

RECORD OF PROCEEDINGS

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**MINUTES OF A SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF THE  
REUNION METROPOLITAN DISTRICT  
HELD  
JUNE 10, 2020**

A special meeting of the Board of Directors of the Reunion Metropolitan District was held Wednesday, June 10, 2020, at 3:30 p.m. Due to current circumstances related to COVID-19, this meeting was held electronically via ZOOM. The meeting was open to the public.

In attendance were Directors:

Kelly Leid  
Brett Price  
Bruce Rau  
Teresa Kershisnik  
Tim Roberts

Also in attendance were:

Matthew Urkoski, Anna Jones 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  
Aaron Clutter; JR Engineering  
Jim Bogner; MSI  
Ty Holmon; Haynie and Company  
Roger Japp, Anna Phillips, Susan Good and Doug Burns; North Range MD No. 1, North Range Metropolitan District No. 1, Subdistrict No. 1 and North Range Metropolitan District No. 1, Subdistrict No. 2 Board Members  
Brandon Reed, AJ Heiser and Tiffanie Graham; North Range MD No. 2 and North Range Metropolitan District No. 2, Subdistrict No. 1 Board Members  
Ronna Sanchez; resident  
Maggie Jagger; resident  
Kevin Shaw; resident  
Rick Wilson; resident  
Steven Douglas; resident

Call to Order

Director Leid called the meeting to order at 3:32 p.m.

Declaration of  
Quorum

A quorum was confirmed.

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

Results of May 5,  
2020 Election

A. Election of Officers

Ms. Bear discussed the results of the May 5, 2020 election. Upon a motion duly made by Director Rau, seconded by Director Kershnik, and upon vote unanimously carried, the Board made no change to the current slate of officers.

Approve Agenda

After discussion, upon a motion duly made by Director Roberts, seconded by Director Leid, and upon vote unanimously carried, the Board approved the agenda as amended moving the Audit discussion as the first item for discussion.

Public Comments

None.

CONSENT AGENDA

- A. Review and Approve Minutes of the March 27, 2020 Special Board Meeting
- B. Ratify Approval of Resolution Authorizing Temporary Suspension of New Late Fees and Interest and Temporary Modifications to the Collections, Foreclosure and Covenant Enforcement Process
- C. Ratify Independent Contractor Agreement with Slide Experts
- D. Resolution Extending Emergency Procedures and Authorizing Teleconferencing for Regular and Special Meetings for Reunion Metropolitan District
- E. Review and consider approval of Termination of Sixth Addendum to Funding and Reimbursement Agreement between Reunion Metropolitan District and Clayton Properties Group II, Inc.

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

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Review and Consider Approval of 2019 Draft Audit

Ty Holman with Haynie and Company reviewed the 2019 Draft Audit with the Board. He noted they will be issuing a clean opinion. Ms. Clymer reviewed additional information with the Board, noting that the audit will be filed with the Secretary of State by the July 31<sup>st</sup> deadline.

After discussion, upon a motion duly made by Director Kershisknik, seconded by Director Roberts, and upon vote unanimously carried, the Board approved the 2019 Draft Audit, subject to final legal review, and authorized staff to file same with the Secretary of State by July 31, 2020.

7. Manager Matters

A. Parks/Irrigation Manager's Report

1. Ratify Approval of Vendor Recommendation for 2020 Tree Replacements

Raul Martinez reviewed the enclosed report with the Board, noting his recommendation to select Anderson Greenscapes for the planting of new trees. He stated they were the lowest bidder and provide a certified arborist. He noted that they also provide a discount for subsequent years. Mr. Urkoski noted that this recommendation is for approval not ratification. After discussion, upon a motion duly made by Director Rau, seconded by Director Leid, and upon vote unanimously carried, the Board approved the vendor recommendation of Anderson Greenscapes for 2020 tree replacements.

B. Operations Manager's Report

Mr. Follweiler reviewed the Operations Managers' Report with the Board.

1. COVID-19 Reopening Process Overview (Pool, Events, etc.)

Director Leid reviewed the reopening process and decision process to date. He reviewed the state guidelines, other pools in the area as well as resident and staff health considerations.

Mr. Follweiler reviewed the CDPHE guidelines and some of the protocols in place, noting that the "family swim" will be difficult to regulate in the COVID-19 environment.

Director Leid reported the rec center, playgrounds, events and farmers market are all moving ahead. The recommendation for the pools is to only allow lap swimming if the pools are open, stressing the health and safety of residents and staff.

Director Kershisknik asked about the status of Commerce City opening. Mr. Follweiler reported that they are closed for the season, along with many other area pools including Commerce City Pools and Waterworld.

