

# GRANBY RANCH METROPOLITAN DISTRICT

## Special Board Meeting Minutes

Meeting Date: Friday June 16, 2023

Meeting Time: 3:33pm to 4:52pm

Meeting Location: Online video conference site as follows:

<https://www.gotmeet.me/DistrictBoardMeetingRoom2> Members of the public may also participate via phone using the dial-in-number: phone: (646) 749-3112/Access code #534-031-373

### I. Roll Call (3:33pm)

A special meeting of the Board of Directors of the Granby Ranch Metropolitan District (District) was called and held as shown above and in accordance with the statutes of the State of Colorado. The following Directors were in attendance:

Directors	Office	Attendance
Matt Girard	President	Present
Robert O' Munneke	Vice President	Present (3:42pm)
Steven Conrad	Secretary	Present
Stefan Haberer	Treasurer	Present
Natascha O' Flaherty		Present

Also, in attendance was District Manager Charles Wolfersberger (Wolfersberger, LLC); general counsel representation for the District, Anna Wool (Icenogle Seaver Pogue, P.C.); special counsel for the District, Brian Matise, David TeSelle and Lisa Marks (Burg Simpson Eldredge Hersh & Hardine, P.C); attorneys from law firm Husch Blackwell LLP (Katie Jenner, Brent Ricketts and David Richardson); Ted Cherry with the Town of Granby; and the following residents/homeowners: Tom and Debbie DeBoalt, Micah Hildenbrand, Joel Smith, Scott Shippy and Jeff Link.

### II. Administrative Matters

- a) Call to order: The meeting was called to order by Director Girard. Director Girard also stated the meeting will be recorded and posted on the District's website.
- b) Declaration of quorum: Director Girard noted four of five directors were present at the commencement of the meeting and quorum is met for this meeting.
- c) Review director qualifications and present disclosures of potential conflicts of interest: All Directors confirmed their qualifications to serve on the Board. The Board reviewed the agenda for the meeting, following which four of five directors disclosed no conflicts of interest with the business to be discussed and conducted at the meeting.

Director O' Flaherty stated GRCO LLC and GR Terra, LLC – assisted by their attorneys at Husch Blackwell, LLP – filed a civil lawsuit against her to enforce an alleged trail easement over her

property. Director O' Flaherty also stated she has filed a campaign finance complaint against Husch Blackwell, LLP.

- d) Meeting protocol & logistics of public comment: Director Girard briefly reviewed and discussed the protocol & logistics for public comments during this meeting, which will be considered and allowed for each and every agenda item.
- e) Unscheduled public comments: Director Girard opened the floor to public comments. Jeff Link and Micah Hildenbrand. Director O' Flaherty and the District Manager responded to these public comments.

### **III. Executive Session**

At 3:45pm, Director Girard motioned to convene the meeting to executive session per C.R.S. 24-6-402(4)(b) to confer with legal counsel regarding (1) status of associated ongoing litigation with HMD/GPGH/GR Terra and (2) a complaint filed in US District Court on May 26, 2023 by GRCO, LLC against the District regarding Capital Facility Fees charged on land owned by GRCO, LLC. Director Conrad seconded the motion and the Board voted 5-0 to approve the motion.

In addition to all directors, the following individuals also attended the executive session: Mr. Wolfersberger, Mr. Matise, Ms. Garcia, Ms. Wool, Mr. Teselle and Ms. Marks. Director O' Munneke dropped off the meeting at 4:36pm.

At 4:42am, Director Girard motioned to close the executive session. Director Conrad seconded the motion and the Board voted 5-0 to approve the motion.


Post executive session Discussion: Ms. Wool reported that the Board properly convened the executive session to receive advise from legal counsel regarding only those topics noted in the Board's executive session motion and that the executive session was not recorded due to attorney/client privileged discussion in executive session, and stated no actions or motions were voted on by the Board during executive session.

Director O' Flaherty noted she has filed an election/campaign finance complaint against Hush Blackwell with the Colorado Secretary of State and wanted to add this disclosure to her earlier conflict-of-interest disclosure statement. Ms. Hildenbrand asked whether Director O' Flaherty has filed counter-claims against Robert Glarner – Manager of GRCO, LLC. Director O' Flaherty stated she has filed counter claims and such counter claims are public record.

Director Girard provided an update regarding the outstanding litigation.

**IV. Adjournment (4:52pm)**

There being no further business to come before the Board, and upon motion duly made by Director Girard, seconded by Director O' Flaherty and unanimously carried, the meeting was adjourned. The next regular board meeting is scheduled for Thursday August 10, 2023, at 6:00pm online at: <https://www.gotmeet.me/DistrictBoardMeetingRoom2> Members of the public may also participate via phone using the dial-in-number: phone: (646) 749-3112/Access code #534-031-373

DocuSigned by:  


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Secretary Natascha O'Flaherty

12/7/2023

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Date