with statute. It was noted by Attorney Ruhland that disclosures of potential conflicts of interest were filed

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with the Secretary of State for all directors, and no additional conflicts were disclosed at the meeting.

Quorum/Confirmation of Meeting Location/Posting of Notice: A quorum was confirmed.

The Board noted that notice providing the time, date and meeting location information for the meeting was duly posted.

Public Comment: Scott Davis had questions regarding the rec center's Facebook page.

EXECUTIVE SESSION

Executive Session to receive legal advice from District counsel on specific legal questions and determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiators pursuant to Sections 24-6-402(4)(b) and (e), C.R.S., regarding pending litigation, the Mill Levy Equalization and Pledge Agreement, the District Operating Services Agreement, covenant enforcement, ownership and maintenance of public facilities, collection of fees, budget and finance issues, and other matters related to North Range Metropolitan District Nos. 1, 2 and 3, open records issues, and the Independent Contractor Agreement (Recreation Facility Management – 2023) with the YMCA: Upon a motion duly made by Director Price, seconded by Director Rau and, upon a vote, unanimously carried, the Board entered into executive session pursuant to Sections 24-6-402(4)(b) and (e), C.R.S., regarding pending litigation, the Mill Levy Equalization and Pledge Agreement, the District Operating Services Agreement, covenant enforcement, ownership and maintenance of public facilities, collection of fees, budget and finance issues, and other matters related to North Range Metropolitan District Nos. 1, 2 and 3, open records issues, and the Independent Contractor Agreement (Recreation Facility Management – 2023) with the YMCA at 6:05 p.m.

The Board exited out of executive session at 7:22 p.m.

Approve action, if necessary, regarding matters discussed during Executive Session: No action taken.

CONSENT AGENDA

Minutes from the November 15, 2022 Regular Meeting, December 5, 2022 Special Meeting, December 8, 2022 Special Meeting, February 7, 2023 Regular Meeting, May 9, 2023 Regular Meeting and June 21, 2023 Special Meeting:

Agreement between the District and All City Floors, Co. for replacement of the Recreation Center basketball court floor in the amount of \$46,103.00:

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HOA Tribunal Recommendations:

Following discussion, upon a motion duly made by Director Rau, seconded by Director Price and, upon vote, unanimously carried, the Board approved the Consent Agenda.

MANAGER MATTERS

Parks/Irrigation Manager's Report: Mr. Martinez reviewed the report included in the packet.

Appointing a subcommittee for review and recommendation to 2024 landscape proposals: Following discussion, Director Price volunteered for the committee to review and consider 2024 landscape recommendations.

Proposal from Arapahoe Pumping Systems, Inc. for motor repairs to the pump station in the amount of \$39,298.74: Mr. Martinez reviewed the proposal with the Board. Following review, upon a motion duly made by Director Price, seconded by Director Roberts and, upon vote, unanimously carried, the Board approved the Proposal from Arapahoe Pumping Systems, Inc. for motor repairs to the pump station in the amount of \$39,298.74.

Operation Manager's Report: Mr. Doyle reviewed the report that was included in the packet.

HOA Manager's Report: Mr. Hain reviewed the report included in the packet.

FINANCIAL MATTERS

Claims: Ms. Clymer reviewed the claims with the Board. Following discussion, upon a motion duly made by Director Price, seconded by Director Rau and, upon vote, unanimously carried, the Board approved and/or ratified approval of the claims in the amount of \$1,206,633.37.

June 30, 2023 Unaudited Draft Financial Statements: Ms. Clymer reviewed the Unaudited Draft Financial Statements with the Board. Following discussion, upon a motion duly made by Director Price, seconded by Director Kershnik and, upon vote, unanimously carried, the Board accepted the June 30, 2023 Unaudited Draft financial Statements as presented.

Public hearing on 2023 Amended Budget; Adoption of Resolution to Amend the 2023 Budget: Upon a motion duly made by Director Price, the Board opened the public hearing at 7:47 p.m. to consider an amendment to the 2023 Budget.

It was noted that publication of Notice stating that the Board would consider amendment of the 2023 Budget and the date, time and place of the public hearing

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was made in a newspaper having general circulation within the District. No written objections were received prior to the public hearing.

No public comments were received, and the public hearing was closed at 7:53 p.m.

Ms. Clymer reviewed the 2023 Budget Amendment with the Board. Following discussion, upon a motion duly made by Director Rau, seconded by Director Price and, upon vote, unanimously carried, the Board approved the Amendment to the 2023 Budget and adopted the Resolution to Amend the 2023 Budget.

