MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE ERIE HIGHLANDS METROPOLITAN DISTRICT NOS. 1 AND 2 HELD

APRIL 2, 2025

DISTRICT NO. 1 MINUTES

A consolidated special meeting of the Boards of Directors of the Erie Highlands Metropolitan District Nos. 1 and 2 was convened on Wednesday, April 2, 2025 at 6:00 p.m. This District Board Meeting was held via Zoom video/telephone conference. The meeting was open to the public.

Directors for District No. 1 in Attendance Were:

Joshua Kiel Malm, President Jason Edward Manley, Treasurer Samuel A. Mayer, Secretary Kristine Fillius, Assistant Secretary Tonya L. Baca, Assistant Secretary

Also In Attendance Were:

Peggy Ripko and Kaitlyn Toman; Special District Management Services, Inc.

Jeffrey Erb, Esq. and Haley Trecarichi, Esq.; Erb Law, LLC (General Counsel for District No. 1)

Joan Fritsche, Esq.; Fritsche Law LLC (General Counsel for District No. 2)

Members of the public.

CALL TO ORDER

The meeting was called to order at 6:06 .P.M. The Board noted a quorum was present and discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting. No disclosures were made, and it was noted that all Directors are residents of the District.

Agenda: The Board reviewed the proposed Agenda for the District's special meeting.

Following discussion, upon motion made, seconded and unanimously carried, the Board approved the Agenda as presented.

Page 1 04.02.25 EHMD1 SPECIAL

PUBLIC COMMENT Public comment was made regarding the regulation of on-street parking.

ADMINISTRATIVE MATTERS

Minutes: The Board reviewed the minutes of the Minutes of the March 5, 2025 special meeting.

Following discussion, upon motion made by Director Malm, seconded by Director Baca and, upon vote, unanimously carried, the Board approved the minutes of the Minutes of the March 5, 2025 special meeting.

FINANCIAL MATTERS

Payment of Claims: The Board reviewed the payment of claims as follows:

	Period Ending		Period Ending	
Fund	Feb. 28 2025		Mar. 31 2025	
General	\$	4,271.87	\$	26,866.94
Debt Service	\$	-0-	\$	-0-
Capital Projects	\$	-0-	\$	-0-
Total Claims	\$	4,271.87	\$	26,866.94

The Board discussed the payments for cleaning of the Clubhouse before the transition of ownership to District 1 and 2 and determined that these invoices should not be paid by the Districts. Following discussion, upon motion made by Director Mayer, seconded by Director Malm and, upon vote, unanimously carried, the Board approved the payment of claims, as presented excluding the payments for Clubhouse cleaning.

<u>Unaudited Financial Statements and Cash Position</u>: The Board reviewed the unaudited financial statements and cash position for the period ending March 31, 2025.

Following discussion, upon motion made by Director Mayer, seconded by Director Malm and, upon vote, unanimously carried, the Board approved the unaudited financial statements and cash position for the period ending March 31, 2025.

<u>OPERATIONS</u> <u>MATTERS</u>

Discussion Regarding Operating Pool Without Lifeguard on Duty: The Board reviewed the proposal from the YMCA for lifeguards for 2025. The Board discussed the legal requirements for having lifeguards on duty as well as potential District liability. The Board created a pool committee to review options for lifeguard staffing and to work with the YMCA on additional proposals for further discussion to occur at a subsequent meeting.

Agreement between the District and Sal's Superior Cleaning: The Board discussed breaking the cleaning contract into two separate contracts, one for as needed cleaning and one for weekly cleaning. The Board requested District

Page 2 04.02.25 EHMD1 SPECIAL

Management to update the scope for the May meeting.

Agreement between the District and Foothills Facilities Maintenance, LLC: The Board reviewed the Agreement between the District and Foothills Facilities Maintenance, LLC.

Following discussion, upon motion made by Director Baca, seconded by Director Malm and, upon vote, unanimously carried, the Board approved the Agreement between the District and Foothills Facilities Maintenance, LLC.

<u>Discussion Regarding Formation of Resident Committee for Landscape</u>
<u>Architecture and CCR's</u>: The Board discussed the formation of a resident committee for Landscape, Architecture and CCR's. The Board directed District Management to draft an enforcement outline and research laws regarding parking on streets.

Discussion Regarding Signs on District Property: This item was tabled to a subsequent meeting.

LEGAL MATTERS Public Hearing to Consider Exclusion of Tract H. Erie Highlands Filing No. 1

from Clayton Properties Group. Inc.: The President opened the public hearing at
7:53 P.M. to consider the petition for Exclusion of Tract H, Erie Highlands Filing
No. 1 submitted by Clayton Properties Group, Inc.

Mr. Erb noted that this parcel is located in District 1 and exclusion of the parcel is a condition of the settlement agreement.

It was noted that publication of the Notice stating that the Board would consider the Exclusion of Tract H, Erie Highlands Filing No. 1 from Clayton Properties Group was published prior to the meeting. No written objections were received prior to this public hearing.

No public comments were received, and the public hearing was closed at 7:56 P.M.

Resolution re Exclusion of Tract H. Erie Highlands Filing No. 1: Following discussion, upon motion, duly made by Director Mayer, seconded by Director Malm and, upon vote, unanimously carried, the Board approved the Exclusion of Tract H, Erie Highlands Filing No. 1 from Clayton Properties Group, Inc., Resolution for Exclusion of Real Property.

Service and Facility Fee: Director Manley updated the Board on the service and facility fee and update. The Town will consider giving the Districts authority to impose the fee at its meeting on April 8, 2025.

Settlement Agreement: The Board discussed the status of the requirements of the

Page 3 04.02.25 EHMD1 SPECIAL

Settlement Agreement.

OTHER BUSINESS

The Board discussed the timing for pool repairs, noting that these will be targeted for the Fall and over the winter so as to not interrupt the 2025 pool season.

President Malm recommended that the Board adopt rules of decorum for public meetings. The Board discussed meeting decorum.

Following discussion, upon motion, duly made by Director Kauffman, seconded by Director Matyus and, upon vote, unanimously carried, the Board directed legal counsel to draft rules of decorum for public meetings and a resolution adopting rules of decorum for public meetings to be reviewed at the May meeting.

ADJOURNMENT There being no further business to come before the Board at this time, upon motion duly made by Director Mayer, seconded by Director Manley and, upon vote unanimously carried, the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

By_

Secretary for the Meeting

Page 4 04.02.25 EHMD1 SPECIAL