

# RECORD OF PROCEEDINGS

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**MINUTES OF THE COMBINED REGULAR MEETING  
OF THE BOARDS OF DIRECTORS OF THE  
MERIDIAN RANCH METROPOLITAN DISTRICT  
MERIDIAN SERVICE METROPOLITAN DISTRICT  
MERIDIAN RANCH METROPOLITAN DISTRICT 2018 SUBDISTRICT**

Held: Wednesday, July 10, 2019, 10:00 a.m., at the Meridian Ranch Recreation Center, 10301 Angeles Road, Peyton, Colorado 80831

**Attendance**

The combined regular meeting of the Boards of Directors of the Meridian Ranch Metropolitan District and the Meridian Service Metropolitan District and Meridian Ranch Metropolitan District 2018 Subdistrict was called and held, as shown, in accordance with Colorado law. The following Directors were in attendance:

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

Also present were:

David Pelser; Meridian Service Metro District  
Jennette Coe; Meridian Service Metro District  
Deawne Maddox; Meridian Service Metro District  
Carrie Billingsly; Meridian Service Metro District  
Ryan Kozlowski; Meridian Service Metro District  
Braden McCrory; Meridian Service Metro District  
Kevin Fackerell; Meridian Service Metro District  
Tobias Bagley; Meridian Service Metro District  
Andrea Orth; Meridian Service Metro District  
Jon Bradley; Meridian Service Metro District  
Sue Blair; Community Resource Services  
Ron Fano; Spencer Fane  
Jamie Cotter; Spencer Fane  
Raul Guzman; Tech Builders  
Tom Kerby; Tech Builders  
Jim O'Hara; Tech Builders (via telephone)  
Nancy Loew; Homeowner  
Debbie Dorn; Homeowner  
Kevin Markee; Homeowner  
Tim Jensen; Homeowner

**Call to Order**

A quorum of the Board was present, and the Directors confirmed their qualification to serve.

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- Disclosure Matter** Mr. Fano noted that written disclosures of the interests of all of the Directors have been filed with the Secretary of State.
- Approve Agenda** The Board reviewed the Agenda. Director Sauer moved to approve the agenda as presented. Upon second by Director Gessner, a vote was taken, and the motion carried unanimously.
- Comments from Visitors** Debbie Dorn told the Board that the Recreation Center parking lot looks great.
- Nancy Loew stated to the board that there still needs to be replacements of the curb access for pedestrians on Londonderry. Stonebridge to Fox Point still needs maintenance. She asked about the completion of the outdoor volleyball court and said there are over 40 exercise classes now and she would like to see class descriptions. She reminded the Board that trees and shrubs still need to be replaced and mulch is still needed on Princeton and Mt. Evans.
- Kevin Markee asked for an update on Stonebridge Park improvements.
- Tim Jensen asked the Board for any future plans for Stonebridge Park. President Gabrielski answered by saying that the kids play area may be constructed. Tim asked how this information is being disseminated. Mr. Pelsler added to keep watching the agenda or call the office with questions. President Gabrielski added that the park is dedicated to the District and the developer is not involved anymore. Tim suggested that this type of information should be in the newsletter, on the website and given to builders for better communication and transparency with the residents. Mr. Guzman noted that the builders have been instructed to contact the Metro District for current information on amenities.
- Approve Minutes** The Board reviewed the June 5, 2019 Board Minutes. Director Gessner moved to approve the minutes as amended. Upon second by Director Sauer a vote was taken, and the motion carried unanimously.
- Financial/Admin Items** Approval of Payment of Claims: Ms. Blair reviewed the updated claims presented for payment at this meeting represented by check nos. 2112 - 2116 totaling \$1,455.90 for Meridian Ranch, and to approve check nos. 11592 - 11661 totaling \$404,090.99 for Meridian Service. Ms. Blair also requested that the Board ratify Meridian Service claim nos. 11591 totaling \$390.00. Director Reorda moved that the Board approve and ratify the payment of the claims as presented. Upon a second by Director Fenton, a vote was taken, and the motion carried unanimously.
- Cash Position and Financial Statements: Ms. Blair reviewed the cash position dated July 3, 2019 and monthly financials dated May 31, 2019 for Meridian Service Metropolitan District. Upon a motion by Director Reorda and a second by Director

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Sauer, the motion unanimously carried to accept the cash position summary and financial statements as presented.

Review 2019 Tap Fee Report: Ms. Blair reviewed the 2019 Tap Fee Report with the Board.

Receive Status Report on Draft 2018 Audit Reports for MSMD, MRMD: Ms. Blair reported to the Board of the Status on the 2018 draft audit reports and requested that the Board authorize audit extensions being filed with the State. The Board concurred. The audits will be presented to the Board at the September Board meeting.

## **Operations Reports**

### MSMD Operations Reports:

- A. Mr. Fackerell reviewed the water system report.
- B. Mr. McCrory reviewed the sewer report.
- C. Mr. McCrory reviewed the drainage report.
- D. Mr. Kozlowski reviewed the recreation report.

