

MINUTES OF A REGULAR MEETING OF THE
BOARDS OF DIRECTORS

OF

CLEAR CREEK STATION METROPOLITAN DISTRICT
NOS. 1-3

Held: Wednesday, December 13, 2017 at 6:00 p.m.
The Shed at Midtown, 1625 W. 67th Ave., Denver,
Colorado.

Attendance

The meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following Directors were in attendance:

Marc Savela – District Nos. 1-3
Ashley Tarufelli – *Absent*
Chris Petro – District Nos. 1-3
Neil Simpson – District Nos. 1 & 3
Sam Delp – *Absent*
Matthew Zielinski – District No. 2

All Directors' absences are deemed excused unless a contrary notation is recorded in these minutes.

Also present were Kristen D. Bear, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District general counsel; Kimberly Johanns, Simmons & Wheeler, District accountant; Wes Lavanchy, District engineer; and Desiree Wingo; MSI, LLC, District Manager.

Please see the attached sign in sheet for additional attendees.

Call to Order/Declaration of Quorum

Director Savela noted that a quorum of each Board was present and therefore called the meeting to order.

Director Disclosures

Ms. Bear advised the Boards that pursuant to Colorado law, certain disclosures by the Directors may be required prior to taking official action at the meeting. The Boards reviewed the agenda for the meeting, following which each Director confirmed the contents of any written disclosure previously made stating the fact and summary nature of any additional matters as required under Colorado law to permit official action to be taken at the meeting. Additionally, the Boards determined that the participation of the Directors present

were necessary to obtain a quorum or otherwise enable the Boards to act pursuant to §24-18-109(3)(b).

Approval of Agenda

Ms. Bear presented the Boards with the proposed agenda for the meeting. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the agenda.

Consent Agenda

The following items on the consent agenda were considered routine or administrative. Following a summary by Ms. Bear, upon a motion duly made and seconded, the Board unanimously approved the items on the consent agenda as follows:

Minutes/Ratification of Actions from September 26, 2017 special meeting

Minutes/Ratification of Actions from October 17, 2017 regular meeting

District Manager's Report

The District Nos. 1-3 Boards engaged in a general discussion regarding financials.

Ms. Wingo presented the District Nos. 1-3 Boards with the Emerald Isle Tree Removal/Replacement Proposal, the Revised Clubhouse Agreement AV Equipment and the Christmas Lights Install-Swingle for ratification. Following discussion, upon a motion duly made and seconded, the Board unanimously ratified the agreements and services. No objections were made.

Ms. Wingo provided the District No. 1 Board with a grounds update and Emerald Isle.

Ms. Wingo provided the District Nos. 1-3 Boards with an update on water feature proposals generally based upon the management report included in the meeting packet, including the following:

Ms. Wingo provided the District Nos. 1-3 Boards with an update on maintenance and operations in the community generally based upon the management report included in the meeting packet, including the following:

- Additional Pest Control Request – Orkin
- No parking Signs Installed and the Curbs Painted Red
- Lighting Repairs – Productive
- Warren Dr. – Excel/Productive

- Shed-breaker popped/other lights out
- Lights out along bike path
- Light out in the median
- Exterior string lights-bulb replacement/resting
- Drivers out throughout the community – covered under warranty
- Plumbing-leaky sink at “The Shed” – Rock Property Services
- Wood bench repair “The Shed” Rock Property Services
- Gate latch – Rock Property Services 3rd repair with the current style
- Mirror replacement on bike path west end – Vandalism – Budget
- Men’s bathroom door – Rock Property services – Temporary repair/ special order fixture
- Remote access login tech support – couldn’t gain access to program codes – reset on site visits/additional tech support needed

Ms. Wingo provided the District Nos. 1-3 Boards with an update on the architectural and maintenance applications. Ms. Wingo also provided an update on the Garden and Social Committee Shed.

Ms. Wingo provided the District Nos, 1-3 Boards with an update on covenant enforcement.

Ms. Wingo presented the District Nos. 1-3 Boards with general updates from the social committee, the landscape committee, the garden committee, the communications committee, the advisory committee, and the neighborhood watch committee. It was noted that there is not enough involvement in the Neighborhood Watch Committee and requested this be withdrawn.

