

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
REUNION METROPOLITAN DISTRICT (THE "DISTRICT")
HELD
FEBRUARY 6, 2024

A regular meeting of the Board of Directors of the Reunion Metropolitan District (referred to hereafter as the "Board") was held on February 6, 2024 at 6:00 p.m. This District Board meeting was held via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were (with titles):

Brett Price, President
Bruce Rau, Treasurer
Bertrand Bauer, Secretary
Tim Roberts, Assistant Secretary

Also, In Attendance Were:

David Greher and Dakota Spence-Zurek; Cockrel Ela Glesne Greher & Ruhland, P.C.
Anna Jones, Ashley Heidt, Jason Carroll, Shelby Clymer and Curtis Bourgooin; CliftonLarsonAllen LLP ("CLA")
Bill Kyriagis and Nate Arrington; Otten Johnson
Curtis Hain; MSI
Raul Martinez; Reunion Metropolitan District
Greg Doyle; YMCA
Aaron Clutter; JR Engineering
Jessica Reynolds; Wolfersberger, LLC
Scott Davis; North Range Metropolitan District No. 1
Ryan Keefer, Georgeann Becker and Christopher Shamel; members of the public.

ADMINISTRATIVE MATTERS

Call to order and approval of agenda: President Price called the meeting to order at 6:02 p.m. Upon a motion duly made by President Rau, seconded by President Price and, upon vote, unanimously carried, the Board approved the agenda as amended to remove Item V.B.1.

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 Greher 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: Ryan Keefer asked about the mulch proposal and the additional yardage. He also asked if the District has obtained any other proposals. Mr. Keefer asked about Plat 36 and why the District would pay for the landscaping.

Scott Davis asked why the public notice area was changed and why the public comments are not included in the meeting minutes. He asked about the 2023 stipends that have not been paid and about the unpaid bills to Charles Wolfersberger. Mr. Davis also asked about the tap fees.

Jason Carroll introduced himself and gave some background on the CLA history with the Reunion Metropolitan District. He addressed the Complaint that was filed with DORA by Wolfersberger LLC, on behalf of North Range Metropolitan District Nos. 1 and 2, against CLA and his CPA license. Mr. Carroll quoted DORA's response letter that stated the claim has been investigated and in turn, dismissed.

CONSENT AGENDA

Minutes from the November 14, 2023 Regular Meeting and December 15, 2023 Special Meeting:

HOA Tribunal Recommendations:

Resolution Designating Posting Location:

Attorney Greher noted that the posting location is the District website and that the legislature now strongly recommends posting meeting notices online. Following discussion, upon a motion duly made by Director Rau, seconded by Director Roberts and, upon vote, unanimously carried, the Board approved the Consent Agenda.

MANAGER MATTERS

Parks/Irrigation Manager's Report: Raul Martinez provided an update to the Board.

Kubota RTV-X1100 utility vehicle: Mr. Martinez reported that this purchase is in the 2024 budget, noting that this cost is half of what was expected as they were able to find a lightly used vehicle. Director Roberts asked whether the plow equipment is included. Mr. Martineze noted that they

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already have the plow equipment. Following discussion, upon a motion duly made by President Price, seconded by Director Rau and, upon vote, unanimously carried, the Board approved the purchase of the Kubota RTV-X1100 utility vehicle in the amount of \$22,900.00.

2024 mulch proposal from Renewable Earth Materials: President Price asked Mr. Martinez to go over this in depth with the Board. Mr. Martinez noted that if the mulch used goes below the allocated amount, the District will be reimbursed. Following discussion, upon a motion duly made by President Price, seconded by Director Rau and, upon vote, unanimously carried, the Board approved the 2024 mulch proposal from Renewable Earth Materials in the amount of \$96,000.00.

Operation Manager's Report: Greg Doyle provided an update to the Board.

Rec Center gym floor replacement: Mr. Doyle updated the Board, noting the sanding and painting is being finished. He noted it looked like it will be complete by the end of next week and then will be open for use again.

President Price asked how the HVAC and floor replacement ended in terms of what was budgeted. Mr. Doyle noted that both projects were completed within the discussed and allocated funds. Ms. Jones also noted that insurance covered most of the flooring project costs.

FINANCIAL MATTERS

Claims: Ms. Clymer reviewed the claims with the Board. Following review, upon a motion duly made by President Price, seconded by Director Rau and, upon vote, unanimously carried, the Board approved and/or ratified approval of the claims in the amount of \$1,918,981.55.

December 31, 2023 Unaudited Financial Statements: Ms. Clymer reviewed the Unaudited Financial Statements with the Board. Director Rau asked about the ERU credits. Ms. Clymer noted the source of the payment of these is from the developer. Director Bauer asked about the savings on maintenance. Mr. Martinez noted that is likely from the wet 2023 season so water usage was down. Discussion ensued regarding the Carriage Homes' specific expenses, which are not paid out of the general fund.

