RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE

FOSSIL RIDGE METROPOLITAN DISTRICT NO. 1

Held: Friday, July 17, 2026, 2:30 p.m.

Attendance

The special meeting of the Board of Directors of the Fossil Ridge Metropolitan District No. 1 was called to order at 2:30 p.m., in accordance with Colorado law. The meeting was held in person at The Retreat community center, located at15250 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:

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

Consultants:
Mat Birkeness – District Manager – Community Resource Services
Phil Schneider – Community Manager – Community Resource Services
Dino Ross, Esq. – Legal Counsel for the District

Others in Attendance:
Laura Paviglianiti
Alan Plumhoff
Gerry Reese
Mike McCleary
Pepper Trahan

Call to Order

Mr. Birkeness noted that five of five Board members were present. Mr. Birkeness confirmed that the meeting has been properly noticed. The meeting was called to order at 2:30 p.m.

Executive Session

Director McGraw moved to enter executive session to receive advice of legal counsel regarding 1) the current contracts with USA Pools of Colorado and its nonperformance of its contractual obligations, and 2) contract with Perfect Pools for the rest of the 2026 pool operating season pursuant to Section 24-6-402(4)(b) of the Colorado Revised Statutes. Upon second by Director Wilson, a vote was taken, and the motion carried unanimously.

Attorney Ross certified for the record that the executive session would constitute a confidential attorney-client communication and would not be recorded.

The Board went into executive session at 2:36 p.m.

Director McGraw moved to exit the executive session. Upon second by Director Wilson, a vote was taken, and the motion carried unanimously.

The Board came out of executive session at 3:32 p.m.

Consider Termination of USA Pools Contracts

Attorney Ross stated that, based on the available information, the Board has sufficient cause to terminate the Aquatic Cleaning Agreement and the Aquatic Management Agreement between the District and USA Pools of Colorado. He recommended that the Board consider whether to terminate those contracts and hire a different contractor for the balance of the 2026 pool operating season.

Director Wilson motioned to terminate the Aquatic Cleaning Agreement and the Aquatic Management Agreement with USA Pools of Colorado. Upon second by Director Walker, a vote was taken, and the motion carried unanimously.

Consider Hiring Perfect Pools

Director Wilson motioned to approve the Perfect Pools contract to the end of the 2026 pool operating season. Upon second by Director McGraw, a vote was taken, and the motion carried unanimously.

Adjournment

There being no further business to come before the Board, Director Walker moved to adjourn the meeting. Upon second by Director Waterman, a vote was taken, and the motion carried unanimously. The meeting was adjourned at 3:43 p.m.

Respectfully submitted,

Secretary of the Meeting

I certify that the executive session, which was not recorded, constituted a confidential attorney-client communication pursuant to C.R.S. § 24-6-402(4)(b).

Dino Ross

Dino Ross, Esq.

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