Public Comment

Amanda – [redacted] arrow at Management documents udi work at Pecos Dog issues with neighbors, inquiring into [redacted] input and [redacted].

The District Nos. 1-3 Boards engaged in a general discussion regarding renting [redacted] for county event and regular payments.

Legal Matters

Annual Administrative Matters

The District Nos. 1-3 Board engaged in a general discussion regarding annual administrative matters.

Discuss 2018 Regular Meeting
(Dates March 14, June 13,
September 12, December 12)

The District Nos. 1-3 Boards engaged in a general discussion regarding the 2018 regular meeting dates.

Consider Adoption of 2018
Annual Administrative Resolution

Ms. Bear presented District Nos. 1-3 with the Annual Administrative Resolution for consideration. Following a review and discussion, upon a motion duly made and seconded to adopt the resolution with the addition that all matters which require publication that the notices be posted to the website. The motion was passed unanimously.

Consider Approval of Amended
and Restated Public Records
Request

Ms. Bear presented the District Nos. 1-3 Boards with the Amended and Restated Public Records Request Policy for consideration. Following a review and discussion, upon a motion duly made and seconded to approve the Amended and Restated Public Records Request Policy, subject to changes discussed. The motion was passed unanimously.

Consider Adoption of Resolution
Calling Election

Ms. Bear presented the District Nos. 1-3 Boards with the Resolution Calling Election for consideration. Following a review and discussion, upon a motion duly made and seconded to approve the Resolution Calling Election, subject to changes discussed. The motion was passed unanimously.

Consider Adoption of 2018 Fee
Addendum

Ms. Bear presented the District Nos. 1-3 Boards with the 2018 Fee Addendum for consideration. Following a review and discussion, upon a motion duly made and seconded to approve the 2018 Fee Addendum, subject to changes discussed. The motion was passed unanimously.

Insurance Matters: Property and
Liability Schedule and Limits

Ms. Bear presented the District Nos. 1-3 Boards with the Property and Liability Schedule and Limits for consideration. Following a review and discussion, upon a motion duly made and seconded to approve the Property and Liability Schedule and Limits, subject to changes discussed. The motion was passed unanimously.

Consolidation and District
Transitional Matters

The District Nos. 1-3 Boards engaged in a general discussion regarding the Consolidation and District transitional matters. Following a discussion, it was determined to proceed with the consolidation election as part of the May 2018 election.

Ms. Bear presented the District No. 1 Boards with the Independent Contractor Agreement with Emerald Isle

Consider Ratification of Independent Contractor Agreement with Emerald Isle Landscaping, Inc., for Snow Removal Services – 2017-2018 Winter Season

Landscaping, Inc., for snow removal services during the 2017-2018 winter season for consideration. Following a review and discussion, upon a motion duly made and seconded to ratify the Independent Contractor Agreement with Emerald Isle Landscaping, Inc., for snow removal services, subject to changes discussed. The motion was passed unanimously.

Consider Ratification of Independent Contractor Agreement with Emerald Isle Landscaping, Inc., for 2018 Landscape Maintenance Services

Ms. Bear presented the District No. 1 Board with the Independent Contractor Agreement with Emerald Isle Landscaping, Inc., for 2018 landscape maintenance services. Following a review and discussion, upon a motion duly made and seconded to ratify the Independent Contractor Agreement with Emerald Isle Landscaping, Inc., for landscape maintenance service, subject to changes discussed. The motion was passed unanimously.

Consider Approval of First Addendum to Agreement with MIS, LLC for District Management Services

Ms. Bear presented the District No. 1 Board with the First Addendum to Agreement with MIS, LLC for District management services for consideration. Following a review and discussion, upon a motion duly made and seconded to approve the First Addendum to Agreement with MSI, LLC, subject to changes discussed. The motion was passed unanimously.

Consider Approval of Agreement with Menta Clean for Janitorial Services

Ms. Bear presented the District No. 1 Board with the Agreement with Menta Clean for janitorial services for consideration. Following a review and discussion, upon a motion duly made and seconded to approve the Agreement with Menta Clean for janitorial services, subject to changes discussed. The motion was passed unanimously.

Financial Matters

Consider Approval of September 30, 2017 Financials and Checks to be Approved/Ratified

Ms. Johanns presented the District Nos. 1-3 Boards with the September 30, 2017 financials and claims payable for consideration. Following a review and discussion, upon a motion duly made and seconded, the Boards unanimously accepted the financials and approved the payables.

