

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE COMMONS AT EAST CREEK METROPOLITAN DISTRICT HELD MAY 3, 2023

A special meeting of the Board of Directors of The Commons at East Creek Metropolitan District (the “**District**”) was convened on Wednesday, the 3rd day of May 2023 at 2:00 p.m. This District Board Meeting was held via Zoom. The meeting was open to the public via Zoom.

Directors In Attendance Were:

Adam Young

Also In Attendance Was:

Peggy Ripko; Special District Management Services, Inc. (“**SDMS**”)

Paula Williams, Esq. and Tim O’Connor, Esq.; McGeady Becher P.C.

Diane Wheeler; Simmons & Wheeler, P.C.

Loralee Broer, Jim Stewart and Brien Hollowell; District residents and Board Candidates

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Ms. Ripko confirmed a quorum. The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board to the Secretary of State. Ms. Ripko requested that Director Young consider whether he had any conflicts of interest to disclose with regard to any matters scheduled for discussion at this meeting, and noted for the record that Director Young is a resident of the District and there were no disclosures made by Director Young.

ADMINISTRATIVE MATTERS

Agenda: Ms. Ripko distributed for the Board’s review and approval a proposed Agenda for the District’s special meeting.

Following discussion, upon motion duly made and seconded by Director Young and, upon vote, unanimously carried, the Board approved the Agenda, as amended.

Approval of Meeting Location: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District’s Board meeting.

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Following discussion, upon motion duly made and seconded by Director Young and, upon vote, unanimously carried, the Board determined this District Board meeting was held by conference call without any individuals (neither District Representative nor the general public) attending in-person. The Board further noted that notice of this meeting and conference/video access was duly posted within the boundaries of the District and the Board had not received any objections to the format of the meeting or any requests that the meeting format be changed by taxpaying electors within the District's boundaries.

Results of May 2, 2023 Regular Election: Ms. Ripko discussed with the Board the results of the May 2, 2023 Regular Election for Directors ("**Election**"). It was noted that the Election was cancelled, as permitted by statute, as there were not more candidates than seats available. There are currently four (4) vacancies on the Board.

Resignation of Director: The Board acknowledged the resignation of Paul Yourick, effective as of January 27, 2023.

Vacancies on the Board of Directors: The Board discussed the four (4) vacancies on the Board. District residents and eligible electors of the District, Lorelee Broer, Jim Stewart and Brien Hollowell, expressed their interest in serving on the Board.

Following discussion, upon motion duly made and seconded by Director Young and, upon vote, unanimously carried, the Board appointed Lorelee Broer, Jim Stewart and Brien Hollowell to the Board of Directors. Ms. Ripko noted that Oaths of Directors would be administered after the meeting.

Appointment of Officers: Following discussion, upon motion duly made and seconded by Director Young and, upon vote, unanimously carried, the following slate of officers was appointed:

| | |
|---------------------|-----------------|
| President | Adam Young |
| Treasurer | Lorelee Broer |
| Secretary | Peggy Ripko |
| Assistant Secretary | Jim Stewart |
| Assistant Secretary | Brien Hollowell |

Minutes: The Board reviewed the Minutes of the October 31, 2022 Special Meeting.

Following discussion, upon motion duly made and seconded by Director Young and, upon vote, unanimously carried, the Board approved the Minutes of the October 31, 2022 Special Meeting.

PUBLIC COMMENT There were no public comments.

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FINANCIAL MATTERS

2022 Audit Exemption Application: Ms. Wheeler reviewed the 2022 Audit Exemption Application with the Board.

Following discussion, upon motion duly made and seconded by Director Young and, upon vote, unanimously carried, the Board ratified approval of the 2022 Audit Exemption Application.

Claims: The Board considered ratifying the approval of the payment of claims through April 25, 2023 in the amount of \$79,678.86.

Following discussion, upon motion duly made and seconded by Director Young and, upon vote, unanimously carried, the Board ratified approval of the payment of the claims through April 25, 2023 in the amount of \$79,678.86.

Financial Statements/Schedule of Cash Position: Ms. Wheeler reviewed the unaudited financial statements of the District for the period ending March 31, 2023.

Following discussion, upon motion duly made and seconded by Director Young and, upon vote, unanimously carried, the Board accepted the unaudited financial statements of the District for the period ending March 31, 2023, as presented.

COMMUNITY MANAGEMENT

Report from Community Manager: There was nothing to discuss regarding the Community Manager Report.

District Roads, Restrictions and Potential Signage: The Board discussed semi-truck use of District roads and damage to the roads. Ms. Ripko confirmed that the District will order signs restricting semi-truck use of the District roads.

Service Agreement for Landscape Maintenance Services between the District and Cox Professional Landscape Services, LLC: The Board discussed the Service Agreement for Landscape Maintenance Services between the District and Cox Professional Landscape Services, LLC and reviewed proposals.

Following discussion, upon motion duly made and seconded by Director Young and, upon vote, unanimously carried, the Board ratified approval of the Service Agreement for Landscape Maintenance Services and proposals between the District and Cox Professional Landscape Services, LLC.

OTHER BUSINESS


Mr. Steward inquired into when the next landscaping walkthrough is going to take place. Ms. Ripko advised that Michelle at SDMS typically does a walkthrough twice a month. She will have Michelle reach out to the Board and introduce herself and schedule the next walkthrough.

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ADJOURNMENT

Following discussion, upon motion duly made and seconded by Director Young and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By 
Secretary for the Meeting