

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
REUNION METROPOLITAN DISTRICT
HELD
FEBRUARY 5, 2019**

A regular meeting of the Board of Directors of the Reunion Metropolitan District was held Tuesday, February 5, 2019, at 6:30 p.m., at the Reunion Recreation Center, 17910 E. Parkside Drive North, Commerce City, Colorado 80022. The meeting was open to the public.

In attendance were Directors:

Brett Price
Kelly Leid
Teresa Kershisnik

Also in attendance were:

Matt Urkoski and Shelby Clymer; CliftonLarsonAllen LLP
Kristen Bear, Esq.; White Bear Ankele Tanaka & Waldron P.C.
Steve Follweiler, Matt Darby and Raul Martinez; Reunion Metropolitan District
Jeffrey Kappes and Thomas Mueller; North Range Metropolitan District
No. 1 Board Members
Ginger Sickels; MSI
Aaron Clutter; JR Engineering, LLC
Susan Noble; 10642 Olathe Street
Amy Li; 10451 Truckee, #D
Chris Porter; 10053 Uravan Street
Damod Merritt; 1041 Unity Lane
Kristy Frederick; 16874 E. 111th Drive
Ben Huseman; resident

Call to Order

Director Leid called the meeting to order at 6:30 a.m. The absence of Directors Roberts and Rau were excused.

Declaration of
Quorum

A quorum was confirmed.

Disclosures and
Potential Conflicts
of Interest

The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Ms. Bear noted that all Directors' Disclosure Statements have been filed. The

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Board noted that there are no additional conflicts to those filed with the Secretary of State pursuant to statute.

Approve Agenda

After discussion, upon a motion duly made by Director Leid, seconded by Director Kershisnik, and upon vote unanimously carried, the Board approved the agenda as amended to move legal matters to the end of the agenda.

Public Comments

Susan Noble presented written questions to the RMD Board and requested the same be included in the board meeting minutes. Ms. Noble requested the RMD Board respond to the questions posed in writing. Consistent with other resident questions regarding the Districts, the Board determined to respond to Ms. Noble's inquiry as part of the overall district information in an FAQ format on the RMD website.

Amy Li inquired on the potential for construction of an area dog park.

Ben Huseman reported that the Commerce City Council concluded their budget retreat last week. He further commented on his commitment this past year to increase funding for public safety and the capabilities of the police department.

Consent Agenda

- A. Review and Approve Minutes of the December 18, 2018 Special Board Meeting and November 6, 2018 Regular Board
- B. Review and Consider HOA Tribunal Recommendations
- C. Review and Approve Resolution Designating District's 24 Hour Posting Place Location Pursuant to Section 24-6-402(2)(c), C.R.S.

After review and discussion, upon a motion duly made by Director Leid, seconded by Director Kershisnik, and upon vote unanimously carried, the Board approved the Consent Agenda subject to the revision of January 29, 2019 minutes to reflect Ms. Bear instead of Ms. Veio on page two and approval of tribunal recommendations as distributed.

Manager Matters

- A. Parks and Irrigation Report

Mr. Martinez reviewed the enclosed report with the Board.

- 1. Discuss and Consider Authorization of Expenditures for \$150,000 in Landscape Enhancements

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Mr. Martinez discussed the request with the Board, citing a similar continuation of projects such as the District's mulch program. Additional discussion ensued. The Board requested that the funds be expended on trees and mulch and that a detail of the proposed expenditures be provided as a copy of the minutes and record. The Board further requested that the map of the enhancements be provided as well.

Upon a motion duly made by Director Kershisnik, seconded by Director Price, and upon vote unanimously carried, the Board authorized Director Leid, Mr. Martinez and Mr. Urkoski to advance the enhancements program subject to the provisions of the map and documentation as outlined.

2. Review and Consider Approval of First Addendum to Independent Contractor Agreement (Landscape Maintenance – 2019) with Environmental Designs Inc.

Mr. Martinez and Mr. Urkoski presented the addendum to the Board. After review, upon a motion duly made by Director Kershisnik, seconded by Director Price, and upon vote unanimously carried, the Board approved the First Addendum to Independent Contractor Agreement (Landscape Maintenance – 2019) with Environmental Designs Inc.

B. Operations Manager's Report

Mr. Follweiler reviewed his report with the Board. Discussion regarding the necessity and future considerations of the annual recreation center shutdown ensued.

