

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

Held: Wednesday, November 15, 2023, at 2:00 p.m.
Via Teleconference

Attendance

The joint special meeting of the Board 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 Board, were in attendance:

Joe Knopinski, President
Jerry Wenzel, Treasurer
Todd Johnson, Assistant Secretary

Director John Gooch was absent. All absences are deemed excused unless otherwise noted in these minutes.

Also present were Eve M.G. Velasco, Esq., 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, Lucie Stuchlikova, Drew Cuthbertson and Marlene Pappas, Teleos Management Group, District Manager; Dan Nickless, Actual Communities LP; Eric Pearson; 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 2:01p.m. by Director Knopinski.

**Conflict of Interest
Disclosures/Director
Qualifications**

Ms. Velasco advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Velasco 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. Velasco 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 Johnson and seconded by Director Wenzel, the Boards unanimously approved the agenda as presented.

Public Comment

Ms. Velasco announced her maternity leave in December and introduced Audrey Johnson who will be assisting Mr. Rogers in legal matters for the district.

Ms. Elliott introduced Drew Cuthbertson, who will be assisting in the management of the District. Mr. Cuthbertson is a resident of Fort Collins and in near proximity of Waters Edge. There were no comments by members of the public.

**Director Matters
Consider Appointment
of Director for District
No. 2**

Director Knopinski noted that there is currently one vacancy on the Board for District No. 2 and Director Wenzel will be resigning before the end of the year, resulting in 2 vacancies on District No. 2. Director Knopinski directed Ms. Elliott to eblast homeowners and post on the website for the vacancies. The intention of the Board is to appoint one homeowner to the Board of District No. 2 and one member experienced with metropolitan districts. Once posted homeowners will have 10 days to submit their interest and bio of the qualifications. Directors Wenzel and Knopinski and Ms. Elliott will interview the candidates. Both candidates will be appointed at the first meeting in 2024.

Election of Officers

Following discussion, upon a motion duly made by Director Knopinski and seconded by Director Johnson, the Board for District No. 1 unanimously elected the following officers:

President – Joe Knopinski
Secretary- John Gooch
Treasurer- Jerry Wenzel
Assistant Treasurer- Todd Johnson
Assistant Secretary- Eric Pearson

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. Item b. was removed from the consent agenda.

**Minutes from the
October 18, 2023
Special Meeting**

Upon a motion duly made by Director Wenzel and seconded by Director Johnson, the following items on the consent agenda were unanimously approved, ratified, and adopted:
a. Minutes from the October 18, 2023, Special Meeting

**Property Insurance
& Liability Coverage**

Ms. Elliott noted that the proposal for insurance renewal had not yet been received. Discussion followed on additional cybercrime coverage and the Board requested that legal counsel provide additional information.

Following discussion, upon motion duly made by Director Johnson, and seconded by Director Wenzel, the Boards authorized Director Knopinski to review and approve the insurance renewal documents and bind coverage up to \$100,000 on the cybercrime policy, pending research that Mr. Rogers will circulate to the Board regarding crime coverage.

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 \$11,122.94.

**Public Hearings
Proposed 2024
Budgets & Adoption
of Resolutions**

Ms. Wheeler presented the proposed 2024 Budgets for both Districts .

Director Knopinski opened the public hearing on the proposed 2024 Budget for District No. 1. Ms. Elliott noted that the notice of public hearing was provided in accordance with Colorado law. No written objections were received prior to the meeting. During public comment, Mr. Aydelotte asked about the Facilities Fee revenue.

There being no further public comments, Director Knopinski closed the public hearing.

Following discussion, upon motion duly made by Director Knopinski and seconded by Director Wenzel, the Board for District No. 1 unanimously adopted the Resolution adopting the 2024 Budget, appropriating funds therefor and certifying mills for the general fund as shown in the 2024 Budget, as revised, and subject to receipt of final assessed valuation.

Director Knopinski opened the public hearing on the proposed 2024 Budget for District No. 2. Ms. Elliott noted that the notice of public hearing was provided in accordance with Colorado law. No written objections were received prior to the meeting. There being no public comment, Director Knopinski closed the public hearing.

Following discussion, upon motion duly made by Director Knopinski and seconded by Director Wenzel, the Board for District No. 2 unanimously adopted the Resolution adopting the 2024 Budget, appropriating funds therefor and certifying mills for the general fund and debt service fund, as shown in the 2024 Budget, as revised, and subject to receipt of final assessed valuation.

Legal Matters

**Consider Adoption of
2024 Annual Admin
Resolution**

Ms. Velasco presented the 2024 Annual Administrative Resolution to the Board.

Following discussion, upon motion duly made by Director Knopinski, seconded by Director Wenzel, upon vote and unanimously carried, the Boards adopted the Joint 2024 Annual Administrative Resolution.

**Discuss Rules &
Regulations for Irrigation
System**

Ms. Velasco provided an update to the Boards regarding the Rules & Regulations for the Irrigation System, noting that the Rules and Regulations are being reviewed by Mill Bros., Hines, Inc. and Management.

No Board action taken at this meeting.

**Consider Approval of
Amended Guidelines**

Ms. Velasco presented the Resolution to Amend the Design Guidelines.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Knopinski, upon vote and unanimously carried, the Boards approved the Resolution to Amend the Design Guidelines.

**Discuss Implementation
Of Accessibility
Standards for Individuals
With a Disability for
Information Technology
Systems Employed by
The District**

Ms. Velasco informed the Boards regarding accessibility standards for websites that will be effective July 1, 2024.

Management Matters

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


Other Business

None

Adjournment

There being no further business to come before the Boards, upon motion duly made by Director Konopinski, and seconded by Director Wenzel, and unanimously carried, the Boards determined to adjourn the meetings at 2:56 p.m.

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


Secretary for the Meeting