

## RECORD OF PROCEEDINGS

---

### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE STONE CREEK METROPOLITAN DISTRICT (THE “DISTRICT”) HELD AUGUST 26, 2020

A Special Meeting of the Board of Directors of the Stone Creek Metropolitan District (referred to hereafter as the “Board”) was convened on Wednesday, the 26th day of August, 2020, at 11:00 a.m. Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, the District Board meeting was held by conference call without any individuals (neither District representative nor the general public) attending in person. The meeting was open to the public via conference call.

---

**Directors In Attendance Were:**

Patrick L. Lyng  
Peter J. Klymkow  
Eric Kubly  
Mauricio Barbera

**Also In Attendance Was:**

Peggy Ripko; Special District Management Services, Inc. (“SDMS”)

Elisabeth A. Cortese, Esq.; McGeady Becher P.C.

Gigi Pangindian; CliftonLarsonAllen LLP (“CLA”)

Mike Sanders; Choke Cherry Investors, LLC

Shawnee Williams; Choke Cherry Investors, LLC

---

**DISCLOSURE OF  
POTENTIAL  
CONFLICTS OF  
INTEREST**

The Board noted that disclosures of potential conflict of interest statements for each of the Directors were filed with the Secretary of State seventy-two hours in advance of the meeting. Attorney Cortese requested that the Directors consider whether they had any additional conflicts of interest to disclose. Attorney Cortese noted for the record that there were no new disclosures made by the Directors present at the meeting and incorporated for the record those applicable disclosures made by the Board Members prior to this meeting and in accordance with the statutes.

## RECORD OF PROCEEDINGS

---

### **ADMINISTRATIVE MATTERS**

**Agenda:** Ms. Ripko distributed for the Board's review and approval a proposed Agenda for the District's Special Meeting.

Following discussion, upon motion duly made by Director Lyng, seconded by Director Kubly and, upon vote, unanimously carried, the Agenda for the District's Special Meeting was approved, as presented.

**Confirmation of Meeting Location and Posting of Notice:** The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting.

Following discussion, upon motion duly made by Director Lyng, seconded by Director Kubly and, upon vote unanimously carried, the Board determined that due to concerns regarding the spread of COVID-19 and the benefits to the control of the spread of the virus by limiting in-person contact, the District Board meeting was held by conference call without any individuals (neither District representative nor the general public) attending in person. The Board further noted that notice providing the teleconference information was duly posted and that they have not received any objections, or any requests that the means of hosting the meeting be changed by taxing electors within the District's boundaries.

**Minutes:** The Board reviewed the Minutes of the May 27, 2020 Special Meeting.

Following discussion, upon motion duly made by Director Klymkow, seconded by Director Lyng and, upon vote unanimously carried, the Board approved the Minutes of the May 27, 2020 Special Meeting.

**Vacancy on the Board of Directors:** Ms. Ripko advised the Board that she had been contacted by a future resident of the District. No action was taken by the Board at this time.

**Appointment of Officers:** No action was taken by the Board at this time.

### **FINANCIAL MATTERS**

**Claims:** The Board considered approval of the payment of claims for the period as follows:

Fund	Period Ending May, 2020	Period Ending June, 2020	Period Ending July, 2020
General	\$ 4,841.80	\$ 10,095.64	\$ 3,416.20
Fee Revenue	\$ 211.50	\$ 76.00	\$ 1,307.13
Debt	\$ -0-	\$ -0-	\$ -0-
Capital	\$ 6,176.49	\$ 3,071.66	\$ 2,260.41
<b>Total</b>	<b>\$ 11,229.79</b>	<b>\$ 13,243.30</b>	<b>\$ 6,983.74</b>

## RECORD OF PROCEEDINGS

---

Following discussion, upon motion duly made by Director Barbera, seconded by Director Klymkow and, upon vote, unanimously carried, the Board approved the payment of claims, as presented.

