

RECORD OF PROCEEDINGS

MINUTES OF THE COMBINED REGULAR MEETING OF THE BOARDS OF DIRECTORS OF THE

FOSSIL RIDGE METROPOLITAN DISTRICT NO. 1 FOSSIL RIDGE METROPOLITAN DISTRICT NO. 2 FOSSIL RIDGE METROPOLITAN DISTRICT NO. 3

Held: Monday, January 13, 2025, 6:30 p.m.

Attendance

The combined regular meeting of the Boards of Directors of the Fossil Ridge Metropolitan District Nos. 1-3 was called and held at 6:30 p.m., as shown, in accordance with Colorado law. The meeting was held in person at the community center, The Retreat 15250 W Evans Ave. Lakewood CO 80228 and virtually via ZOOM. Mr. Birkeness inquired whether any of the Board members had any potential conflicts of interest on matters coming before the board. There were no conflicts disclosed. The following Directors were in attendance:

District 1:

Tom Waterman – President
Dave McGraw – Vice President
David Wilson - Treasurer
Terry Larson – Secretary
Mike Walker - Asst. Secretary

District 2:

Terry Larson – President
Ted Michelsen - Vice President
Al Plumhoff – Treasurer
Gerry Reese - Secretary
Tom Waterman – Assistant Secretary

District 3:

Aaron Hochstein - President
VACANT – Vice President
Mike McCleary – Treasurer
Greg Taylor – Secretary
Alana Bissonnette – Assistant Secretary

Consultants:

Mat Birkeness – District Manager – Community Resource Services
Phil Schneider – Community Manager – Community Resource Services

Others identified in attendance:

Peggy Waterman
Leean McGraw
Laura Paviglianti
April Tompkins

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Ilsa Waterman
Gil Marrujo
Larry Corny
Lindsey

- Call to Order** Quorums of the Boards were present, and the Directors confirmed their qualifications to serve. Mr. Birkeness confirmed that the meeting has been properly noticed. The meeting was called to order at 6:43 p.m.
- Edit to Agenda** Director Waterman modified the agenda to present legal matters immediately. Director Waterman then presented information regarding the two pending lawsuits filed against the Districts and an immediate settlement. He noted the settlements will have further legal reviews and the intent is for resolution within 45 days for the Districts.
- Public Comment** Larry Corny- asked if the Districts have any further litigation claims brought forth against the Districts. Director Waterman responded, not at this time.
- Consent Agenda** The Boards reviewed the consent agenda which included: Ratification/Approval of claims for the period ending in 12/31/2024, Approval of the December 9, 2024, Annual and Regular meeting minutes and Approval of the Annual Administrative Resolutions for Districts Nos. 1-3.
- District 1: Director McGraw moved to approve the consent agenda as presented. Upon second by Director Walker, a vote was taken, and the motion carried unanimously.
 - District 2: Director Michelsen moved to approve the consent agenda as presented. Upon second by Director Reese, a vote was taken, and the motion carried unanimously.
 - District 3: Director Taylor moved to approve the consent agenda as presented. Upon second by Director Bissonnette, a vote was taken, and the motion carried unanimously.
- Financial Matters** Approval of the 2025 Budget Resolutions for FRMD Nos. 1-3: Mr. Birkeness noted the resolutions require another round of edits and will be reviewed by the boards before execution.
- District 1: Director McGraw moved to approve the Resolution once the finance committee and boards are presented the final version of the edited resolution for execution. Upon second by Director Walker, a vote was taken, and the motion carried unanimously.
 - District 2: Director Michelsen moved to approve the Resolution once the

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finance committee and boards are presented the final version of the edited resolution for execution. Upon second by Director Plumhoff, a vote was taken, and the motion carried unanimously.

- District 3: Director McCleary moved to approve the Resolution once the finance committee and boards are presented the final version of the edited resolution for execution. Upon second by Director Taylor, a vote was taken, and the motion carried unanimously.

2025 FRMD Business Plan Update: Director Wilson noted the Districts litigation process delaying the plan for board approval. The boards intend to present at the next regularly scheduled meeting in March.

Maintenance and Operations Matters

Landscaping Update: Mr. Birkeness asked if the boards had any questions regarding the landscape committee's report. No questions were raised.

