

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MARVELLA METROPOLITAN DISTRICT HELD FEBRUARY 10, 2023

A regular meeting of the Board of Directors of the Marvella Metropolitan District, Arapahoe County, Colorado was held at 12:00 PM on Friday, February 10, 2023, via Zoom.

Attendance In attendance were Directors:

Tahlia Sayers, President
Craig Corliss, Secretary
Ian Roth, Treasurer
Michael Kark, Assistant Secretary
Jacob Beniflah, Assistant Secretary

Also in attendance were:

Mat Birkeness, Rhonda Bilek, and Sue Blair Community Resource Services of Colorado (CRS)
Tamara Seaver, District Attorney, Icenogle Seaver Pogue
Wade Wheatlake, Merrick & Company

Call to
Order

A quorum of the Board was present, and the meeting was called to order at 12:03 p.m.

Director
Qualifications
Conflict of
Interest

The Board of Directors reviewed the agenda for the meeting, following which each Director confirmed the contents of written disclosures previously made, if any, stating the fact and summary nature of any matters, as required by Colorado law, to permit official action to be taken at the meeting. Additionally, the Board of Directors determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

Agenda

Upon a motion duly made by Director Sayers, seconded by Director Roth, and, upon vote, unanimously carried, the Board approved the agenda as presented.

Public
Comment

No public comment was received.

Executive
Session

Director Sayers moved that the Board enter into Executive Session pursuant to Sections 24-6-402(4)(b) and 24-6-402(4)(e), C.R.S., for the purposes of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and

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instruction negotiators all related to disputes with Century Communities and related matters. Upon second by Director Kark, vote was taken and the Board entered into Executive Session as 12:06 p.m.

The Board reconvened into regular session at 12:35 PM.

Action Items

No action was taken by the Board after the Executive Session.

Management Items

Consider Approval of 2023 Pool Management Agreement with Perfect Pools: Mr. Birkeness reviewed the 2023 agreement with the Board. The concerns from last season have been addressed in the agreement. Mr. Birkeness suggested not including the end of year extension in the agreement due to weather changes and, therefore, not committing to extra charges. The contract was reviewed by District counsel and no changes were recommended. After discussion, Director Roth motioned to approve the agreement as presented. Upon second by Director Sayers, vote was taken, and motion carried unanimously.

Property Update: Mr. Birkeness reported that on his tour of the District there are no violations to report. He related that he is currently reviewing the Brightview Renewal for landscaping and snow removal, and noted he will be inserting ice mitigation. Mr. Birkeness also related that the drainage area maintenance needs to be changed and will include this information in the newsletter. The Board asked for an update on the election and Ms. Blair informed the Board of the current deadlines.

Financial Statements and Cash Position: Ms. Blair reviewed the claims, cash position and financials and answered questions from the Board. Upon motion duly made by Director Roth, seconded by Director Sayer, and upon vote, the Board unanimously approved the claims and financials as presented.

Approval of Minutes - December 9, 2022: Director Roth moved to approve the minutes as presented. Upon second by Director Sayers, vote was taken, and motion carried unanimously.

Adjournment It was noted that a special meeting will most likely be called to address the audit exemption and letter being drafted by the attorney. Upon a motion duly made by Director Sayers, seconded by Director Roth, and upon vote, the meeting was adjourned at 1:00 p.m.

Respectfully submitted,



Secretary for the Meeting