

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

RM MEAD METROPOLITAN DISTRICT

Held: Tuesday, October, 24, 2023 at 10:30 A.M.

The meeting was held via teleconference.

Attendance

The regular meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve, were in attendance:

AJ Beckman
Brandon Jack
Natalie Ricci
Jordan Smith

Also present were: Eve M.G. Velasco, Esq. and Audrey G. Johnson, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Ashley B. Frisbie, White Bear Ankele Tanaka & Waldron, District Management; Georgia Harland and Lucinda Gang, Simmons & Wheeler, P.C., District Accountant; Elizabeth Marlow, MSI, LLC, Community Manager; Jim Hayes, Forestar (USA) Real Estate Group Inc., Director Candidate; and Jordan Honea, D.R. Horton (*for a portion*).

ADMINISTRATIVE MATTERS

Call to Order/Declaration of Quorum

The meeting was called to order. Ms. Frisbie noted that quorum for the Board was present and the Directors confirmed their qualification to serve.

Reaffirmation of Disclosures of Potential or Existing Conflicts of Interest

Ms. Frisbie advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Frisbie reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest, if any, were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Ms. Frisbie inquired into whether members of the Board 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 participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda

Ms. Frisbie presented the Board with the proposed agenda for the meeting. Upon a motion duly made and seconded, the Board unanimously approved the agenda as presented.

Consider Appointment to Fill Board Vacancy

Ms. Frisbie informed the Board that there is a vacancy on the Board and that Mr. James Hayes has expressed an interest in being appointed. A Notice of Vacancy was published in accordance with Colorado law and no additional interest was received. The Board engaged in general discussion regarding the appointment of Mr. Hayes. Following discussion, upon a motion duly made and seconded, the Board unanimously appointed Mr. Hayes to the Board.

Election of Officers

Ms. Frisbie informed the Board that the Board is required to have a President, Secretary, and Treasurer, which Secretary position is not required to be a member of the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously elected the officers as shown below:

- AJ Beckman – President
- Brandon Jack – Secretary/Treasurer
- Natalie Ricci – Assistant Secretary
- Jordan Smith – Assistant Secretary
- Jim Hayes – Assistant Secretary

PUBLIC COMMENT

There was no Public Comment.

CONSENT AGENDA

Ms. Frisbie reviewed the items on the consent agenda with the Board and advised the Board that any item may be moved from the consent agenda to the regular agenda upon the request of any director. No items were requested to be removed from the consent agenda. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved, ratified and adopted:

- a) Board Meeting Minutes from April 25, 2023 Special Meeting
- b) Payment of Claims as of October 24, 2023 (\$70,958.42)
- c) Claims as of October 24, 2023 (\$23,331.59)
- d) Unaudited Financial Statements as of June 30, 2023

- e) Monthly Financial Reports from MSI, LLC (April 2023 – September 2023)
- f) Independent Contractor Agreement with SavATree, LLC for Holiday Lighting Services
- g) Engagement of Hiratsuka & Associates, L.L.P. to Perform 2022 Audit
- h) Acceptance of 2022 Audit
- i) Acknowledged Amendment to the Lakeside Canyon Community Design Guidelines (Water-Wise Landscaping)

LEGAL MATTERS

There were no Legal Matters.

MANAGEMENT MATTERS

Community Manager Update

Ms. Marlow provided the Board with an update on community matters, noting that holiday lighting will be installed around Thanksgiving and taken down just after January 1, 2024. Ms. Marlow noted that she is working with Director Jack on signage for the dog park. Ms. Frisbie recommended that the Board consider adoption of dog park rules. Following discussion, the Board directed staff to prepare a resolution adopting dog park rules.

Consider Adoption of Resolution No. 2023-10-01: Annual Administrative Resolution

Ms. Frisbie presented Resolution No. 2023-10-01: Annual Administrative Resolution to the Board for consideration. Following discussion, and a motion duly made and seconded, the Board unanimously adopted the resolution. The 2024 regular meeting dates were scheduled for July 23 and October 22 at 10:30 a.m.

