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# RECORD OF PROCEEDINGS

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## **Minutes of the Special Meeting Of the Board of Directors Reserve Metropolitan District No. 1 November 19, 2021**

The Special Meeting of the Board of Directors of the Reserve Metropolitan District No.1 Gunnison County, Colorado, was held on November 19, 2021, at 8:30 am. This meeting was held virtually via Zoom.

### **Attendance**

The following Directors were present and acting:

- Erica Mueller-Sollberger
- Gavin Sollberger

Also in attendance were:

- Heather Hartung & Clint Waldron, White, Bear, Ankele, Tanaka & Waldron PC
- Eric Weaver, Marchetti & Weaver, LLC
- Debbie Braucht, Secretary for the Meeting, Marchetti & Weaver, LLC

### **Call To Order**

The Meeting of the Board of Directors of the Reserve Metropolitan District No.1 was called to order at which time Director Mueller-Sollberger noted a quorum was present.

### **Conflicts Of Interest**

The directors reviewed the agenda for the meeting, following which each director confirmed the contents of any written disclosure previously made. Each director also confirmed that nothing appeared on the agenda for which disclosure certificates had not been filed. The Board noted, for the record, that these disclosures are restated at this time with the intent of fully complying with laws pertaining to potential conflicts. Additionally, the Board determined that participation by the directors with potential conflicts of interest was necessary to obtain a quorum or otherwise enable lawful action to occur.

### **Consideration of Agenda**

There were no changes to the Agenda.

### **Public Comment**

There was no public comment.

### **Minutes**

Upon review and by motion duly made and seconded it was unanimously

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**RESOLVED** to approve the September 21, 2020 meeting minutes as presented.

#### **May 2022 Directors Election Resolution and Board Member Vacancies**

There was discussion of Board member vacancies and Director Mueller-Sollberger stated Ethan Mueller moved back to the area so can be re-qualified to sit on the Board. Mr. Ethan Muller sat on the Board for a number of years.

Ms. Hartung stated the Election Resolution calls the May 2022 Directors election, appoints the Designated Election Official to conduct the election and authorizes the DEO to cancel the election if there are no more self-nomination forms than there are seats available. Upon motion duly made and seconded it was unanimously

**RESOLVED** to adopt the May 2022 Directors Election Resolution.

#### **2022 Annual Administrative Matters Resolution**

Ms. Hartung stated the Annual Administrative Matters Resolution outlines the statutory and administrative tasks and authorizes their office and Marchetti & Weaver to carry out those tasks. Nothing has changed since last year except the meeting location from a physical address to electronic due to the pandemic. Upon motion duly made and seconded it was unanimously

**RESOLVED** to adopt the 2022 Annual Administrative Matters Resolution.

#### **Annual Report to the Town of Mt. Crested Butte**

A copy of the report was included in the meeting packet and filed by the deadline of March 1<sup>st</sup>. Upon review and by motion duly made and seconded it was unanimously

**RESOLVED** to ratify the filing of the Annual Report to the Town of Mt. Crested Butte.

#### **Online Posting of Meeting Notices and 24-Hour Posting Location**

Upon motion duly made and seconded it was unanimously

**RESOLVED** to adopt the Resolution for the Posting of Meeting Notices and re-affirm the website as the official

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posting location as adopted on September 26, 2019 and if the internet is down to post at a location in the District.

#### **Personal Data Privacy Policy**

Mr. Waldron stated he did not believe the District has any personal data but the policy was good to have in place. Upon motion duly made and seconded it was unanimously

**RESOLVED** to adopt the Personal Data Privacy Policy Resolution.

#### **Resolution Designating Locations of Meetings**

Ms. Hartung stated the Emergency Resolution enabled the Board to hold telephonic meetings and ratify all actions at the next regular or special meeting in person after adoption. Recently enacted HB 21-1278 clarified meetings as any “location” whether physical, electronic, telephonic or virtual. The Resolution ratifies all prior actions taken in meetings before July 7, 2021 and adopts the meeting location as telephonic, electronic or other virtual means. Upon motion duly made and seconded it was unanimously

**RESOLVED** to adopt the Resolution Designating the Location of Regular Meeting of the Board of Directors.

#### **Fulfillment of Payment Obligations to Reserve Metro District No.2**

Mr. Waldron stated, per the Settlement Agreement dated April 5, 2016, the District agreed to make payments to Reserve Metro District No.2 (RMD No.2) until the agreed upon amounts for the Loader Obligation and Negotiated Obligation were fulfilled. The final payment on those obligations was made and acknowledged on August 23, 2021. There was discussion of the RMD No.2 budget and clarifying procedures going forward.

#### **2020 Application for Exemption from Audit**

The 2020 Application for Exemption from Audit was circulated and signed via Docusign then submitted to the Office of the State Auditor before the deadline. Upon motion duly made and seconded it was unanimously

**RESOLVED** to ratify the 2020 Application for Exemption from Audit.

#### **Public Hearing for the 2022 Budget and 2021 Amended Budget**

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Mr. Weaver stated today has been published as the public hearing for the 2021 amended and the 2022 budgets. He opened the public hearing to public comment, there being none he closed the public hearing. Mr. Weaver reviewed the financial statements and the 2022 draft budget with the Board. The 2022 budget was increased slightly for inflation and expenses added for the May Directors Election. Upon review and by motion duly made and seconded it was unanimously

**RESOLVED** by the Board to approve the resolution to adopt the 2022 budget; and

**FURTHER RESOLVED** by the Board to approve the resolution to certify the mill levy for District No.1 at 0.000 mills; and

**FURTHER RESOLVED** by the Board to approve the resolution to appropriate funds for spending in 2022.

The 2021 Budget did not require amending.

#### **Accounts Payable Listing**

Upon review and by motion duly made and seconded it was unanimously

**RESOLVED** to approve and ratify the Accounts Payable listing as presented.

#### **Legislative Memo**

Mr. Waldron reviewed key points of the Legislative Memo included in the meeting packet.

#### **Adjournment**

There being no further business to come before the Board, upon motion duly made and seconded it was unanimously

**RESOLVED** to adjourn the Regular Meeting of Reserve Metropolitan District No. 1 Board of Directors this November 19, 2021.

Respectfully Submitted



Secretary for the Meeting