

MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
TALLYN'S REACH AUTHORITY (THE "AUTHORITY")  
HELD  
MAY 13, 2025

A special meeting of the Board of Directors of the Tallyn's Reach Authority (referred to hereafter as the "Board") was convened on Tuesday, May 13, 2025, at 6:00 p.m. This meeting was held at the Tallyn's Reach Clubhouse, 24900 E. Park Crescent Drive, Aurora, Colorado 80016, and via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

**Directors in attendance were:**

Harry Yosten, President  
David Patterson, Vice President/Secretary  
BJ Pell, Treasurer  
Morgan "Rusty" Deane, Assistant Secretary  
Brian Crandall, Assistant Secretary

**Also, in attendance were:**

Celeste Terrell, Shauna D'Amato and Terri Boroviak; CliftonLarsonAllen LLP ("CLA")  
Jon L. Wagner, Esq.; White Bear Ankele Tanaka & Waldron ("WBA")  
Tim McCarthy and Keven Crehan; Schedio Group  
Lindsay Oakey; Front Range Recreation

**Residents/Homeowners in attendance were:**

Julie Nieto, Colleen Bryan, Marta and Jason F.; Members of the public/homeowners

ADMINISTRATIVE MATTERS

**Call to Order and Agenda:**

The meeting was called to order at 6:02 p.m. The Board reviewed the Agenda for the meeting. Following discussion, upon a motion duly made by Director Crandall, seconded by Director Patterson and, upon vote, unanimously carried, the Board approved the Agenda, as amended to add a resident complaint regarding a drainage issue under the Schedio Report, the discussion of violations and consideration of adoption of parking rules under Legal Matters and the discussion of adding a morning swim under Pool Matters.

**Disclosures of Potential Conflicts of Interest:**

Attorney Wagner advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Attorney Wagner reported that disclosures for those directors that provided WBA with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Attorney Wagner inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain quorum or to otherwise enable the Board to act.

**Quorum, Location of Posting of Meeting Notice:**

The presence of a quorum was confirmed. This meeting was conducted via Microsoft Teams and in person and encouraged public participation either via Microsoft Teams or in person. The Board further noted that notice providing the time, date, location and video link information was duly posted and that no objections, or any requests that the means of hosting the meeting be changed by taxpaying electors within the Authority’s boundaries.

**Election of Officers:**

Following discussion, upon a motion duly made by Director Pell, seconded by Director Crandall and, upon vote, unanimously carried, the following slate of officers were appointed for the District:

President: Harry Yosten  
Vice President/Secretary: David Patterson  
Treasurer: BJ Pell  
Assistant Secretary: Morgan “Rusty” Deane  
Assistant Secretary: Brian Crandall

**PUBLIC COMMENT**

Jason F. asked a question regarding an outage at an Xcel light pole on his street. Director Yosten noted that the light is one of the “orphan lights.” CLA will contact Radiant to request a repair.

**CONSENT AGENDA**

- Approve Minutes of the Regular Meeting on November 19, 2024
- Ratify approval of Master Services Agreement with Streamline Software, Inc. for website services
- Ratify approval of Third Addendum to the Independent Contractor Agreement with Brightview Landscape Services, Inc. for 2025 turf to native conversion services in the amount of \$74,841.82
- Ratify approval of Fourth Addendum to the Independent Contractor Agreement with Brightview Landscape Services, Inc. for Russian Olive tree branch pick up in the amount of \$5,585.94
- Ratify approval of Fifth Addendum to the Independent Contractor Agreement with Brightview Landscape Services, Inc. for top mulch dress in the amount of \$49,999.99
- Ratify approval of Sixth Addendum to the Independent Contractor Agreement with Brightview Landscape Services, inc. for landscape repair for Schedio Group in the amount of \$3,209.18
- Ratify approval of Seventh Addendum to the Independent Contractor Agreement with Brightview Landscape Services, Inc. for island repair from car damage at Coolidge and Arapahoe Road in the amount of \$3,423.63

