

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

RM MEAD METROPOLITAN DISTRICT

Held: Tuesday, May 21, 2024 at 2:00 P.M.

The meeting was held via teleconference.

Attendance

The special 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:

Brandon Jack
Natalie Ricci
Jordan Smith
James Hayes

Director Beckman was absent. All absences are deemed excused unless otherwise noted in these minutes.

Also present were: Audrey G. Johnson, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Ashley B. Frisbie and Dan Cordova (*for a portion*), White Bear Ankele Tanaka & Waldron, District Management; Kimberly Johanns and Lucinda Gang, Simmons & Wheeler, P.C., District Accountant; and Elizabeth Marlow, MSI, LLC, Community Manager.

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 amended.

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 of Mr. Jack, seconded by Ms. Smith, the following items on the consent agenda were unanimously approved, ratified and adopted:

- a) Board Meeting Minutes from October 24, 2023 Regular and Annual Meetings
- b) Payment of Claims as of May 21, 2024 (\$105,580.00)
- c) Claims as of May 21, 2024 (\$12,846.61)
- d) Unaudited Financial Statements as of March 31, 2024
- e) Monthly Financial Reports from MSI, LLC (October 2023 – April 2024)
- f) Resolution No. 2024-03-01: Adopting Dog Park Rules and Regulations and Installation of Dog Park Signage

MANAGEMENT MATTERS

Community Manager Updates

Ms. Marlow provided the Board with an update on community matters.

Mr. Jack noted that weeds in high traffic areas need to be handled and possibly hand pulled. Ms. Marlow reported that she met with BrightView Landscape Services, Inc. (“BrightView”) to discuss weeds in the common areas, and they have indicated that the irrigation needs to be on prior to the regular contracted broadleaf spray being done. Ms. Marlow noted that she will follow up with BrightView on a regular basis to ensure weeds are being managed.

Ms. Marlow noted that letters about fencing staining violations have been sent to applicable homeowners and she will be following up with the properties that are missing backyard landscaping.

Ms. Marlow reported that the dog park sign has been installed has the dog park.

Discuss Prairie Dog Mitigation Matters

Mr. Jack provided an update to the Board on prairie dog matters, noting that the developer had been working to establish the native grass on District-owned tracts when it came to their attention that prairie dogs have encroached upon Tract B and are causing landscaping damage and a delay in native establishment. He reported the developer's warranty work will resume once the prairie dog issue has been resolved.

Consider Approval of Proposal for Prairie Dog Mitigation

Mr. Cordova presented the Board with proposals for prairie dog mitigation services. Mr. Cordova noted that one of the contractors who provided a proposal has indicated that that are also prairie dogs on the large tract adjacent to Tract B. Mr. Jack requested that management attempt to contact the owner of the tract to coordinate mitigation efforts. It was noted the Town of Mead has recommended Prairie Dog Pros.

Following discussion, upon motion of Mr. Jack, seconded by Mr. Hayes, the Board unanimously approved the proposal from Prairie Dog Pros for prairie dog mitigation services. The Board asked management to monitor the issue for subsequent treatments. Mr. Cordova noted that one additional treatment is included in the proposal, and he will keep Mr. Jack updated on the timing of the work.

Discuss Status of Noxious Tree and Weed Mitigation Services

Ms. Marlow reported that she met with BrightView to discuss weed mitigation and removal of noxious trees on certain District-owned tracts, and they are working on a proposal. Following discussion, the Board requested that Ms. Marlow obtain a second proposal for the work. Ms. Ricci noted that she also received a letter from the Town of Mead for noxious weeds on a tract owned by Second Royalty, LLC and she reached out to BrightView but never received a response.

Discuss Insurance Coverage for Backflow Preventer Assemblies

Ms. Frisbie informed the Board that there have been multiple instances of theft of backflow preventer assemblies in communities and recommended that the District consider property coverage for the assemblies. Ms. Frisbie noted that the District's cages are enclosed, which does provide better protection. Following discussion, the Board directed management to obtain a quote for coverage of the District's backflow preventer assemblies.

Update on Status of Conveyance of Public

Mr. Jack provided the Board with an update on the status of conveyance of public improvements on Tracts C and F, noting that all improvements have been installed, with a few minor items still

Improvements (Tracts C and F)

being completed. Mr. Jack indicated that he anticipates that the final walk through will occur in the next 30 days with Independent District Engineering Services, LLC (“IDES”).

Consider Approval of Collection Account Turnover Request (Account No. 1712017811) (*added*)

Ms. Marlow reviewed with the Board the Collection Account Turnover Request for Account No. 1712017811, noting that MSI, LLC requires Board approval prior to the transfer of any account to collections counsel. Ms. Marlow reported that the account is overdue by \$606.15, and the property owner has been notified of all past due fees and all efforts to collect the fees owed have been exhausted, with the owner being non-responsive. Following discussion, upon motion of Mr. Jack, seconded by Ms. Smith, the Board unanimously approved the Collection Account Turnover Request.

FINANCIAL MATTERS

Conduct Public Hearing on 2023 Budget Amendment and Consider Adoption of Resolution No. 2024-05-01: Amending 2023 Budget

The public hearing on the proposed 2023 Budget Amendment 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. Johanns reviewed the 2023 Budget Amendment with the Board. Following discussion, upon motion of Mr. Jack, seconded by Mr. Hayes, the Board unanimously adopted the resolution amending the General Fund to \$200,000 and the Debt Service Fund to \$250,000.

Discuss Status of 2023 Audit

Ms. Johanns provided the Board with an update on the status of the 2023 Audit, noting that it is still in process.

LEGAL MATTERS

Discuss Website Accessibility and Documentation Remediation Requirements

Ms. Johnson provided the Board with an update on the new requirements that the state legislature recently put into place for website accessibility and documentation remediation.

Consider Adoption of Resolution No. 2024-05-02: Adopting a Digital Accessibility Policy and Designating a Compliance Officer

Ms. Johnson presented the Board with the Resolution Adopting a Digital Accessibility Policy and Designating a Compliance Officer, with the recommendation that White Bear Ankele Tanaka & Waldron be designated as the Compliance Officer. It was also recommended that the District utilize Heatherly Creative, LLC for the website accessibility remediation services. Following discussion, upon motion of Mr. Jack, seconded by Ms. Smith, the Board unanimously approved the recommendations and adopted the resolution.

Other Business

The next regular meeting is scheduled for July 23, 2024.

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 23rd day of July, 2024.