

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE ERIE HIGHLANDS METROPOLITAN DISTRICT NOS. 1 AND 2 HELD OCTOBER 1, 2025

DISTRICT NO. 1 MINUTES

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

Directors for District No. 1 in Attendance Were:

Jim Davis, President
Kristine Fillius, Treasurer
Tonya L. Baca, Secretary
Jason Edward Manley, Assistant Secretary

Also In Attendance Were:

David Solin and Diana Garcia; 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)

Courtney Kramer, Esq. and Tiffany Toomey, Esq.; Senter, Goldfarb and Rice, LLC (Special Counsel for District No. 1)

District No. 2 Directors Gonzales, Matyus, Kauffman, Thoma and Hobbs

Various residents of the District

CALL TO ORDER

The meeting was called to order at 6:08 p.m. Mr. Solin noted a quorum was present and discussed the requirements of Colorado law to disclose any potential conflicts of interest of the Board of Directors to the Secretary of State and the Board. 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 as amended for the District's regular meeting.

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Following discussion, upon motion made by Director Baca, seconded by Director Manley and, upon vote, unanimously carried, the Board approved the Agenda.

EXECUTIVE SESSION

EXECUTIVE SESSION: Before going into Executive Session, a motion was made by Director Manley, seconded by Director Baca to go into Executive Session pursuant to Section 24-6-402(4)(b), C.R.S. for the purposes of receiving legal advice on legal questions related to: (1) Recall Election; (2) Colorado Open Records Requests; (3) Board vacancy; Filings and Potential Claims against District; and (4) Domain name registrations, the Board went into Executive Session at 6:19 p.m.

RETURN TO OPEN PUBLIC MEETING: At approximately 7:37 p.m. the Board came out of Executive Session.

Recall Election

Status of Recall Election: The Board discussed the status of the recall election. It was noted that a protest on the sufficiency of the Petition to Recall Director Kristine Fillius had been filed with the DEO and a Hearing is being set.

Director Recall Petition and Certificate of Sufficiency: The Board discussed the Director Recall Petition and Certificate of Sufficiency. It was noted that a protest had been filed with the DEO and a Hearing is being set.

Resolution Ordering and Fixing Date of Recall Election for Director Kristine Fillius: The Board deferred discussion at this time because a protest had been filed with the DEO and a Hearing is being set to hear the protest.

Letter to Court and Town of Erie: The Board discussed a proposed letter to the Weld County District Court and the Town of Erie removing the perception that the District was involved in any letters sent to them by Director Davis regarding open meeting law violations, procedural violations and potential malfeasance, etc. The Board directed Attorneys Erb, Kramer and Toomey to draft a letter to be signed by all Directors.

Following discussion, upon motion made by Director Baca, seconded by Director Manley and, upon vote, unanimously carried, the Board approved preparation of the letter to the Weld County District Court and Town of Erie removing the perception that the District was involved in any letters sent to them by Director Davis regarding open meeting law violations, procedural violations and potential malfeasance, etc. The Board directed Attorneys Erb, Kramer and Toomey to draft the letter to be signed by all Directors.

Vacancy Posting: The Board discussed the vacancy on the Board of Directors. The Board directed Mr. Solin to post a notice seeking candidates to the District website

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and include an Agenda item for appointment to the vacancy at the next meeting.

Submission of a Removal of the ehmd1.org from the Website Domain Registry: The Board discussed the submission of a removal of the ehmd1.org from the website domain registry.

Following discussion, upon motion, made by Director Manley, seconded by Director Baca, the Board moved submit a removal of the ehmd1.org from the website domain registry. With Directors Fillius and Davis voting no, the motion failed.

PUBLIC COMMENT There were discussions regarding resignations of Director Fillius and Director Davis.

ADMINISTRATIVE MATTERS **Minutes:** The Board reviewed the Minutes of the September 3, 2025 regular meeting.

Following discussion, upon motion made by Director Davis, seconded by Director Fillius and, upon vote, unanimously carried, the Board approved the Minutes of the September 3, 2025 regular meeting.

FINANCIAL MATTERS

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

| Fund | Special Request July 31, 2025 | Period Ending July 31, 2025 | Period Ending August 31, 2025 | Period Ending Sept. 30, 2025 |
|---------------------|----------------------------------|--------------------------------|-------------------------------------|---------------------------------|
| General | \$ 982.30 | \$ 109,744.06 | \$ 70,897.23 | \$ 47,165.73 |
| Debt Service | \$ -0- | \$ -0- | \$ -0- | \$ -0- |
| Capital Projects | \$ -0- | \$ -0- | \$ -0- | \$ -0- |
| Total Claims | \$ 982.30 | \$ 109,744.06 | \$ 70,897.23 | \$ 41,165.73 |

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

Unaudited Financial Statements and Cash Position: The Board reviewed the unaudited financial statements and cash position statements.

Following discussion, upon motion made by Director Manley, seconded by Director Baca and, upon vote, unanimously carried, the Board approved the unaudited financial statements and cash position statements.

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POOL AND CLUBHOUSE MATTERS

Updates from Budget Committee: The Board discussed the updates from the Budget Committee and discussed Budget priorities.

Discuss Pool Repair Projects: Mr. Solin discussed with the Board the pool repair projects. No action was necessary at this time.

Proposals for 2026 Pool Services: Mr. Solin discussed with the Board the proposals for 2026 pool services for the CPO, lifeguards and monitors. No action was necessary at this time.

OPERATIONS MATTERS

Appointment of New Resident to Landscape Committee: The Board directed Mr. Solin to post a notice seeking candidates to the District website.

Appointment of New Resident to Pool Committee: The Board directed Mr. Solin to post a notice seeking candidates to the District website.

Neighborhood Lawn Care for 2025-2026 Snow Maintenance and 2026 Landscape Services: The Board reviewed the proposal from Neighborhood Lawn Care for 2025-2026 snow maintenance and 2026 landscape services.

Following discussion, upon motion made by Director Davis, seconded by Director Baca and, upon vote, unanimously carried, the Board approved the proposal from Neighborhood Lawn Care for 2025-2026 snow maintenance and 2026 landscape services.

LEGAL MATTERS, CONTINUED

Appointment of Secretary: The Board discussed the appointment of Secretary to the Board of Directors.

Following discussion, upon motion made by Director Manley, seconded by Director Davis and, upon vote, unanimously carried, the Board appointed Director Baca as Secretary to the Board of Directors.

OTHER BUSINESS Vacancy on the District No. 1 Board: Following discussion, upon motion, made by Director Manley, seconded by Director Baca, the Board moved to appoint Mr. Malm to the District No. 1 Board of Directors. With Directors Fillius and Davis voting no, the motion failed.

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

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Respectfully submitted,

By 
Secretary for the Meeting