

# GRANBY RANCH METROPOLITAN DISTRICT

## Regular Board Meeting Minutes

Meeting Date: Thursday February 13, 2025

Meeting Time: 6:00pm to 7:10pm

Meeting Location: Online video conference site as follows: <https://www.gotomeet.me/Wolfersberger>

### I. Roll Call (6:00pm)

A regular 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
Stefan Haberer	Treasurer	Present
Natascha Drekonja		Present
Jason Bearden	Secretary	Present
Tom Young		Present

Also, in attendance was District Manager Charles Wolfersberger (Wolfersberger, LLC); general counsel for the District, Alan Pogue (Icenogle, Sever & Pogue, PC); Town of Granby representative, Ted Cherry; CFF litigation counsel, Bill O’ Connell (Wells, Anderson & Race, LLC); LPA litigation counsel, Dean Batchelder (Burg Simpson Eldredge Hersh Jardine, PC); attorneys from law firm Husch Blackwell LLP (Nicole Chabloz); and the following residents/homeowners: John Gillogley 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 five 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 directors disclosed no conflicts of interest with the business to be discussed and conducted at the meeting.

Director Drekonja stated the following: “On February 28, 2022, GRCO LLC and GR Terra, LLC, filed a lawsuit against me and Glenn O’ Flaherty to enforce an alleged trail easement. The district court issued a detailed 17-page order in our favor on summary judgement. Plaintiffs are now pursuing a 44-page appeal and a 33-page reply and [the case] is set for oral arguments later this month. This is a separate from the GRMD litigation matters. I do not perceive this as a conflict and I have no pecuniary interest in these dealings. I am disclosing

this out of an abundance of caution and am able to participate in a fair and impartial manner in the discussions today.”

- 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) Review and consider November 18, 2024 meeting minutes: The Board reviewed and discussed the November 18, 2024 board meeting minutes. Director Girard motioned to approve the minutes as amended. Director Haberer seconded the motion and the Board voted 5-0 to approve the motion.
- f) Review and consider December 03, 2024 annual townhall meeting minutes: The Board reviewed and discussed the December 03, 2024 annual townhall meeting minutes. Director Girard motioned to approve the minutes as presented. Director Bearden seconded the motion and the Board voted 4-0 to approve the motion. Director Drekonja abstained from voting because she was not in attendance at that meeting.
- g) Unscheduled public comments: Mr. Link offered various public comments and questions

### **III. Financial and Other Administrative Matters**

- a) Review and ratify contractor invoices: The Board reviewed the schedule of contractor invoices submitted for payment since the last meeting – 5 invoices totaling \$11,374.84. Director Girard motioned to approve payment of all invoices. Director Young seconded the motion and the Board voted 5-0 to approve the motion.
- b) Review and consider December 31, 2024 unaudited financial statements: The District Manager reviewed and discussed with the Board the District’s 2024 unaudited annual financial statements. He reported that the 2024 financial statements have been submitted to the District’s auditors and the audit is currently underway.
- c) Status update – Board election: The District Manager reported the 2025 election notice was mailed out to all property owners along with the District’s annual newsletter in February. The election notice is also posted on the District’s website and published in the Sky Hi Newspaper. If a contested election occurs, Wolfersberger, LLC will submit a bid to the District board for consideration to manage the contested election.
- d) Review and consider changing May regular board meeting date: Director Girard noted the board election day is Tuesday May 6<sup>th</sup> and the next regularly scheduled board meeting is Thursday May 8<sup>th</sup>. Upon a question from Mr. Girard, Mr. Pogue expressed concern that not all newly elected board members may have time to sign their oaths prior to the May 8<sup>th</sup> board meeting, and consequently, recommended the Board consider changing the May 8<sup>th</sup> board meeting date. The Board discussed and agreed to cancel the May 8<sup>th</sup> board meeting and add the following two new board meeting dates to the Board’s meeting calendar: Monday May 5<sup>th</sup> and Thursday June 5<sup>th</sup>. Director Girard motioned to change the board meeting dates as discussed. Director Drekonja seconded the motion and the Board voted 5-0 to approve the motion.

**Action Item #1:** The District Manager will update the Board meeting calendar on the District’s website to reflect these changes to the 2025 board meeting calendar.

**IV. Legal Matters**

- a) LPA litigation update: Mr. Batchelder provided a brief update regarding the current status of the LPA litigation.
- b) Executive session regarding LPA litigation: The Board noted there was no need to hold executive session regarding the LPA litigation.
- c) Capital facility fee (CFF) litigation update: Mr. O’ Connell provided a brief update regarding the current status of the CFF litigation.
- d) Executive Session – Capital Facility Fee Litigation: At 6:48pm, 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 the status of associated ongoing litigation initiated by GRCO, LLC against the District on May 26, 2023 regarding the District’s capital facility fees. Director Drekonja 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. Pogue and Mr. O’ Connell.

At 7:07pm, Director Girard motioned to close the executive session. Director Bearden seconded the motion and the Board voted 5-0 to approve the motion. No actions were taken by the Board in executive session.

**V. Adjournment (7:10pm)**

There being no further business to come before the Board, and upon motion duly made by Director Girard, seconded by Director Drekonja and unanimously carried, the meeting was adjourned. The next board meeting is scheduled for Monday May 05, 2025, at 6:00pm online at: <https://www.gotomeet.me/Wolfersberger>

Signed by:  
  
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~~Secretary~~ Matthew Girard  
 Board President

5/6/2025  
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 Date