

**MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
GRANBY RANCH METROPOLITAN DISTRICT  
HELD  
AUGUST 14, 2020**

A Regular Meeting of the Board of Directors of the Granby Ranch Metropolitan District (“GRMD”) was held on Friday August 14, 2020 at 10:00 a.m. via Zoom.

**ATTENDANCE:**     Directors in attendance via Zoom were:  
Matt Girard; President  
Fran Mejer; Secretary/Treasurer  
Steven Conrad; Assistant Secretary/Assistant Treasurer  
Timothy Archie; Asst. Secretary  
Glenn O’Flaherty; Asst. Secretary

Also in Attendance via Zoom were:  
Lisa A. Jacoby; Community Resource Services of Colorado  
Alan Pogue; Icenogle Seaver Pogue, P.C.  
Members of the Public

**I. ADMINISTRATIVE ITEMS:**

**A. Call to Order** – Ms. Jacoby noted that a quorum of the Board was present and the meeting was called to order at approximately 10:00 a.m.

It was noted that public comment would be heard throughout the meeting via the Zoom “chat” tool or via email to Attorney Alan Pogue at [apogue@isp-law.com](mailto:apogue@isp-law.com). It was also noted that the meeting packet was available on the District’s website at [Granbyranchmd.com](http://Granbyranchmd.com) and that Director Mejer distributed the meeting packet to those she had email addresses for.

Director Girard provided an opening statement regarding encouragement of public comment throughout the meeting.

**B. Approval of Agenda** - Upon motion duly made by Director Mejer, seconded by Director Conrad, and upon vote, unanimously carried, the Board approved the Agenda, as presented.

**C. Declaration of Quorum/Director Qualifications/Disclosure Matters** - Attorney Pogue confirmed prior to the meeting that conflict of interest disclosures, if any, were filed for each Board member no later than 72 hours before the meeting with the Secretary of State and the Board. Prior to the meeting, each director confirmed the contents of any written disclosure previously made, stating the fact and summary nature of any matters as required under Colorado law to permit official action to be taken at the meeting. Each Director also confirmed prior to the meeting that nothing

appeared on the agenda for which conflict of interest disclosures would be required to be filed.

- D. **Minutes** – Upon motion duly made by Director Girard, seconded by Director O’Flaherty, and upon vote, unanimously carried, the Board approved the May 29, 2020 Special Meeting Minutes, as amended.

**II. PUBLIC COMMENT:**

**General Public Comment** – Public comment was taken via the Zoom “chat” tool or via email and responded to throughout the meeting.

**III. FINANCIAL ITEMS:**

- A. **Claims** – Ms. Jacoby reviewed the claims with the Board of Directors. Director Mejer discussed Community Resource Services of Colorado invoice noting that the billing rate was not consistent with the contract. Ms. Jacoby noted that she would reconcile and issue a credit for the amount that was overbilled. Director Mejer also noted that there appeared to be an overbilling from Icenogle Seaver Pogue. Attorney Pogue noted that he would review and respond as well. The Board determined to defer the ratification of the monthly payment of claims presented to the next Board Meeting.

- B. **Unaudited Financial Statements for the Period Ending July 31, 2020-** Ms. Jacoby, presented the unaudited Financial Statements for the period ending July 31, 2020.

Following review and discussion, upon motion duly made by Director Girard, seconded by Director Mejer and, upon vote, unanimously carried, the Board approved the July 31, 2020 unaudited Financial Statements. It was noted by Ms. Beans that she would distribute the property tax schedule via email to the Board after the meeting and would be sure to include it in the financials going forward.

**IV. LEGAL ITEMS:**

**A. Status of Matters Subject to the 2018 GRMD Refinancing Settlement Agreement**

1. **Status of Appointment of a Granby Ranch Metropolitan District (“GRMD”) Eligible Elector to the Headwaters Metropolitan District Board of Directors** – Attorney Pogue reported that he had conversations with the receiver who was not willing at this time to take steps necessary to appoint an eligible elector following Natasha Wall’s resignation; however, re-engagement is expected to occur with the new owner. It was noted that once the new owner is in place, the District will put the new owner on Notice regarding the obligation. Following discussion, upon motion duly made by Director Mejer, seconded by Director Archie and, upon vote, unanimously carried, the Board authorized Director Girard and Attorney

Pogue to request the Town to enforce the Subdivision Improvement Agreement requirements.

2. Status of Road Repair Work and Town of Granby's Call of Surety Bonds – Director Girard noted that Surety in the amount of \$1.7 million was put up by the previous developer as a guarantee for completion of the Roads. It was noted that the Town has tried to call the bonds, however, the Surety has denied the claim. It was noted that the District would require the Town to pursue further with the new owner the road repair work requirement. It was noted that the Town is currently imposing restrictions on the new owner as a means for enforcing the requirements of the Agreement. Upon motion duly made by Director Mejer, seconded by Director Archie, and upon vote, unanimously carried, the Board authorized Director Girard to follow-up in writing with the Town.
- B. Status of Granby Ranch Resort Sale/Foreclosure (enclosure) – Director Girard provided an update regarding the foreclosure; he reported that the last property was up for auction at this moment.
- C. Status of Designation of Non-Voting Town Representative to District Board(s) pursuant to the Amended and Restated Intergovernmental Agreement dated November 8, 2016 – Mr. Nick Raible was introduced as the Non-Voting Town Representative to the District Board of Directors. Mr. Raible read a prepared statement and noted that he was a Town Trustee member and had been attending the Granby Ranch Metropolitan District and the Headwaters Metropolitan District meeting in the past unofficially. Mr. Raible noted that he would act as a conduit between the Town and the District.
- D. Discuss and Consider Change to Granby Ranch Metropolitan District's Name as a Measure to Make a Distinction from other Granby Ranch Entities – It was noted that any change to Granby Ranch Metropolitan District's name requires legal action and there would be costs associated with this action. It was noted that the new owner of the Granby Ranch property may consider a name change themselves.

V. OTHER ITEMS:

- A. Report on Research Conducted Related to Granby Ranch Metropolitan District No. 8 Properties' Taxes Paid (40 Mills Pledged to Granby Ranch Debt) – Director Girard reported on the research conducted and the verification that taxes are being assessed for Granby Ranch Metropolitan District debt against District No. 8 appropriately.
- B. Discrepancy between Town Ordinance and Granby Ranch PDOD regarding Short Term Rentals – Director Girard reported that Granby Ranch would be updating the PDOD to match the Town Ordinance.

**C. Compliance Calendar** – Ms. Jacoby provided for informational purposes the below statutory compliance calendar of events – no action was required:

1. August 25, 2020 (extended to October 13, 2020) County Assessors to provide preliminary assessed valuation.
2. October 15, 2020 draft 2021 budget submission to Board-deadline.
3. November 13, 2020 Board/Budget Hearing Meeting scheduled.
4. December 10, 2020 County Assessors provide certification of assessed valuation – deadline.
5. December 15, 2020 Certification of Mill Levies to the County-deadline.

**D. Confirmation of Quorum, Location and Time** – The Board confirmed that the next Board Meeting would be held on, November 13, 2020 at 10:00 a.m. at the regular meeting location or via Zoom (TBD).

**VI. ADJOURNMENT** - There being no additional business, the meeting was adjourned.

Respectfully submitted by,

  
Secretary for the meeting