- Ratify approval of Eighth Addendum to the Independent Contractor Agreement with Brightview Landscape Services, Inc. for 2025 perennial bed renovations in the amount of \$108,774.44
- Ratify approval of Ninth Addendum to the Independent Contractor Agreement with Brightview Landscape Services, Inc. for Briarwood entry monument renovation in the amount of \$10,159.70
- Ratify approval of Tenth Addendum to the Independent Contractor Agreement with Brightview Landscape Services, Inc. for additional turf to native areas for Priority 11 along Smoky Hill in the amount of \$8,656.39
- Ratify approval of the Independent Contractor Agreement with Designscares Colorado, Inc. for sign lettering and wall repair in the amount of \$16,107.74
- Ratify approval of the Independent Contractor Agreement with Just Be You, Inc. d/b/a Star Playground for engineered wood fiber surfacing installation in the amount of \$5,789.00
- Ratify approval of Independent Contractor Agreement with Chavez Services, LLC for Hammerhead repair services in the total amount of \$114,117.95
- Ratify approval of Independent Contractor Agreement with Lumin8 Transportation Technologies for streetlights in the amount of \$8,500.00
- Ratify approval of Independent Contractor Agreement with AGW for ground water monitoring in the amount of \$5,600.00
- Ratify approval of First Addendum to Independent Contractor Agreement with Designscares Colorado Inc. for the removal of old wooden monument sign from the intersection of S Aurora Pkwy and E Irish Drive and replacement with Buff Flagstone Sign and of all turf with new plantings in the amount of \$88,747.08
- Ratify approval of Second Addendum to Independent Contractor Agreement with Designscares Colorado, Inc. for Perennial Color planting at sign on the corner of Arapahoe Road and Smoky Hill in the amount of \$18,853.67
- Ratify appointment of website compliance coordinator as CliftonLarsonAllen LLP
- Ratify proposal from Allyant for website document remediation in the amount of \$3,602.26

Upon a motion duly made by Director Crandall, seconded by Director Pell and, upon vote, unanimously carried, the Board approved the Consent Agenda.

## FINANCIAL MATTERS

### **Payment of Claims:**

Ms. Boroviak reviewed the claims for the period ending May 9, 2025, in the amount of \$1,052,473.78 with the Board. Following discussion, upon a motion duly made by

Director Yosten, seconded by Director Crandall and, upon vote, unanimously carried, the Board approved the claims, as presented.

**March 31, 2025 Unaudited Financial Statements and Schedule of Cash Position Updated as of May 6, 2025:**

Ms. Boroviak reviewed the unaudited financial statements and cash position with the Board. Following discussion, upon a motion duly made by Director Yosten, seconded by Director Pell and, upon vote, unanimously carried, the Board accepted the March 31, 2025, Unaudited Financial Statements and Schedule of Cash Position updated as of May 6, 2025, as presented.

**Draft 2024 Audit:**

Ms. Boroviak reviewed the draft 2024 Audit with the Board. Following review, upon a motion duly motion duly made by Director Yosten, seconded by Director Crandall and, upon vote, unanimously carried, the Board approved the draft 2024 Audit, as presented.

**LEGAL MATTERS**

**Violations/Parking Rules/Parking Resolution:**

Discussion ensued regarding a trailer parked illegally within the common area. Attorney Wagner noted that the Authority has the power to initiate a tow. The Authority can report the violation to the City or they can contact a tow company. Currently, there are no formal rules in place for parking violations. Legal counsel prepared the Uniform Parking Resolution outlining the steps that management can take under such circumstances. The Board directed CLA to send a certified letter to the owner of the trailer then post a physical notice. If the trailer is still not moved, they will contact a tow company. Management will need to be present and sign for the tow, if necessary. Following discussion, upon a motion duly made by Director Patterson, seconded by Director Yosten and, upon vote, unanimously carried, the Board adopted the Uniform Parking Resolution, as presented.

**MANAGER MATTERS**

**Schedio Engineering Report:**

Mr. McCarthy provided an update to the Board regarding Pond 7. Schedio and CLA met with E470, and they will be taking responsibility for the erosion coming off of E470. The Authority has not asked for reimbursements but will do so for Schedio's time and the previously completed maintenance.