Consideration of Irrigation Controllers Replacement Proposal: Mr. Birkeness presented the timeline of the proposal and connection with the Reserve Study regarding the useful life of the controllers.

- District 1: Director Larson moved to approve the proposal as presented. Upon second by Director Waterman, a vote was taken, and the motion carried unanimously.

Consideration of Landscape Proposals: Mr. Birkeness outlined the separation of projects regarding funds associated. Yale proposal would require a separation of approvals as the landscape committee and vendor will review further.

- District 1: Director Waterman moved to approve the proposal of Yale Landscaping with a NTE of \$57,000. Upon second by Director McGraw, a vote was taken, and the motion carried unanimously.
- District 1: Director McGraw moved to approve the landscaping proposals as presented. Upon a second by Director Wilson, a vote was taken, and the motion carried unanimously.

Retreat and Community Update: Mr. Schneider asked if the boards had any questions with the submitted report. No questions were raised by the boards.

Consideration of CRS Combined Contract Update: Director Waterman noted a price increase for CRS services but editing the redundant language and outdated items in the contract requires further work by CRS and the boards.

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- District 1: Director Waterman moved to approve the CRS Combined Contract price increase to be in effect as of 1/1/2025, but with final contract details and language to be finalized at the March regularly scheduled meeting. Upon second by Director McGraw, a vote was taken, and the motion carried unanimously.

Consideration of Kilmer Park Wall Repairs: Mr. Schneider presented to the boards regarding the two proposals. One proposal represents the damages by the homeowner golf cart. Director McGraw suggested, and the board agreed to a payment to be made by the homeowner for the golf cart damage to be provided within 30 days. Legal recourse would be made if not submitted within the 30 day deadline.

- District 1: Director Walker moved to approve the Kilmer Park wall repair proposals. Upon second by Director Waterman, a vote was taken, and the motion carried unanimously.

Consideration of Resident Group Requests: The boards considered two submissions for resident usage at the Retreat. Extensive discussion occurred regarding the kids movie request for the amphitheater.

- District 1: Director Waterman moved to approve the Bridge Activity group proposal and the kids movie day proposals. The amphitheater request use was denied and the board has asked the requestor to consider alternatives. Upon second by Director McGraw, a vote was taken, and the motion carried unanimously.

Engagement Committee Update: Director Reese updated the boards on the committee's current efforts. He noted a District 1 inclusion event held at the Retreat that garnered 11 new residences applications for filing into District 1.

May 6, 2025 Election Update: Director McGraw presented details regarding the upcoming election and the vacancies and terms for each district. Mr. Birkeness was requested to provide file and language information to be shared with the boards. Mr. Birkeness will be working with the CRS elections group to provide.

Consideration of Resolution for District Nos. 2-3 for Inclusion Processing: Director McGraw briefed the boards on the inclusion dynamics that tie the Districts together for overlap into District 1.

- District 2: Director Plumhoff moved to approve the Resolution. Upon second by Director Michelsen, a vote was taken, and the motion carried unanimously.

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- District 3: Director Bissonnette moved to approve the Resolution. Upon second by Director Taylor, a vote was taken, and the motion carried unanimously.

Engineer Report: Director Larson presented the recent efforts of the engineering committee.

Consider Acceptance of the 2024 Reserve Study Update: Director Larson moved to accept the update of the Reserve Study. Upon a second by Director Wilson, a vote was taken and passed. Director Walker abstained from voting.

Second Public Comment

April Tompkins asked the boards about possible 2025 election vacancies. The boards provided details about positions for election that will allow for eligible electors to submit for self-nominations.

Adjournment

There being no further business to come before the Boards, the meeting was adjourned at 7:39 p.m. as follows:

- District 1: Director Waterman motioned to adjourn. Upon second by Director McGraw, a vote was taken, and the motion carried unanimously.
- District 2: Director Michelsen motioned to adjourn. Upon second by Director Reese, a vote was taken, and the motion carried unanimously.
- District 3: Director McCleary motioned to adjourn. Upon second by Director Taylor, a vote was taken, and the motion carried unanimously.

Respectfully submitted,

Secretary of the Meeting