

RECORD OF PROCEEDINGS

**MINUTES OF THE COMBINED REGULAR MEETING
OF THE BOARDS OF DIRECTORS OF THE
MERIDIAN RANCH METROPOLITAN DISTRICT (MRMD)
MERIDIAN SERVICE METROPOLITAN DISTRICT (MSMD)
MERIDIAN RANCH METROPOLITAN DISTRICT 2018 SUBDISTRICT (MRMD 2018 Subdistrict)**

Held: December 8, 2021, 10:00 a.m., at the Meridian Ranch Recreation Center, 10301 Angeles Road, Peyton, Colorado 80831

Attendance: The following Directors were in attendance:

Butch Gabrielski, President
Wayne Reorda, Secretary/Treasurer
Bill Gessner, Asst. Secretary/Treasurer
Mike Fenton, Asst. Secretary/Treasurer
Tom Sauer, Asst. Secretary/Treasurer

Also present were:

Jim Nikkel; Meridian Service Metro District
Jennette Coe; Meridian Service Metro District
Eileen Krauth; Meridian Service Metro District
Beth Aldrich; Meridian Service Metro District
Braden McCrory; Meridian Service Metro District
Ryan Kozlowski; Meridian Service Metro District
Debra William; Meridian Service Metro District
Carrie Billingsly; Meridian Service Metro District
Karrie Dean; Meridian Service Metro District
Ron Fano; Spencer Fane (joined at 10:30 a.m.)
Lisa Mayers; Spencer Fane (via teleconference)
Bianca Jones; Piper Sandler (via teleconference)
Matt Chorske; Piper Sandler (via teleconference)
Tiffany Lu Leichman; Sherman & Howard (via teleconference)
Tom Kerby; Tech Builders
Raul Guzman; Tech Builders (via teleconference)
Nancy Loew; Homeowner

Call to Order A quorum of the Board was present, and the Directors confirmed their qualification to serve. The meeting was called to order at 10:05

Disclosure Matter Ms. Mayers noted that written disclosures of the interests of all Directors have been filed with the Secretary of State.

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Approve Agenda The Board reviewed the Agenda. A motion was made to approve the agenda. The motion was seconded and approved by unanimous vote of directors present.

Visitor Comments Ms. Loew expressed concerns that responses to public comments are not always provided during Board Meetings; and that her comments during Board Meetings are not taken seriously. Mr. Gessner noted that, while Board members may disagree with a resident's concern, the resident has an opportunity to express their concerns and are not ignored. Mr. Nikkel noted that, while public comment is allowed during Board Meetings, the purpose of the meeting is for the Directors to conduct their business, and that discussions with the public could take place at a Work Session.

Approve Minutes The Board reviewed the November 3, 2021, November 17, 2021, and December 1, 2021 Board Minutes and a motion was made and seconded to approve the minutes as presented. The motion was approved by unanimous vote of directors present.

Administrative Matters for 2022 Various Administrative Matters for 2021

- Approve 2022 Combined Boards Regular Meeting Schedule:
A motion was made to approve the 2022 Combined Boards Regular Meeting Schedule as presented, with the exception of moving the July and September meetings one week later to accommodate holidays. The motion was seconded and approved by unanimous vote of directors present.
- Adopt Resolution No. MSMD 21-08 Concerning Annual Administrative Matters for 2022: A motion was made to adopt Resolution No. MSMD 21-08 with amended board meeting dates. The motion was seconded and approved by unanimous vote of directors present.
- Adopt Resolution No. MRMD 21-03 Concerning Annual Administrative Matters for 2022: A motion was made to adopt Resolution No. MRMD 21-03 with amended board meeting dates. The motion was seconded and approved by unanimous vote of directors present.
- Adopt Resolution No. MSMD 21-09 Calling Regular Election of Directors May 2022: A motion was made to adopt Resolution No. 21-09. The motion was seconded and approved by unanimous vote of directors present.
- Adopt Resolution No. MRMD 21-04 Calling Regular Election of Directors May 2022: A motion was made to adopt Resolution No. 21-04. The motion was seconded and approved by unanimous vote of directors present.

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Financial Items

Cash Position Summary and Financial Statements: Ms. Coe reviewed the cash position summary and monthly financial reports for October 2021. A motion was made and seconded to accept the cash position summary and financial statements as presented. The motion was approved by unanimous vote of directors present.

Review 2020 Tap Fee Report: Ms. Coe reviewed the November 2021 Tap Fee Report with the Board for information only.

Approval of Payment of Claims: Ms. Coe reviewed the updated claims presented for approval at this meeting represented by check numbers:

MRMD: 02310-02317 totaling \$9,931.83

Interim: Bill.com payments for ratification totaling \$146,368.35

MSMD: Bill.com Payments totaling \$148,509.41

A motion was made and seconded to approve the MSMD payment of claims. The motion approved by unanimous vote of directors present. A motion was made and seconded to approve the MRMD payment of claims. The motion was approved by unanimous vote of directors present.

Receive Finance Committee Report: Ms. Coe presented the November 19, 2021 Finance Committee Report for information only.

Staff Presentations on Budgets and Fee Schedule: Mr. Nikkel briefly discussed the Budgets for all three Districts.

