

MINUTES OF THE JOINT REGULAR MEETING OF THE BOARDS OF
DIRECTORS OF WATERS' EDGE METROPOLITAN DISTRICT
NOS. 1 & 2

Held: Wednesday, February 21, 2024, at 2:00 p.m.
Via Teleconference

Attendance

The joint special meeting of the Boards of Directors of the Waters' Edge Metropolitan District Nos. 1 & 2 was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve on the Boards, were in attendance:

Joe Knopinski, President
Todd Johnson, Assistant Secretary
John Gooch, Secretary, absent
Vacant, Treasurer
Vacant, Assistant Secretary

Also present were Robert Rogers, Esq. and Audrey Johnson, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Diane Wheeler, Simmons & Wheeler, P.C. District Accountant; Angela Elliott, Evan Redmond, Marlene Pappas, Teleos Management Group, District Manager; Dan Nickless, Actual Communities LP; and members of the public.

Call to Order

It was noted that a quorum of the Boards was present, and the meeting was called to order at 2:03p.m. by Director Knopinski.

**Conflict of Interest
Disclosures/Director
Qualifications**

Mr. Rogers advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Rogers reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Ms. Rogers inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest regarding any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

**Approval of
Agenda**

Director Knopinski presented the Boards with the agenda for the meeting for consideration.

Following discussion, upon a motion duly made by Director Knopinski and seconded by Director Johnson, the Boards unanimously approved the agenda, as amended.

**Acknowledgement and
Acceptance of Jerry
Wenzel Resignation**

The Boards acknowledged Jerry Wenzel's resignation from the Board of Directors for District No. 2, leaving a vacancy in which the term ends May 2027.

Consider Appointment of Directors/Certificate of Appointment/Oath of Office

Director Knopinski noted that there is currently one vacancy on the Board for District No. 2 and Director Wenzel has resigned, resulting in 2 vacancies in District No. 2. Ms. Elliott facilitated interest among homeowners to fill the vacancies. Director Knopinski and Ms. Elliott have interviewed the interested candidates.

Following discussion, upon a motion duly made by Director Knopinski and seconded by Director Johnson, the Board unanimously appointed the following homeowners to the vacant positions on the Board of District No. 2:

Eric Pearson, Term Ending May 2027
Rachel Daugherty, Term Ending May 2027

Election of Officers

Following discussion, upon a motion duly made by Director Knopinski and seconded by Director Johnson, the Board for District No. 2 unanimously elected to keep the same titles, and fill the titles that were vacant with the new members, as follows:

President – Joe Knopinski
Secretary- John Gooch
Treasurer- John Gooch
Assistant Secretary- Todd Johnson
Assistant Secretary- Eric Pearson
Assistant Secretary- Rachel Daugherty

Public Comment

Owners inquired about the ability to store small boats, etc. down by the lake. The Developer explained that lake access is still in control of Richard’s Lake HOA at this time, and that they have been trying to come to an agreement to have the boats that are there now moved so that a storage policy can be drafted and put into place eventually.

Owners also brought up concerns of the new proposed Rules and Regulations for Irrigation System, voicing that they would like to be able to have daylight hours available to water, not just at night, and would like the Boards to revisit the rules before implementation.

Consent Agenda

Director Knopinski reviewed the items on the consent agenda with the Boards. He advised the Boards that any item may be removed from the consent agenda to the regular agenda upon the request of any director.

Minutes from the November 15, 2023 Special & Annual Meetings

Upon a motion duly made by Director Knopinski and seconded by Director Johnson, the following items on the consent agenda were unanimously approved, ratified, and/or adopted:

Adoption of Resolution Designating the Location of Regular Meetings of the Boards of Directors

- a. Minutes from the November 15, 2023, Special Meeting
- b. Adoption of Resolution Designating the Location of Regular Meetings of the Boards of Directors

The minutes from the November 15, 2023, Annual Meeting were removed from the consent agenda and will be presented at the next meeting.

Financial Matters

Financials/Claims

Ms. Wheeler presented the claims to be ratified and approved. Following discussion, upon motion duly made by Director Knopinski and seconded by Director Johnson, the Boards ratified and approved the claims in the amount of \$31,195,65.

Legal Matters

Consider Adoption of Rules and Regulations for Irrigation System

Following a discussion and upon a motion duly made by Director Knopinski and seconded by Director Johnson, the Rules and Regulations for the Irrigation System were tabled by the Boards. The Board directed Director Knopinski, the Landscape team (Mill Bros.), Hines & Co. (designer of the system) and the legal team to discuss additional changes to the rules and regulations.

Management Matters

Manager Report

Manager Elliott reviewed the Management report with the Boards and highlighted certain matters during the last month.

Discussion on City of Fort Collins City-Wide Trash Service

The Boards discussed the City of Fort Collins citywide trash service. The District manager will make a comparison of the differences/savings between what the City offers and other services.

Discussion on Annual Meeting Date

Ms. Elliott discussed Annual Meeting dates with the Boards. It was decided that the Annual Meeting date decision will be tabled until the next meeting.


Other Business

The next meeting date is April 17, 2024 and this meeting will be cancelled due to Board vacations.

Adjournment

There being no further business to come before the Boards, Director Knopinski determined to adjourn the meetings at 3:24 p.m.

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



Secretary for the Meeting