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Director Roberts stated that the financial burden does not justify the limited use. Director Rau asked about the cost of filling the pools without using them.

Director Leid and Mr. Urkoski stated that there will likely be cost savings if the pools do not open. Mr. Urkoski also noted that there is a 30-day notice to cancel the YMCA contract.

Director Rau concurred that opening the pools for lap swimming only may be too extreme a financial burden as check-ins, monitoring, temperature testing, etc. will require extended staff and operations. Director Rau moved to keep the pools closed.

Mr. Follweiler reviewed the plans to reopen the rec center including the reservation system, social distancing safety measures and cleaning.

Director Leid's recommendation is to reopen the playgrounds, reopen the rec center with restrictions in place, and to not open the pools. He also requested staff to prepare a financial analysis for the August meeting for Board review.

After discussion, upon a motion duly made by Director Rau, seconded by Director Roberts, and upon vote unanimously carried, the Board approved Director Leid's recommendations. Director Leid expressed appreciation for the staff for all of the work put into the effort. Director Kershisnik noted that safety is paramount and the guidelines have changed. She also thanked the staff for all of their work put into this effort. Mr. Urkoski thanked the resident Steering Committee for their earlier input in the discussion.

### 2. Review Recommendation for Fitness Equipment Purchase and Summer Projects

Mr. Follweiler reviewed the proposal and contract terms. Director Kershisnik asked if this was in budget. Mr. Follweiler noted that the expense was allocated for within the 2020 budget. Mr. Follweiler recommended a 3-year lease in order to preserve interest payment expenses. Director Rau asked for clarification regarding a lease vs. lease to own. Mr. Follweiler clarified.

After discussion, upon a motion duly made by Director Leid, seconded by director Rau, and upon vote unanimously carried, the Board approved a 3-year lease to own agreement with Macrolease Corporation.

### 3. Review and consider Approval of Independent Contractor Agreement with Night Musick, Inc. for Fireworks Display

Mr. Follweiler reviewed the agreement with the Board. Director Kershisnik asked about the cost increase and timing, noting that if there is no clear direction from the state by July 15<sup>th</sup>, cancelation is anticipated per the terms of the contract. Director Kershisnik asked for follow-up on July 15<sup>th</sup> with the Board.

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After discussion, upon a motion duly made by Director Kershisnik, seconded by Director Roberts, and upon vote unanimously carried, the Board approved the Independent Contractor Agreement with Night Musick, Inc. for the fireworks display.

C. HOA Manager's Report

Jim Bogner reviewed the enclosed report with the Board, noting that the District landscape looks better than ever as many homeowners are spending more time at home.

D. Community Relations and District Website Update

1. Community Advisory Committee Start-Up
2. Discuss Resident Suggestions Submittal

Mr. Urkoski reviewed the website, noting the high usage. Director Leid concurred.

E. Discuss Transfer of Southlawn Pool to Reunion Metropolitan District

The item was tabled to the August Board Meeting. Ms. Bear will coordinate with Director Leid to finalize.

Legal Matters

A. Review and consider approval of Intergovernmental Agreement between Reunion Metropolitan and South Adams County Water and Sanitation District Activity Enterprise related to construction and cost sharing of improvements related to Phase 1 of the Reunion Ridge Filing No. 1 Infrastructure Project

Ms. Bear reviewed the improvements at the approximate cost of \$413,000. After discussion, upon a motion duly made by Director Leid, seconded by Director Price, and upon vote unanimously carried, the Board approved the Intergovernmental Agreement between Reunion Metropolitan and South Adams County Water and Sanitation District Activity Enterprise related to construction and cost sharing of improvements related to Phase 1 of the Reunion Ridge Filing No. 1 Infrastructure Project.

B. Review and Consider Approval of Assignment of Supplemental Declaration for Reunion Horizon and Meridian (Filing No. 35 and Filing No. 35 1<sup>st</sup> Amendment) from North Range Metropolitan District No. 2 to Reunion Metropolitan District

Ms. Bear reviewed the Assignment of Supplemental Declaration with the Board. After discussion, upon a motion duly made by Director Price, seconded by Director Kershisnik, and upon vote unanimously carried, the Board approved the Supplemental

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Declaration for Reunion Horizon and Meridian (Filing No. 35 and Filing No. 35 1<sup>st</sup> Amendment) from North Range Metropolitan District No. 2 to Reunion Metropolitan District.

- C. Review and consider approval of Fifteenth Addendum to the Funding and Reimbursement Agreement with Clayton Properties LLC for the 100<sup>th</sup> Avenue Construction

Ms. Bear reviewed the Fifteenth Addendum with the Board. After discussion, upon a motion duly made by Director Price, seconded by Director Leid, and upon vote unanimously carried, the Board approved the Fifteenth Addendum to the Funding and Reimbursement Agreement with Clayton Properties LLC for the 100<sup>th</sup> Avenue Construction.