Following discussion, upon a motion duly made by President Price, seconded by Director Rau and, upon vote, unanimously carried, the Board accepted the December 31, 2023 Unaudited Financial Statements as presented.

Public Hearing to consider Amendment to the 2023 Budget; Consider adoption of Resolution to Adopt Second Amended 2023 Budget: The Board opened the public hearing at 6:42 p.m. to consider the proposed amendment to the 2023 Budget.

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It was noted that publication of Notice stating that the Board would consider the 2023 Budget amendment 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.

Ms. Clymer reviewed the 2023 proposed amended Budget with the Board.

Scott Davis asked about District budget amendment and the expenditures of excess revenue from the mill levy.

Georgeann Becker echoed Mr. Davis and asked about comments being reflected in the minutes.

Jessica Reynolds commented on the debt mill levy and asserted that the District's actions have caused the North Range Metropolitan District No. 1 to collect a higher debt mill levy than what is allowed.

The public hearing was closed at 6:50 p.m.

Executive Session: Upon a motion duly made by Director Rau, seconded by Director Bauer, the Board entered into Executive Session at 6:52 p.m. to receive legal advice from District counsel on specific legal questions and to 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)(I), 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, possible waiver of late fees, interest, penalties and costs of collection owed the District and possible edits to the Third Amended and Restated Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Charges.

The Board returned to Open Session at 7:28 p.m.

Attorney Greher responded to the comments made regarding the mill levy. The allegation made by Ms. Reynolds was made after mill levies were certified to the County and he has asked for an explanation and has not yet received a response.

Following discussion, upon a motion duly made by Director Rau, seconded by Director Roberts and, upon vote, unanimously carried, the Board approved the Amendment to the 2023 Budget and adopted the Resolution to Adopt Second Amended 2023 Budget.

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Proposals for 2023 Audit: Ms. Clymer reviewed three proposals to provide audit services for 2023. Following discussion, upon a motion duly made by Director Rau, seconded by President Price and, upon vote, unanimously carried, the Board approved the proposal from WipFli to prepare the District’s 2023 audited financial statements.

ENGINEER
MATTERS

Overall construction Update:

Construction projects and budget spreadsheet: Aaron Clutter provided an update to the Board.

Construction Change Orders: None.

Landscape Change Orders:

Cost Certification for Reunion Filing 36 Landscape Improvements: Mr. Clutter reviewed the Cost Certification with the Board. Following review, upon a motion duly made by President Price, seconded by Director Roberts and, upon vote, unanimously carried, the Board approved the Cost Certification for Reunion Filing 36 Landscape Improvements in the amount of \$383,230.81.

Intergovernmental Agreement between the City of Commerce City and The District for Paving Improvements Located Near 10690 Nucla Street: Mr. Clutter reviewed the Intergovernmental Agreement with the Board. Following review, upon a motion duly made by Director Rau, seconded by Director Roberts and, upon vote, unanimously carried, the Board approved the Intergovernmental Agreement between the City of Commerce City and the District for Paving Improvements Located Near 10690 Nucla Street in substantially final form, as presented, pending approval by President Price after consulting with District counsel.

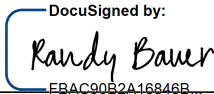
LEGAL MATTERS
OTHER BUSINESS

Executive Session: Held during Financial Matters.
None.

ADJOURNMENT

Upon a motion duly made by President Price, seconded by Director Rau and, upon vote, unanimously carried, the Board adjourned the meeting at 7:47 p.m.

Respectfully submitted,

By  _____
Secretary for the Meeting

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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 February 6, 2024, 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.

By _____

David Greher

DocuSigned by:

David Greher

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Certificate Of Completion

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Subject: Complete with DocuSign: 2.A. Minutes 02-06-2024 RMD Final.pdf	
Client Name: RMD	
Client Number: A523274	
Source Envelope:	
Document Pages: 6	Signatures: 2
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped Stamping: Enabled	Sandy Brandenburger
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 S 6th St Ste 300
	Minneapolis, MN 55402-1418
	Sandy.Brandenburger@claconnect.com
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Status: Original	Holder: Sandy Brandenburger	Location: DocuSign
5/13/2024 4:53:30 PM	Sandy.Brandenburger@claconnect.com	

Signer Events

David Greher
 dgreher@cegrlaw.com
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Signature

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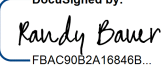
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 Signed: 5/13/2024 5:15:08 PM

Electronic Record and Signature Disclosure:

Accepted: 5/13/2024 5:10:21 PM
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Randy Bauer
 rbauer@oakwoodhomesco.com
 Secretary
 Security Level: Email, Account Authentication (None)

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 Using IP Address: 174.234.18.95
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Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps

Envelope Summary Events	Status	Timestamps
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Completed	Security Checked	5/13/2024 5:48:57 PM

Payment Events	Status	Timestamps
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