Mr. Crehan provided an update on the erosion issue at 24446 E. Fremont Drive, stating that the owner contacted CLA regarding concerns over potential drainage issues in the common area that are causing problems with his retaining wall. Mr. Crehan reviewed the common area and found that it's unlikely that the drainage from the common area is causing the retention wall issue. Attorney Wagner will prepare a letter and provide to CLA for e-mailing to the owner.

**Proposal from Terra Craft for Entertaining Area at South of Club House:**

Director Crandall reviewed the proposal with the Board. The Board decided that this item will not be considered for 2025.

**Proposal from Terra Craft for Pool Lights:**

Director Crandall reviewed the proposal with the Board. The Board decided that this item will not be considered for 2025.

**Proposal from Terra Craft for Lights on North Side of Parking Lot:**

Director Crandall reviewed the proposal with the Board, noting that costs were negotiated down. Following review and discussion, upon a motion duly made by Director Pell, seconded by Director Crandall and, upon vote, unanimously carried, the Board approved the proposal from Terra Craft for lights on the north side of parking lot in the amount of \$28,955.04, as presented.

**Proposal from Terra Craft for Lights on South Side of Paver Drive:**

Director Crandall reviewed the proposal with the Board, noting that costs were negotiated down. Following review and discussion, upon a motion duly made by Director Pell, seconded by Director Crandall and, upon vote, unanimously carried, the Board approved the proposal from Terra Craft for lights on the south side of Paver Drive in the amount of \$21,715.04, as presented.

**Xcel Energy (“Xcel”) Update:**

Director Yosten provided an update to the Board, noting that Xcel did not add plates to all of the streetlights. CLA will take inventory of the missed poles and send their findings to Xcel. Xcel hired an outside law firm to determine who owns the sidewalks and streetscapes that go across the property. Attorney Wagner explained potential liability for the Authority to maintain Xcel’s property, noting that insurance will not provide coverage for any sort of trespassing. The Board directed Director Yosten to contact the law firm stating that the Authority will no longer request reimbursement but will need a license agreement to continue doing maintenance in these areas. It was confirmed that seven orphaned lights are hooked onto the Authority meter and maintenance responsibilities of the other eight lights is still being determined. Director Yosten recommended taking ownership of the eight lights if CLA is unable to come to an agreement with Xcel within six weeks.

**Landscape Matters:**

**City of Aurora IGA:**

Director Yosten provided an update to the Board, noting that the City provided 30 trees to the Authority, with 20 of those trees being dead upon receipt. They are now awaiting the trees to leaf out and will report the dead trees back to the City. The turf to native conversions are progressing well and the COA completed snow removals. The Authority is also awaiting a license agreement for COA medians. Legal counsel will follow up on the agreement.

**2024 TRA Turf Conversions to Natives, and to Shrubs & Xeriscaping:**

Director Yosten provided an update to the Board, noting that the 2024 turf conversions are progressing well.

**Turf Conversion Allocation Agreement and Capital Recovery Agreements:**

Director Yosten provided an update to the Board, noting that the Authority paid some capital recovery costs due to COA turf conversion watering requirements. The 2025 difference between allocation and what the Authority will be using is approximately

20%. ET Irrigation believes this will provide a cushion for potential future capital recovery costs. Brightview charges \$1/sq. ft. for conversion and the Authority will receive a reimbursement of \$0.50/sq. ft. Following review and discussion, upon a motion duly made by Director Pell, seconded by Director Crandall and, upon vote, unanimously carried, the Board approved Director Yosten to sign the new capital recovery agreements for turf conversions.

**Owner Request for Tree Trimming or Removal Adjacent to 24517 E. Easter Place and Proposal from Brightview Landscape Services for Tree Pruning Services:**

Ms. Terrell reviewed the request and proposal with the Board, noting that the owner is requesting the Authority trim the tree branches off of his property. Attorney Wagner explained that the Authority is under no obligation to trim the branches that are growing across the homeowner's property. CLA will let the owner know that the Authority will not be moving forward with their request or the proposal from Brightview Landscape Services for tree pruning services.

