

# RECORDINGS OF PROCEEDINGS

## MINUTES OF A JOINT REGULAR MEETING OF THE BOARDS OF DIRECTORS OF THE MIRABELLE METROPOLITAN DISTRICT NOS. 1 AND 2 (THE “DISTRICTS”) HELD JANUARY 10, 2024

A joint 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, January 10, 2024, at 8:30 a.m. This Districts’ Board meeting was held via Zoom Teleconference. The meeting was open to the public.

### ATTENDANCE

#### Directors In Attendance Were:

##### District No. 1:

Michele Miller, President  
Eric Weinstein, Vice President  
Thomas Schriefer, Secretary  
Jennifer Fulton-Miller, Treasurer

Absent and excused was Director Jessica McDonagh

##### District No. 2:

Michele Miller, President  
Wyatt Chadwick, Vice President  
Kristen Beshany, Assistant Secretary  
Mac Orlady, Assistant Secretary  
Jennifer Fulton-Miller, Treasurer

##### Also, In Attendance Were:

Trisha Harris, Esq.; White Bear Ankele Tanaka & Waldron, P.C. (“WBA”)  
Shelby Clymer; CliftonLarsonAllen LLP (“CLA”)  
Ryan McDermed; Shea Homes  
Rachel Hillis, Sarah Esther, Ben McDowell, Judy Smeltzer, and Lane Melott;  
Advance HOA Management  
Dylan Futrell and Kindal Nay; Brightview Landscape Development  
Bill Kellogg; Member of the Public

### ADMINISTRATIVE MATTERS

**Call to Order:** Director Miller called the meeting to order at 8:32 a.m.

**Quorum/ Disclosures of Potential Conflicts of Interest:** Quorums were confirmed for both Boards. 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 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

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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. 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.

**Approval of Agenda:** Following discussion, upon a motion duly made by Director Fulton-Miller for District Nos. 1 and 2 and seconded by Director Schriefer for District 1 and Director Chadwick for District 2, and upon vote, the Boards unanimously approved the agenda as presented, and excused the absence of Director McDonagh for District No. 1.

**Public Comment:** None.

### **DIRECTOR MATTERS**

None.

### **CONSENT AGENDA**

**Approval of Minutes from the November 8, 2023 Joint Regular Meeting, Approval of Minutes from the November 30, 2023, and Ratification of Independent Contractor Agreement with Colorado Barricade Co.:** Following discussion, upon a motion duly made by Director Fulton-Miller for District Nos. 1 and 2 and seconded by Director Weinstein for District 1 and Director Orlady for District 2, the Boards unanimously approved and/or ratified, as appropriate, the Consent Agenda items.

### **LEGAL MATTERS**

**Fourth Resolution Amendment to Resolution Concerning the Imposition of a Residential Tap Fee:** Ms. Harris presented the Resolution noting that the option payment is changing. Ms. Clymer made additional comments on the resolution. Director Fulton-Miller asked about the timeline of the fees being assessed. Following discussion, upon a motion duly made by Director Weinstein, seconded by Director Fulton-Miller, and upon unanimous vote, the Board of District no. 1 approved the Fourth Resolution Amendment to Resolution Concerning the Imposition of a Residential Tap Fee, subject to updating of the payment remittance location to reflect Advance HOA's address.

### **FINANCIAL MATTERS**

**Unaudited Financial Statements and Statement of Cash Position for the period ending November 30, 2023 and Approval of Payables:** Ms. Clymer reviewed the Financial Statements and Statement of Cash Position with the District No. 1 and District No. 2 Boards. Following review and discussion, upon a motion duly made by Director Fulton-Miller and seconded by Director Schriefer, the District No. 1 Board unanimously accepted the Unaudited Financial Statements for District No. 1 for the period ending November 30, 2023 and approved the Payables, as presented. Following review and discussion, upon a motion duly made by Director Fulton-Miller and seconded by Director Chadwick, the District No. 2 Board unanimously accepted the Unaudited Financial Statements for District no. 2 for the period ending November 30, 2023 and approved the payables, as presented.

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### MANAGER MATTERS

**Transition Report:** Ms. Hillis provided a report to the Boards, noting that staffing for Advance HOA Management is progressing well and the website transition is in process. She noted that the homeowners have been notified and that payments are being made successfully to the new system.

**Manager's Report:** Mr. McDowell and Ms. Hillis presented the Manager Report to the Board noting a few key topics. Director Miller noted a few items that were in need of correction on the management report and Mr. McDowell noted that he will update these items for the February meeting of the Board.

**December 2023 Monthly Maintenance Report from BrightView Landscape Development:** Ms. Nay reviewed the report with the Board noting that BrightView has been reprogramming lights and preparing for fertilizing in the spring.

### CONSTRUCTION MATTERS

**Review Filing 5 Water and Sewer Infrastructure Acceptance Package and Consider Approval of Resolution Regarding Acceptance of Public Improvements and Bill of Sale:** Mr. McDermed presented the process associated with this Resolution and Ms. Harris presented the Resolution, noting that this is not a cost certification, and instead simply an acceptance of the water and sewer public improvements constructed by Shea. Following discussion, upon a motion duly made by Director Fulton-Miller, seconded by Director Schriefer, unanimously carried the Board of District No. 1 approved the Resolution Regarding Acceptance of Public Improvements and Bill of Sale.

### OTHER BUSINESS

Ms. Hillis noted that the next regular meeting is scheduled for Wednesday, February 14, 2024 at 8:30 am via teleconference.

### ADJOURNMENT

There being no further business to come before the Boards at this time, upon a motion by Director Miller, seconded by Director Fulton-Miller and unanimously carried, the Boards adjourned the meeting at 9:02 a.m.

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

Respectfully submitted,



Thomas Schriefer (Mar 14, 2024 10:00 MDT)

Mirabelle MD 1 - Secretary for the Meeting



Kristen Beshany (Mar 15, 2024 10:49 MDT)

Mirabelle MD 2 - Secretary for the Meeting