Consider Approval of Addendum to Independent Contractor Agreement with BrightView Landscape Services, Inc. for 2024 Landscape Maintenance Services

Ms. Frisbie reported that the District has an agreement in place with BrightView Landscape Services, Inc. (“BrightView”) for landscape maintenance services, which includes an automatic 7% price increase each year for services, unless the Consumer Price Index (“CPI”) for the proceeding year increased more than that. Ms. Frisbie noted she is working with BrightView to confirm their rates will fall under the current compensation schedule and noted that no Board action is needed at this time.

Director Jack reported that BrightView has been doing a nice job and the community looks very nice.

Review and Consider Approval of Proposal for Snow Removal Services for 2023-2024 Winter Season

Ms. Frisbie presented the Board with multiple proposals for snow removal services for the 2023-2024 winter season. Ms. Frisbie noted that this will be the first year that snow removal services are performed by the District, as the District has not yet accepted improvements for the prior winter season. The District will be

responsible for clearing snow this season on the sidewalks and trails in and adjacent to Tracts A, B, D, and E. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal from Orangeman Development for snow removal services, confirming a 2-inch trigger for services.

Consider Approval of Renewal of Property and Liability Schedule and Limits, Workers Compensation Coverage, and SDA Membership for 2024

Ms. Frisbie discussed the 2024 insurance renewal with the Board, noting that property rate increases are anticipated to range from 1% - 5%. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the renewal of Property and Liability Schedule and Limits, Workers Compensations Coverage, and SDA Membership for 2024.

Update on Status of Conveyance of Public Improvements (Tracts C and F)

Director Jack provided the Board with an update on the status of conveyance of the public improvements on Tracts C and F, noting that the developer is wrapping up a few items, but conveyance is anticipated to occur by next year. Director Jack also noted that the native area is establishing very well and the dog park is open.

Discuss Letter from Town of Mead Regarding Noxious Trees and Weeds

Ms. Frisbie reported that the District received a letter from the Town of Mead (the "Town") indicating that there are approximately 30 Russian Olive trees and approximately 12 Salt Cedar (tamarisk) trees, among other noxious weeds, on District property that need to be mitigated. Ms. Frisbie noted that the Town has indicated that the matter is not currently a violation and they are willing to work with the District to allow time for removal. Ms. Marlow is working with BrightView to obtain a proposal for the cleanup work.

Ms. Ricci noted that she also received a letter from the Town for a tract owned by Second Royalty, LLC, and requested contact information for BrightView so she can coordinate cleanup work, separate from the District.

FINANCIAL MATTERS

Discuss Requirements of SB23-303 Relating to Limitations on Property Tax Revenue

Ms. Velasco informed the Board that Proposition HH will be on the statewide ballot this November, which is a referred measure that would limit tax increases from the prior property tax year to the amount of inflation, and that it would also temporarily reduce the valuation for assessment of certain residential and nonresidential property.

Conduct Public Hearing on 2023 Budget Amendment

The public hearing on the proposed 2023 Budget Amendment was opened. Ms. Frisbie noted that the notice of public hearing was

and Consider Adoption of Resolution No. 2023-10-02: Resolution Amending the 2023 Budget

provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Ms. Harland reviewed the 2023 Budget Amended with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution amending the General Fund to \$155,000 and the Capital Fund to \$7,500,000.

Conduct Public Hearing on 2024 Budget and Consider Adoption of Resolution No. 2023-11-03: Adopting Budget, Imposing Mill Levy and Appropriating Funds

The public hearing on the proposed 2024 Budget was opened. Ms. Frisbie noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Ms. Harland reviewed the 2024 Budget with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted Resolution 2023-11-03: Adopting the 2024 Budget, appropriating funds therefor, and imposing mill levies, subject to any adjustments needed after receipt of the final assessed valuation. The Board directed its consultants to file the 2024 Budget with the appropriate mill levy calculation based on whether Proposition HH is approved by the voters at the November election.

Consider Approval of Engagement of Hiratsuka & Associates, L.L.P. to Perform 2023 Audit

Ms. Johanns recommended that the Board consider the engagement of Hiratsuka & Associates, L.L.P. to perform the 2023 Audit. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the engagement, in a not-to-exceed amount of \$6,200.

Other Business

None.

Adjournment

There being no further business to come before the Board, and following discussion and upon motion duly made, seconded and unanimously carried, the Board determined to adjourn the meeting.

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

Brandon Jack

Secretary for the Meeting

The foregoing minutes were approved on the 21st day of May, 2024.