Public Hearing on Second Amendment to 2022 Budget; Adoption of Resolution for Second Amendment to the 2022 Budget: Upon a motion duly made by Director Price, the Board opened the public hearing at 7:53 p.m. to consider a seconded amendment to the 2022 Budget.

It was noted that publication of Notice stating that the Board would consider a second amendment of the 2022 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to the public hearing.

No public comments were received, and the public hearing was closed at 7:55 p.m.

Ms. Clymer reviewed the Second Budget Amendment to the 2022 Budget with the Board. Following discussion, upon a motion duly made by Director Rau, seconded by Director Roberts and, upon vote, unanimously carried, the Board approved the Second Amendment to the 2022 Budget and adopted the Resolution for Second Amendment to the 2022 Budget.

Ratify approval of 2022 Audit Extension; Approval 2022 Draft Audit: Ms. Clymer reviewed the 2022 Audit Extension and 2022 Draft Audit with the Board. Following discussion, upon a motion duly made by Director Rau, seconded by Director Roberts and, upon vote, unanimously carried, the Board ratified approval of the 2022 Audit Extension and determined to consider approval of the audit at the special meeting to be held September.

Fee Study; Resolution Regarding Proposed Fees for Reunion Ridge Filing 1, Amendment 2 (within North Range MD No. 3): Ms. Clymer discussed the Fee Study with the Board. Following discussion, the Board deferred this item to a future meeting.

Overall Construction Update:

ENGINEER
MATTERS

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Construction Projects and Budget Spreadsheets: Director Price reviewed the construction update and budget spreadsheets in Mr. Clutter's absence.

Review and consider approval/ratification of Construction Change Orders:

Field Change Order No. 02 between the District and Designsapces (change or retaining wall block due to original material unavailable): Following review, upon a motion duly made by Director Price, seconded by Director Roberts and, upon vote, unanimously carried, the Board approved Field Change Order No. 02 between the District and Designsapces (change or retaining wall block due to original material unavailable) in the amount of \$3,125.00.

Change Order No. 07 between the District and Designsapces for Reunion Ridge Filing 1 Ragweed Draw and Phase 1 Landscape Improvements (Potomac Street mowing, play pit drain pipe headwalls, update electrical service to irrigation booster pumps): Following review, upon a motion duly made by Director Price, seconded by Director Roberts and, upon vote, unanimously carried, the Board approved Change Order No. 07 between the District and Designsapces for Reunion Ridge Filing 1 Ragweed Draw and Phase 1 Landscape Improvements (Potomac Street mowing, play pit drain pipe headwalls, update electrical service to irrigation booster pumps) in the amount of \$21,645.25.

Change Order No. 03 between the District and Designsapces for Reunion Ridge Filing 1 Phases 2 – 4 (play pit drainage pipe headwalls): Following review, upon a motion duly made by Director Price, seconded by Director Roberts and, upon vote, unanimously carried, the Board approved Change Order No. 03 between the District and Designsapces for Reunion Ridge Filing 1 Phases 2 – 4 (play pit drainage pipe headwalls) in the amount of \$3,866.00.

Sports Court Update: The Board reviewed the photo included in the packet.

Review and consider approval/ratification of Landscape Change Orders:

None.

LEGAL MATTERS

Service Agreement between the District and Mighty Dog Roofing 102-SW Denver for removal and replacement of the Recreation Center gutter system: Attorney Ruhland reviewed the Service Agreement with the Board. Following discussion, upon a motion duly made by Director Rau, seconded by Director Price and, upon vote, unanimously carried, the Board approved the Service Agreement between the District and Mighty Dog Roofing 102-SW Denver for removal and replacement of the Recreation Center gutter system in

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the amount of \$7,300.00.

Pool rules and regulation policy; Resolution Adopting Pool Rules and Regulation: Attorney Ruhland reviewed the pool rules and regulation policy and Resolution with the Board. Following discussion, upon a motion duly made by Director Rau, seconded by Director Price and, upon vote, unanimously carried, the Board adopted the Resolution Adopting Pools Rules and Regulations.

OTHER BUSINESS

None.

ADJOURNMENT

Upon a motion duly made by Director Price, seconded by Director Roberts and, upon vote, unanimously carried, the Board adjourned the meeting at 8:11 p.m.

Respectfully submitted,

DocuSigned by:
Randy Bauer
By _____
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Secretary for the Meeting

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I hereby attest that I am an attorney of the District, that I was in attendance during the Executive Session of the Board convened on August 8, 2023, and that the discussion during the Executive Session constituted a privileged attorney-client communication for which no record is required to be kept by law.

DocuSigned by:
Matt Ruhland
By _____
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Matt Ruhland