**Proposal from Brightview Landscape Services, Inc. for Trail Project:**

Director Pell reviewed the proposal with the Board, noting that the project would require grading and a retention wall. Following discussion, the Board denied the proposal.

**Motor Vehicle Damage at Corner of Arapahoe Road and Coolidge and Claims for Reimbursement of Costs of Damage:**

Director Yosten provided an overview of the issue, noting that an insurance claim has been filed.

**Pond 7 Area License Agreement with E470 and Reimbursement for 2024 Maintenance Items in Licensed Areas. Schedio 2025 Actions and Recommendations for Pond 7:**

This item was discussed under the Schedio Report above.

**Progress on 2024 and 2025 Monument Projects:**

Director Pell reviewed with the Board, noting that the monument on Smoky and Arapahoe has been completed, and the monument of Irish will begin soon. The stone for the monument on Glasgow and Smoky has been ordered and they are working with the City on a location for the monument across from the Fieldstone sign.

**Pool and Clubhouse Matters:**

Ms. Oakey provided an update to the Board, noting that the pool opening is underway. Most repairs have been completed but filters for the main pool are leaking. Since repairs are most often not successful, it's recommended that the filters are fully replaced. Front Range will complete a full assessment of the pool equipment, and the clubhouse will plan for future repairs at report back at the July Board meeting. In addition, the lifeguard chairs and the ADA chair have been replaced.

**Recommended Pool Rules from Front Range Recreation:**

Ms. Oakey reviewed the pool rules with the Board. Following review, upon a motion duly made by Director Crandall, seconded by Director Yosten and, upon vote, unanimously carried, the Board approved superseding any previous rules and

regulations, pending any small corrections by the Pool Committee. Legal counsel will prepare a resolution to update the Rules and Regulations.

**4<sup>th</sup> of July Pool Hours:**

The Board approved opening the pool early at 9:00 a.m. and closing it at 6:00 p.m.

**Morning Swim:**

The Board agreed to a morning swim Monday through Thursday from 5:45 a.m. to 6:45 a.m.

**Proposal from Dark Star Construction for Pool Area Fence Replacement:**

Ms. Terrell reviewed the proposal with the Board. Following review and discussion, upon a motion duly made by Director Yosten, seconded by Director Pell and, upon vote, unanimously carried, the Board approved the proposal from Dark Star Construction for pool area fence replacement in the amount of \$8,996.00, as presented.

**Proposal from Dark Star Construction for Painting of Clubhouse Railings:**

Ms. Terrell reviewed the proposal with the Board. Following review and discussion, upon a motion duly made by Director Pell, seconded by Director Deane and, upon vote, unanimously carried, the Board approved the proposal from Dark Star Construction for painting of clubhouse railings in the amount of \$4,957.00, as presented.

**Delinquent Fees and Taxes:**

Ms. Terrell provided an update to the Board, noting that there are a few homeowners with Orten Cavanaugh and legal fees will be assessed to homeowners.

**Offer for Mineral Interests:**

Mr. Baisch recommended holding off on accepting offers.

**Goodard School Operations & Maintenance (“O&M”) Fees:**

Ms. Boroviak reviewed fees with the Board. Ms. Clymer and Ms. Boroviak recommended not charging fees to the Goodard School. Director Yosten explained that the Authority used to charge a commercial fee. He feels that the school benefits from being within the District. Legal counsel will draft a letter for CLA to send to the Goodard School to alert them that the Authority will discuss reinstating the commercial O&M fee at the annual budget meeting.

**CliftonLarsonAllen LLP’s Updated Statements of Work (“SOW”):**

Director Yosten provided an update on the updated Statements of Work with the Board, noting that he has been working with CLA to add additional details to the agreements.

**OTHER MATTERS**

**Next Board Meeting is Scheduled for July 15, 2025 at 6:00 p.m.:**

The next meeting date was acknowledged.

**ADJOURNMENT**

There being no further business to come before the Board at this time, the meeting was adjourned at 9:02 p.m.

Respectfully submitted,

By \_\_\_\_\_  
Secretary for the Meeting