## **Items from the Manager**

### Manager's Verbal Report:

- The recent Regional SDA Conferences were attended by District staff.
- We are touring other recreation centers during the process of designing the proposed new Meridian Ranch Recreation Center East. These recreation center managers are providing very good information for us to consider during this phase of planning. District staff and the Developer will meet following the tours to prepare a community survey for additional input and discuss the lessons learned for application in the proposed expansion of MRRC West and the proposed new MRRC East.
- Received recommendations of expert inspector and waiting for inspection report from paint manufacturer. Coordinating putting tank in service during summer months pending corrective action in Fall 2019.
- The MRRC Parking lot contractor encountered changed conditions and revised the scope of work on the west half. Original project cost was estimated at \$91,883.97. Expected extra work to cost approximately \$63,000 for total project cost of approximately \$155,000. Once the punch list is complete and final project accounting received, staff will bring a contract change order for formal Board approval at a future meeting.
- Construction for Well No. 6 is expected during July-September 2019.
- Falcon Freedom Days was a success and many thanks to Ryan Kozlowski, Andrea Orth, MRRC Staff along with Wayne Reorda, Antler Creek Golf Course Staff and Angela Maxey.
- Lightening damage occurred to some electrical equipment at Guthrie/Lambert Booster Pump Station with approximate damage of \$7,000. Insurance expected to cover expenses with the exception of the \$2,500 deductible.

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## Consent Items From Manager:

1. Ratify Brightview Extra Work for Irrigation Repairs, \$3,931.80
2. For Information Only: Receive and File Letter of Acceptance from ICMA-RC concerning MSMD Employees' Retirement Plan
3. For Information Only: Receive and File Staff Report on 2<sup>nd</sup> Quarter 2019 Payroll, Benefits, Attendance
4. Approve Proposed Amendment to Rule 2320A Providing Exception to Park Hours for District Sponsored Events

Director Gessner moved that the Board approve consent items 1-4. Upon a second by Director Reorda, a vote was taken and the motion carried unanimously.

## Action Items:

1. Adopt MSMD Resolution 19-3 Amending MSMD 2019 Budget  
Director Reorda opened the Public Hearing to Adopt MSMD Resolution 19-3 Amending MSMD 2019 Budget. Upon a second by Director Sauer, a vote was taken and the motion carried unanimously. Following discussion by the Board and there being no public wishing to speak, Director Fenton motioned to close the public hearing. Upon a second by Director Reorda, a vote was taken and the motion carried unanimously. Director Gessner moved that the Board adopt MSMD Resolution 19-3 Amending MSMD 2019 Budget. Upon a second by Director Sauer, a vote was taken and the motion carried unanimously.
2. Approve Browns-Hill Service Quotes for SCADA Improvements: Director Gessner moved that the Board approve the Browns-Hill Service Quotes for 2<sup>nd</sup> Phase of SCADA Improvements. Upon a second by Director Reorda, a vote was taken and the motion carried unanimously.

## **Items From The Developer**

Mr. Guzman reported on development within the community.

## **Board Member Items**

There were none.

## **Legal Items**

1. Enter into Executive Session pursuant to C.R.S. 24-6-402(4)(e): Receive Verbal Report and Provide Direction on Contract Negotiations Related to IGA with Sterling Ranch Metro District and Status of Payments: Mr. Fano stated to the Board that Sterling Ranch recently made the payment and this Executive Session was not needed.
2. Director Reorda made a motion at 11:18 a.m. to enter into Executive Session pursuant to C.R.S. 24-6-402(4)(b): Consult With and Receive

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Advice From Legal Counsel Regarding Legal Issues Related to Termination of Tolling Agreement by Cherokee Metropolitan District and Options for Proceeding with Regard to IGA and Replacement Plan.


Upon a second by Director Sauer, a vote was taken and the motion carried unanimously. Director Gessner made a motion at 11:47 a.m. to come out of Executive Session and reconvene general session. Upon a second by Director Reorda, a vote was taken and the motion carried unanimously. Director Reorda moved that that Board authorized Spencer Fane to engage a PR consultant and to file and have President Gabrielski sign an arbitration claim. Upon a second by Director Sauer, a vote was taken and the motion carried unanimously.

3. Mr. Fano mentioned that Mr. Pelsler has the right to request that this item be discussed in open session and Mr. Pelsler declined. Director Reorda made a motion at 12:27 a.m. to enter into Executive Session pursuant to C.R.S. 24-6-402(4)(f) Regarding Personnel Issues: Performance Review, Compensation and Other Terms of Employment for MSMD General Manager (continued from December 5, 2019). Upon a second by Director Fenton, a vote was taken and the motion carried unanimously. With no action taken Director Fenton moved that the Board come out of Executive Session at 12:53 p.m. and reconvene into general session. Upon a second by Director Reorda, a vote was taken and the motion carried unanimously. This item will be continued to a date to be determined.

### **Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 1:07 p.m.

Respectfully submitted,

  
Secretary for the Meeting