- D. Review and consider approval of Special Warranty Deed from Swink Family Farms LLP to Reunion for 100<sup>th</sup> Avenue right-of-way

Ms. Bear reviewed the Special Warranty Deed with the Board. After discussion, upon a motion duly made by Director Price, seconded by Director Leid, and upon vote unanimously carried, the Board approved the Special Warranty Deed from Swink Family Farms LLLP to Reunion for 100<sup>th</sup> Avenue right-of-way.

Engineer Matters

- A. Change Orders

- 1. Review and consider approval of Change Order No. 2 for 112<sup>th</sup> Avenue Phase 1 Improvements Project between Hudick Excavating Inc. dba HEI Civil and Reunion Metropolitan District -\$75,566.42

Mr. Clutter reviewed the Change Order with the Board. After discussion, upon a motion duly made by Director Price, seconded by Director Leid, and upon vote unanimously carried, the Board approved Change Order No. 2 for 112<sup>th</sup> Avenue Phase 1 Improvements Project between Hudick Excavating Inc. dba HEI Civil and Reunion Metropolitan District in the amount of \$75,566.42.

- B. Review and consider approval of Awarding a Construction Contract to ESCO for 100 Avenue from Walden Street to Tower Road

Mr. Clutter reviewed the Construction Contract with the Board. After discussion, motion duly made by Director Leid, seconded by Director Price, and upon vote unanimously carried, the Board approved the Award of a Construction Contract to ESCO for 100 Avenue from Walden Street to Tower Road.

- C. Review and consider approval of proposal from United Power for installation of additional street lighting located at E. 112<sup>th</sup> Ave and E. 110<sup>th</sup> Ave. in the amount of \$46,003.40

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Mr. Clutter reviewed the proposal with the Board. After discussion, upon a motion duly made by Director Leid, seconded by Director Roberts, and upon vote unanimously carried, the Board approved the proposal from United Power for installation of additional street lighting located at E. 112<sup>th</sup> Ave and E. 110<sup>th</sup> Ave. in the amount of \$46,003.40.

Financial Matters

A. Review, Ratify and Consider Approval of Claims

Ms. Clymer reviewed the claims. After review and discussion, upon a motion duly made by Director Roberts, seconded by Director Kershnik, and upon vote unanimously carried, the Board approved and/or ratified approval of the claims in the amount of \$5,904,006.07.

B. Review and Consider Acceptance of the March 31, 2020 Unaudited Draft Financial Statements

Ms. Clymer reviewed the Unaudited Financial Statements with the Board. After discussion, upon a motion duly made by Director Rau, seconded by Director Price, and upon vote unanimously carried, the Board accepted the March 31, 2020 Unaudited Draft Financial Statements.

Other Business

None.

Adjournment

There being no further business to come before the Board, the meeting adjourned at 5:08 p.m.

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

Respectfully submitted,

DocuSigned by:  
*Tim Roberts*  
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Secretary for the Meeting

## Certificate Of Completion

Envelope Id: 0BA6AB727C7547A4B60A344E960771B9

Status: Completed

Subject: Please DocuSign: Minutes.pdf

Client Name: Reunion MD

Client Number: 011-042159 OS01-2020

Source Envelope:

Document Pages: 7

Signatures: 1

Envelope Originator:

Certificate Pages: 4

Initials: 0

Kathy Suazo

AutoNav: Enabled

220 South 6th Street

Envelopeld Stamping: Enabled

Suite 300

Time Zone: (UTC-06:00) Central Time (US & Canada)

Minneapolis, MN 55402

Kathy.Suazo@claconnect.com

IP Address: 67.137.57.251

## Record Tracking

Status: Original

Holder: Kathy Suazo

Location: DocuSign

8/5/2020 2:29:10 PM

Kathy.Suazo@claconnect.com


## Signer Events

Tim Roberts

tim.roberts@sheahomes.com

Security Level: Email, Account Authentication (None)

## Signature

DocuSigned by:  
  
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Sent: 8/5/2020 2:30:28 PM

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ID: 08a6f671-bad8-4a21-9b3c-2ddb96416335

## In Person Signer Events

## Signature

## Timestamp

## Editor Delivery Events

## Status

## Timestamp

## Agent Delivery Events

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## 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 Sent

Hashed/Encrypted

8/5/2020 2:30:28 PM

Certified Delivered

Security Checked

8/7/2020 11:11:40 AM

Signing Complete

Security Checked

8/7/2020 11:12:06 AM

Completed

Security Checked

8/7/2020 11:12:06 AM

## Payment Events

## Status

## Timestamps

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