

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARDS OF DIRECTORS OF THE
MIRABELLE METROPOLITAN DISTRICT NOS. 1 AND 2 (THE
“DISTRICTS”)
HELD
MARCH 9, 2022

A regular meeting of the Boards of Directors of the Mirabelle Metropolitan District Nos. 1 and 2 (referred to hereafter as the “Boards”) was convened on Wednesday, March 9, 2022, at 10:00 a.m. This Districts’ Board meeting was held via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

District No. 1:

Tim Roberts, President
Teresa Kershisnik, Vice President
Michele Miller, Assistant Secretary
Jennifer Fulton-Miller, Treasurer
Thomas Schreifer, Assistant Secretary

District No. 2:

Tim Roberts, President
Teresa Kershisnik, Vice President
Michele Miller, Assistant Secretary
Jennifer Fulton-Miller, Treasurer
Thomas Schreifer, Assistant Secretary

Also, In Attendance Were:

Denise Denslow, Stephanie Odewumi and Shelby Clymer; CliftonLarsonAllen LLP (“CLA”)
Trisha K. Harris, Esq.; White Bear Ankele Tanaka & Waldron P.C. (“WBA”)
Aaron Clutter; J.R. Engineering
Ryan McDermed and Jessica McDonagh; Shea Homes
Kristen Beshany; Member of the Public

ADMINISTRATIVE MATTERS

Call to order and approval of agenda: Ms. Denslow called the meeting to order at 10:02 a.m. Following review, upon a motion duly made by Director Fulton-Miller, seconded by Director Kershisnik and, upon vote, unanimously carried, the Boards approved the agenda as presented.

Disclosures of potential conflicts of interest: The Boards of Directors of the Districts determined to hold joint meetings of the Districts and to prepare joint minutes of action taken by the Districts in such meetings. Unless otherwise noted herein, all official action reflected in these minutes shall be deemed to be the

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action of all Districts. Where necessary, action taken by an individual District will be so reflected in these minutes. The Boards were advised that pursuant to Colorado law, certain disclosures by the Boards' members may be required prior to taking official action at the meeting. Attorney Harris reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State's Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Attorney Harris inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Boards determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

Quorum, location of meeting and posting of meeting notices: A quorum was confirmed with five Board members present. It was noted that the location of the meeting and the posting of the meeting notice was confirmed.

Public comment: None.

CONSENT AGENDA

Minutes from the February 9, 2022 Meeting:

Following review and discussion, upon a motion duly made by Director Fulton-Miller, seconded by Director Miller and, upon vote, unanimously carried, the Boards approved the Consent Agenda.

FINANCIAL MATTERS

Payables and Schedules of Cash Position: Ms. Clymer reviewed the Payables and Schedules of Cash Position with the Boards. Following review, upon a motion duly made by Director Fulton-Miller, seconded by Director Kershisnik and, upon vote, unanimously carried, the Boards approved the Payables and Schedules of Cash Position, as presented.

Public Hearing on 2021 Budget Amendment (District No. 2): Upon a motion duly made by Director Roberts, seconded by Director Kershisnik and, upon vote, unanimously carried, the Board of District No. 2 opened the public hearing at 10:05 a.m.

It was noted that publication of Notice stating that the Board of District No. 2 would consider amendment of the 2021 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No 2 written objections were received prior to the public hearings.

Upon a motion duly made by Director Roberts, seconded by Director Kershisnik and, upon vote, unanimously carried, the Board of District No. 2 closed the public hearing at 10:06 a.m.

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Resolution Amending 2021 Budget: Following review, upon a motion duly made by Director Kershisnik, seconded by Director Fulton-Miller and, upon vote, unanimously carried, the Board of District No. 2 adopted the Resolution Amending 2021 Budget as presented.

Other: Ms. Clymer asked the Boards if they would like to review Financial Statements on a monthly basis rather than quarterly. The Boards responded affirmatively.

LEGAL MATTERS

Rules Regarding Flags, Signage and Parking: The Boards reviewed the Resolution Adopting Rules and Regulations. Discussion ensued regarding limitation of the number of signs displayed. Following review and discussion, upon a motion duly made by Director Miller, seconded by Director Fulton-Miller and, upon vote, unanimously carried, the Board of District No. 1 approved the Resolution Adopting Rules and Regulations as amended to include a limitation of three signs per residential property.

Other: Attorney Harris provided an update on the May 3, 2022 director elections, noting that the elections will be cancelled due to there not being more self-nomination forms submitted than there are seats up for election. Attorney Harris noted that Directors Schriefer and Fulton-Miller will be re-elected for District Nos. 1, 3 and 4 and that Ms. Beshany and Director Fulton-Miller will be elected for District No. 2 for terms expiring in 2025.

MANAGER MATTERS

Manager's Report: Ms. Odewumi provided a report to the Boards regarding the BrightView Landscape Development proposal for power washing sidewalks to address areas impacted by geese. Following review and discussion, upon a motion duly made by Director Miller, seconded by Director Kershisnik and, upon vote, unanimously carried, the Board of District No. 1 approved the BrightView proposal for power washing sidewalks as presented in an amount of \$665 per wash.

Other: None.

CONSTRUCTION MATTERS

District On-Site Utilities, Street and Landscaping Monthly Progress Report: Mr. Clutter provided a status report to the Boards with information reflected in the report included in the packet regarding work performed to date.

Approval of Change Orders: Mr. Clutter reviewed the Change Order with the Boards.

HEI Civil – Change Order #6 to Agreement with District No. 1 for Solstice District 2-4 Utilities: The Boards reviewed Change Order #6 and requested traffic controls and barriers on projects moving forward.

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Following review and discussion, upon a motion duly made by Director Roberts, seconded by Director Fulton-Miller and, upon vote, unanimously carried, the Board of District No. 1 approved Change Order #6 to Agreement with District No. 1 for Solstice District 2-4 Utilities from HEI Civil as presented.

Agreement with Tensile Structure Systems for Solstice Park Shade Structures: The Boards reviewed the Agreement with Tensile Structure Systems. It was noted that Tensile requested a different payment structure than standard District protocol. Following review, upon a motion duly made by Director Kershisnik, seconded by Director Roberts and, upon vote, unanimously carried, the Board of District No. 1 ratified the Agreement with Tensile Structure Systems for Solstice Park Shade Structures as presented.

Other: None.

OTHER BUSINESS

Other: None.

ADJOURNMENT

There being no further business to come before the Boards at this time, Ms. Denslow adjourned the meeting at 10:31 a.m.

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

Respectfully submitted,

DocuSigned by:
Michele Miller
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Secretary for the Meeting