Consider Proposed MRMD Budgets:

- Conduct Public Hearing on Proposed 2022 MRMD Budgets: A motion was made to open a public hearing for the proposed 2022 MRMD Budget. The motion was seconded and approved by unanimous vote of directors present. There being no public testimony, a motion was made to close the public hearing, the motion was seconded and approved by unanimous vote of directors present.
- Adopt Resolution MRMD 21-05 Adopting MRMD 2022 Budget and Certifying Mill Levies: A motion was made to adopt Resolution MRMD 21-05. The motion was seconded and approved by unanimous vote of directors present.

Consider Proposed MRMD 2018 Subdistrict 2022 Budgets

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- Conduct Public Hearing on Proposed MRMD 2018 Subdistrict 2022 Budget: A motion was made to open a public hearing for the proposed 2022 MRMD 2018 Subdistrict Budget. The motion was seconded and approved by unanimous vote of directors present. There being no public testimony, a motion was made to close the public hearing, the motion was seconded and approved by unanimous vote of directors present.
- Adopt Resolution MRMD 21-06 Adopting MRMD 2018 Subdistrict 2022 Budget and Certifying Mill Levies: A motion was made to adopt Resolution MRMD 21-06. The motion was seconded and approved by unanimous vote of directors present.

Consider Proposed MSMD Budget and Fees

- Conduct Public Hearing on Proposed MSMD 2020 Budget Amendments, Proposed 2021 Budget Amendments, and Proposed 2022 MSMD Budget, and Proposed MSMD 2022 Fee Schedule: A motion was made to open a public hearing for the referenced items. The motion was seconded and approved by unanimous vote of directors present. There being no public testimony, a motion was made to close the public hearing, the motion was seconded and approved by unanimous vote of directors present.
- Adopt Resolution MSMD 21-10 Adopting Amended MSMD 2020 Budget: A motion was made to adopt Resolution MSMD 21-10, the motion was seconded and approved by unanimous vote of directors present.
- Adopt Resolution MSMD 21-11 Adopting Amended MSMD 2021 Budget: A motion was made to adopt Resolution MSMD 21-11, the motion was seconded and approved by unanimous vote of directors present.
- Adopt Resolution MSMD 21-12 Adopting MSMD 2022 Budget, Approving 2022 Fee Schedule, and Certifying Mill Levies: A motion was made to adopt the Resolution MSMD 21-12, the motion was seconded and approved by unanimous vote of directors present.
- Ratify approval of loan documents presented at the Special Meeting of December 1, and consider approval of the Placement Agent Agreement: A motion to ratify approval of loan documents presented at the December 1 Special Meeting and to approve the Placement Agent Agreement pending several edits was made, seconded and approved by unanimous vote of directors present.

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Engineering Items

Information Items:

MSMD Operations Reports:

- Mr. McCrory presented the water, sewer, parks and grounds, and drainage operation reports which included information from pages 116-117 of the Board Packet.
- Mr. Kozlowski presented the Recreation Center Report to the Board which included information from page 118 of the Board Packet.

Managers Verbal Report: Mr. Nikkel provided status reports on the following matters:

- Introduction of staff with appreciation for all the hard work that went into the December Board Packet.
- We will be filing all required documents with DOLA before the deadlines.
- We are purchasing the water tank from Woodmen Hills for \$300,000.00. There are some issues with the easement on the property, but we should be able to get the bill of sale to Mr. Gabrielski by the next Board Meeting.

Developer Items

Mr. Guzman provided a verbal report to the Board on the status of Meridian Ranch development activities:

- Rolling Hills Ranch 2 – underground work is in process. Roads and sidewalks should be completed sometime in the spring of 2022. 244 lots should be ready by July 2022.
- Rolling Hills Ranch 3 – 299 lots should be available sometime between end of summer to November 2022.
- Cost and shipping of supplies has been an issue. It is causing some delays.

Director Items

There were none.

Legal Items

A motion was made, seconded and approved by unanimous vote of directors present to open an executive session pursuant to C.R.S. Section 24-6-402(4)(e) to instruct negotiators and develop negotiating positions regarding potential terms for sale of MSMD capacity in Cherokee Wastewater Treatment Plant. A motion was made, seconded and was approved by unanimous vote of directors present to close the executive session.

In open session, the following motion was made, seconded, and approved by unanimous vote of the directors present to:

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To offer for sale 1552 Single Family Equivalents of wastewater treatment capacity to Classic Homes with a date of not later than December 23, 2021 for an acceptance of said offer and if Classic should fail to accept the offer by December 23, then the sale of the capacity is to be offered to other interested parties.

A motion was made, seconded and approved by unanimous vote of directors present to open an executive session pursuant to C.R.S. 24-6-402(4)(f) regarding personnel issues related to General Manager annual performance review, salary, and benefits. The General Manager was notified of his right to have the discussion in open session and he stated that he would waive such right. A motion was made, seconded and approved by unanimous vote of directors present to close the executive session.

In open session, the following motion was made, seconded, and approved by unanimous vote of the directors present to:

Award District General Manager Nikkel a 7 percent cost of living and merit salary increase and a \$5,000 bonus.

Adjournment

There being no further business to come before the Board, the President adjourned the meeting at 12:52 p.m.

The next regular meeting of the Boards is scheduled for January 5, 2022 at 10:00 a.m. at the Meridian Ranch Recreation Center, 10301 Angeles Road, Peyton, Colorado 80831.

Respectfully submitted,



Secretary for the Meeting