

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE COMMONS AT EAST CREEK METROPOLITAN DISTRICT HELD NOVEMBER 19, 2024

A special meeting of the Board of Directors of The Commons at East Creek Metropolitan District (the “**District**”) was convened on Tuesday, the 19th day of November, 2024 at 1:00 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, President
Loralee Broer, Treasurer
Brien Hollowell, Assistant Secretary
Trenton Radford, Assistant Secretary

Also In Attendance Was:

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

Jeffrey Erb, Esq.; Erb Law, LLC

Oscar Fiero and Diane Wheeler; Simmons & Wheeler, P.C.

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 the Directors consider whether they have any conflicts of interest to disclose with regard to any matters scheduled for discussion at this meeting, and noted for the record that the Directors are residents of the District.

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 by Director Broer and seconded by Director Hollowell and, upon vote, unanimously carried, the Board approved the Agenda.

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.

Following discussion, upon motion, duly made by Director Broer and seconded

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by Director Hollowell and, upon vote, unanimously carried, the Board determined this District Board meeting was held by Zoom. The Board further noted that notice of this meeting and conference/video access was duly posted on the District website.

Minutes: The Board reviewed the Minutes of the August 14, 2024 Regular Meeting.

Following discussion, upon motion, duly made by Director Broer and seconded by Director Young and, upon vote, unanimously carried, the Board approved the Minutes of the August 14, 2024 Regular Meeting.

2025 Administrative Resolution: The Board reviewed the 2025 Annual Administrative Resolution.

The Board determined to schedule Regular Meetings on June 24 and October 28, 2025 at 1:00 p.m. via teleconference.

Following discussion, upon motion, duly made by Director Radford, seconded by Director Hollowell and, upon vote, unanimously carried, the Board adopted the 2025 Annual Administrative Resolution, as amended.

§32-1-809, C.R.S. Reporting Requirements, Mode of Eligible Elector Notification for 2025: The Board discussed §32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2025. The Board directed staff to post the required Transparency Notice on the SDA website and District website.

PUBLIC COMMENT

There were no public comments.

FINANCIAL MATTERS

Claims: The Board considered approving the payment of claims.

Following discussion, upon motion, duly made by Director Broer, seconded by Director Young and, upon vote, unanimously carried, the Board ratified approval of the payment of claims.

Unaudited Financial Statements: The Board reviewed with the Board the unaudited financial statements for the period ending September 30, 2024.

Following discussion, upon motion, duly made by Director Radford, seconded by Director Hollowell and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending September 30, 2024.

2024 Application for Exemption from Audit: The Board discussed the requirement for the 2024 Application for Exemption from Audit.

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Following discussion, upon motion, duly made by Director Radford, seconded by Director Broer and, upon vote, unanimously carried, the Board appointed Simmons & Wheeler P.C. to prepare and file the Application for Exemption from Audit for 2024.

2024 Budget Amendment Hearing: The President opened the public hearing to consider a Resolution to Amend the 2024 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2024 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received, and the public hearing was closed.

Following discussion, upon motion, duly made by Director Broer, seconded by Director Radford and, upon vote, unanimously carried, the Board amended the 2024 Budget.

2025 Budget Hearing: The President opened the public hearing to consider the proposed 2025 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2025 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to or at this public hearing. No public comments were received, and the President closed the public hearing.

Ms. Wheeler reviewed the estimated year-end 2024 revenues and expenditures and the proposed 2025 estimated revenues and expenditures.

Following discussion, the Board considered the adoption of the Resolution to adopt the 2024 Budget and Appropriate Sums of Money and the Resolution to Set Mill Levies (for the General Fund at 33.664 mills, the Debt Service Fund at 65.942 mills, and ARI mill at 1.317 mills, for a total of 100.923 mills). Upon motion duly made by Director Broer, seconded by Director Radford upon vote, unanimously carried, the Resolutions were adopted, as amended, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2024. Ms. Wheeler was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Arapahoe County not later than December 15, 2024.

Ms. Ripko was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2025.

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COMMUNITY MANAGEMENT/ OPERATIONS

Report from Community Manager: The Board discussed the Report from the Community Manager.

Proposal from PST for Removal of Dead Plants: The Board deferred discussion at this time.

Scope of Landscape Maintenance: The Board discussed the landscape maintenance. The Board directed SDMS to send out for bid.

LEGAL MATTERS

Resolution Calling Regular Election on May 6, 2025: The Board discussed the Resolution Calling A Regular Election for Directors May 6, 2025.

Following discussion, upon motion, duly made by Director Radford, seconded by Director Young, and upon vote, unanimously carried, the Board adopted the Resolution Calling Regular Election on May 6, 2025 and appointed Natalie Fleming as the Designated Election Official and authorized her to perform all tasks required for the May 6, 2025 Regular Election of the Board of Directors for the conduct of a polling place/mail ballot election.

Website Accessibility Status and Next Steps: The Board discussed the website accessibility status and next steps.


OTHER BUSINESS

None.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Broer, seconded by Director Young, and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By 
Secretary for the Meeting