C. HOA Manager's Report

Ms. Sickels reviewed her report, noting a number of homes that still have holiday decorations in place. Ms. Sickels expects the Architectural Review Committee submittals to increase over the next few months.

D. Review and Consider Approval of Independent Contractor Agreement Between the District and MSI for Management Services

Ms. Bear reviewed the agreement with the Board. Upon a motion duly made by Director Price, seconded by Director Kershisnik, and upon vote unanimously carried the Board ratified approval of the agreement in its new form.

E. Update on District Website

Mr. Urkoski and Director Leid updated the Board and public on the latest updates surrounding the forthcoming updated District website. The goal is that the new website will launch before the end of February.

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Engineer Matters

- A. Review and Consider Approval of Design Contracts for 112th Avenue From Potomac to Chambers Road and Second Creek Outfall from 112th Avenue to I-76

Mr. Clutter reviewed the enclosed design contracts with the Board, highlighting the numerous stakeholders involved in the project and the area in question. The Board further discussed the reimbursable nature of the contract itself. After discussion, upon a motion duly made by Director Price, seconded by Director Kershisnik, and upon vote unanimously carried, the Board approved the Design Contracts for 112th Avenue from Potomac to Chambers Road and Second Creek Outfall from 112th Avenue to I-76.

Financial Matters

- A. Review, Ratify and Consider Approval of Claims

Ms. Clymer reviewed the claims with the Board. Upon a motion duly made by Director Kershisnik, seconded by Director Leid, and upon vote unanimously carried, the Board approved the claims as presented.

- B. Review and Consider Acceptance of the December 31, 2018 Unaudited Draft Financial Statements

Ms. Clymer reviewed the draft December 31, 2018 Financials Statements with the Board. Director Kershisnik inquired on the difference in recreation fees budgeted to recreation fees collected. Additional discussion ensued. After discussion, upon a motion duly made by Director Kershisnik, seconded by Director Leid, and upon vote unanimously carried, the Board accepted the December 31, 2018 Unaudited Draft Financial Statements.

Legal Matters

- A. Review and consider approval of Eighth Addendum to Funding and Reimbursement Agreement between the District and Clayton Properties Group II in relation to design contracts for 112th Avenue from Potomac to Chambers Road and Second Creek Outfall from 112th Avenue to I-76

Ms. Bear reviewed the enclosed addendum with the Board. After review, upon a motion duly made by Director Price, seconded by Director Leid, and upon vote unanimously carried, the Board approved the Eighth Addendum to Funding and Reimbursement Agreement between the District and Clayton Properties Group II in relation to design contracts for 112th Avenue from Potomac to Chambers Road and Second Creek Outfall from 112th Avenue to I-76.

- B. Review and consider approval of Resolution Establishing Policies and Procedures for the Acceptance and Acquisition of Public Infrastructure

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Ms. Bear reviewed the enclosed resolution with the Board. After review, upon a motion duly made by Director Price, seconded by Director Kershisnik, and upon vote unanimously carried, the Board approved the Resolution Establishing Policies and Procedures for the Acceptance and Acquisition of Public Infrastructure.

- C. Review and consider Amended and Restated Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Assessments

Ms. Bear reviewed the amended and restated resolution with the Board. After review, upon a motion duly made by Director Leid, seconded by Director Price, and upon vote unanimously carried, the Board approved the Amended and Restated Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Assessments.

- D. Executive Session for Purposes of Receiving Legal Advice Regarding Specific Legal Questions and to Discuss Pending Court Actions in Addition to Board Member Communications with External Parties Pursuant to Section 24-6-402 (3)(a)(II), C.R.S.

Upon a motion duly made by Director Leid, seconded by Director Kershisnik, and upon vote unanimously carried, the Board entered into executive session under § 24-6-402 (3)(a)(II), C.R.S. to receive legal advice regarding pending court actions in addition to Board member communications with external parties at 7:49 p.m.

Upon a motion duly made by Director Leid, seconded by Director Price, and upon a vote unanimously carried, the Board adjourned out of the executive session at 8:05 p.m.

Other Business

None.

Adjournment

There being no further business to come before the Board, Director Leid adjourned the meeting at 8:06 p.m.

The foregoing record constitutes a true and correct copy of the minutes of the above-referenced meeting.

Respectfully submitted,



Secretary for the Meeting