Conduct 2018 Budget Hearings and Consider Approval of 2018 Budget Resolution

Director Savela opened the public hearings on the 2018 budgets for District Nos. 1-3. Ms. Bear noted that publication of Notice stating that the Boards would consider the 2018 budgets, and the date, time and location of the public hearing was made in a newspaper having general circulation within the Districts'. No written objections were received prior to

the public hearing. After no public comment was made, the hearing was closed.

Consider Adoption of District No. 1 Resolution Authorizing 2018 Budget

Ms. Johanns presented the District No. 1 Board with the Resolution Authorizing the 2018 Budget for consideration. Following a review and discussion, upon a motion duly made and seconded to adopt the Resolution Authorizing the 2018 Budget, subject to changes discussed. The motion was passed unanimously.

Consider Adoption of District No. 2 Resolution Authorizing 2018 Budget

Ms. Johanns presented the District No. 2 Board with the Resolution Authorizing the 2018 Budget for consideration. Following a review and discussion, upon a motion duly made and seconded to adopt the Resolution Authorizing the 2018 Budget, subject to changes discussed. The motion was passed unanimously.

Consider Adoption of District No. 3 Resolution Authorizing 2018 Budget

Ms. Johanns presented the District No. 3 Board with the Resolution Authorizing the 2018 Budget for consideration. Following a review and discussion, upon a motion duly made and seconded to adopt the Resolution Authorizing the 2018 Budget, subject to changes discussed. The motion was passed unanimously.

Conduct 2017 Budget Amendment Hearings and Consider Approval of Resolutions Amending 2017 Budgets for District Nos. 1-3

Director Savela opened the public hearings on the 2017 budget amendments for District Nos. 1-3. Ms. Bear noted that publication of Notice stating that the Boards would consider the 2017 budget amendments, and the date, time and location of the public hearing was made in a newspaper having general circulation within the Districts'. No written objections were received prior to the public hearing. After no public comment was made, the hearing was closed.

Consider Approval of District No. 1 Resolution Authorizing 2017 Budget Amendment

Ms. Bear presented the District No. 1 Board with the Resolution Authorizing the 2017 Budget Amendment for consideration. Following a review and discussion, upon a motion duly made and seconded to approve the Resolution Authorizing the 2017 Budget Amendment, subject to changes discussed. The motion was passed unanimously.

Consider Approval of District No. 2 Resolution Authorizing 2017 Budget Amendment

Ms. Bear presented the District No. 2 Board with the Resolution Authorizing the 2017 Budget Amendment for consideration. Following a review and discussion, upon a motion duly made and seconded to approve the Resolution Authorizing the 2017 Budget Amendment, subject to changes discussed. **MZ opposes?**

Consider Engagement of
Strategem Certified Public
Accountants for 2017 Audit

The District Nos. 1 & 2 Boards engaged in a general discussion regarding the engagement of Strategem Certified Public Accountants for 2017 Audit Services. Following a review and discussion, upon a motion duly made and seconded, the District Nos. 1 & 2 Boards approved the engagement of Strategem Certified Public Accountants.

Consider Approval/Ratification of
Reimbursement to Property
Owners for Costs of Watering
District Property

Ms. Bear presented the District Nos. 1-3 Boards with the Reimbursement to Property Owners for Costs of Watering District Property for consideration. Following a review and discussion, upon a motion duly made and seconded to approve the Reimbursement to Property Owners for Costs of Watering District Property, subject to changes discussed. The motion was passed unanimously.

Construction Matters

Construction Status Report

The District Nos. 1-3 Boards engaged in a general discussion regarding the construction status report and it was noted that the \$100K release for the additional improvements was approved subject to ensuring that the Warranty Agreement and Bonds capture these improvements and any repairs/maintenance needed during the warranty period.

Next Meeting

The next special meeting will be held on February 22, 2018 at 6:00 p.m.

Adjourn

There being no further business to come before the Boards and upon motion duly made, seconded, and unanimously carried, the meeting was adjourned.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

District No. 1 Secretary for the Meeting

District No. 2 Secretary for the Meeting

District No. 3 Secretary for the Meeting

