

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 8, 2023

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 8, 2023, at 8:30 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
Jennifer Fulton-Miller, Treasurer
Michele Miller, Assistant Secretary
Thomas Schriefer, Assistant Secretary

Vice President Kershisnik was absent and excused.

District No. 2:

Tim Roberts, President
Jennifer Fulton-Miller, Treasurer
Michele Miller, Assistant Secretary
Kristen Beshany, Assistant Secretary

Vice President Kershisnik was absent and excused.

Also, In Attendance Were:

Trisha Harris, Esq.; White Bear Ankele Tanaka & Waldron, P.C. ("WBA")
Denise Denslow, Celeste Terrell, Carrie Beacom and Rachel Alles;
CliftonLarsonAllen LLP ("CLA")
Sam Newman, Dylan Futrell and Eric Keesen; BrightView Landscape Services
Ryan McDermed; Shea Homes
Andria Gordon and Thomas Plaza; Members of the Public

ADMINISTRATIVE MATTERS

Call to Order and Agenda: Ms. Denslow called the meeting to order at 8:34 a.m. Following review, upon a motion duly made by Director Fulton-Miller, seconded by Director Schriefer 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

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herein, all official action reflected in these minutes shall be deemed to be the 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: Quorums were confirmed. It was noted that the location of the meeting and the posting of the meeting notice was confirmed. Director Kershisnik was absent and excused.

Public Comment: Mr. Plaza expressed concerns about the lack of communication between the Boards and management regarding parking violations. Ms. Gordon expressed concerns regarding resident responsibility for landscaping, yard maintenance and parking violations.

CONSENT AGENDA

Minutes from the February 8, 2023 Meeting:

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

FINANCIAL MATTERS

Unaudited Financial Statements and Schedules of Cash Position for the period ending January 31, 2023 (District No. 1): Ms. Beacom reviewed the Financial Statements and Schedule of Cash Position with the District No. 1 Board. Following review, upon a motion duly made by Director Fulton-Miller, seconded by Director Schriefer and, upon vote, unanimously carried, the District No. 1 Board accepted the Unaudited Financial Statements and Schedules of Cash Position for the period ending January 31, 2023, as presented.

Payables for the Period February 1 through March 3, 2023 in the Amount of \$282,691.43 (District No. 1): Ms. Beacom reviewed the payables with District No. 1 Board. Following review, upon a motion duly made by Director Roberts, seconded by Director Fulton-Miller and, upon vote, unanimously carried, the District No. 1 Board approved the Payables in the amount of \$282,691.43, as presented.

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LEGAL MATTERS

May 2023 Election Update: Attorney Harris provided an update to the Boards regarding the Director Election on May 2, 2023, noting that six Self-Nomination and Acceptance Forms were received for the three open positions on the District No. 2. Therefore, District No. 2 will be holding an election.

Collection Counsel: Attorney Harris reviewed the proposals for collection counsel with the Boards. Following review and discussion, upon a motion duly made by Director Miller, seconded by Director Fulton-Miller and, upon vote, unanimously carried, the Boards approved the proposal from Orten Cavanagh Holmes and Hunt, LLC for collection and covenant enforcement counsel, as presented.

MANAGER MATTERS

Manager's Report: Ms. Denslow provided a report to the Boards, noting that she has met with BrightView Landscape Development regarding snow removal. She noted several homeowners on the covenant enforcement report that are listed for parking violations are difficult to record, as cars need to be parked during the violation inspection. She stated that violation inspections are occurring regularly once a month.

Covenant Enforcement Report: This item was previously discussed.

Delinquency Report and Collections: The Boards reviewed the delinquency report. No action was taken.

February 2023 Monthly Maintenance Report from BrightView Landscape Development: The Boards reviewed the February 2023 Monthly Maintenance Report from BrightView Landscape Development. No action was taken.

Other: None.

CONSTRUCTION MATTERS

District On-Site Utilities, Street and Landscaping Monthly Progress Report: This item was previously discussed.

Change Orders:

BrightView Landscape Development – Revised Change Order #1 to Agreement with District No. 1 for Solstice 2021 Landscaping: 3 Year Maintenance: Mr. McDermed presented the Change Order to the District No. 1 Board. Following review and discussion, upon a motion duly made by Director Fulton-Miller, seconded by Director Schriefer and, upon vote, the Boards approved the revised Change Order #1 to Agreement with District No. 1 for Solstice 2021 Landscaping: 3 Year Maintenance, as presented.

BrightView Landscape Development – Change Order #5 to Agreement with District No. 1 for Solstice 2022 Landscaping: Mr.

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McDermed reviewed the Change Order with the District No. 1 Board. Following review and discussion, upon a motion duly made by Director Fulton-Miller, seconded by Director Schriefer and, upon vote, the Boards approved Change Order #5 to Agreement with District No. 1 for Solstice 2022 Landscaping, as presented.

Other: None.

OTHER BUSINESS

Other: Director Beshany inquired about the timeline for the installation of The Landing Design charrette. Mr. McDermed noted that this project will likely be delayed to 2024 and the Board will have the opportunity to consider approval of the project closer to that time.

ADJOURNMENT

There being no further business to come before the Boards at this time, the Boards adjourned the meeting at 9:14 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