The Board then considered approval of the payment of claims for the period ending August 31, 2020, as follows:

General Fund	\$	8,313.05
Fee Revenue		3,885.43
Debt Service Fund		0.00
Capital Projects Fund		<u>2,695.35</u>
<b>Total Claims:</b>	<b>\$</b>	<b><u>14,893.835</u></b>

Following review and discussion, upon motion duly made by Director Barbera, seconded by Director Klymkow and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending August 31, 2020.

**Unaudited Financial Statements:** Ms. Pangindian presented the unaudited financial statements for the period ending June 30, 2020, schedule of cash position for the period ending June 30, 2020, updated on August 20, 2020 and Developer Advances dated June 30, 2020, updated August 26, 2020.

Following review and discussion, upon motion duly made by Director Barbera, seconded by Director Lyng and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending June 30, 2020, schedule of cash position for the period ending June 30, 2020, updated on August 20, 2020 and Developer Advances dated June 30, 2020, updated August 26, 2020.

---

### **CAPITAL IMPROVEMENTS**

**Project Status Report:** Mr. Sanders provided an update for the Board.

---

### **EXPENDITURE VERIFICATION/ COST CERTIFICATION**

**Expenditure Verification Report No. 11 Certifying District Eligible Expenditures:** The Board deferred discussion of Expenditure Verification Report No. 11 prepared by IDES Certifying District Eligible Expenditures.

**Pay Application Nos. 23 - 26 under the Hudick Excavating Inc. ("HEI") Contract:** The Board deferred discussion of Pay Application Nos. 23 - 26 under the HEI Contract.

**Pay Application No. 27 under the HEI Contract:** The Board deferred discussion of Pay Application No. 27 under the HEI Contract.

---

## RECORD OF PROCEEDINGS

---

### LEGAL MATTERS

**Status of Conversations with Denver Southeast Suburban Water and Sanitation District d/b/a Pinery Water and Wastewater District:** Director Klymkow and Attorney Cortese presented to the Board the status of conversations with Denver Southeast Suburban Water and Sanitation District d/b/a Pinery Water and Wastewater District (“Pinery”) regarding water meter pits. It was noted that the Pinery did not agree to have the District maintain the meter pits that are located within five (5) feet of certain driveways. No action was taken by the Board.

**Easements to be Granted to the District:** Attorney Cortese presented to the Board the need for certain easements to be granted to the District. It was noted additional information will be provided at a future meeting when finalized. No action was taken by the Board.

**Disclosure to Purchaser:** Attorney Cortese presented to the Board the current recorded Disclosure to Purchasers. The Board determined not to increase fees for 2021. No action was taken by the Board.

---

### OPERATIONS AND MAINTENANCE

**Service Agreement for Trash Removal Services by and between the District and Waste Management of Colorado, Inc.:** The Board reviewed a Service Agreement for Trash Removal Services by and between the District and Waste Management of Colorado, Inc.

Following review and discussion, upon motion duly made by Director Klymkow, seconded by Director Kubly and, upon vote, unanimously carried, the Board approved the Service Agreement for Trash Removal Services by and between the District and Waste Management of Colorado, Inc.

---

### COVENANT ENFORCEMENT/ DESIGN REVIEW

**Community Management:** Ms. Ripko presented an update to the Board. No action was taken by the Board.

**Engagement Letter by and between the District and Altitude Community Law P.C. for Covenant Design Guideline Enforcement and Fee Collection Services:** The Board discussed an Engagement Letter by and between the District and Altitude Community Law P.C. for Covenant Design Guideline Enforcement and Fee Collection Services

Following review and discussion, upon motion duly made by Director Barbera, seconded by Director Klymkow and, upon vote, unanimously carried, the Board approved the Engagement Letter by and between the District and Altitude Community Law P.C. for Covenant Design Guideline Enforcement and Fee Collection Services

---

## RECORD OF PROCEEDINGS

---

### **OTHER BUSINESS**

There was no other business before the Board at this time.

---

### **ADJOURNMENT**

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

Respectfully submitted,

By *Peggy Ripko*  
Secretary for the Meeting

<b>TITLE</b>	Stone Creek MD - Approved Minutes
<b>FILE NAME</b>	002 Minutes - August 26, 2020.pdf
<b>DOCUMENT ID</b>	9e2cda02eaa4eba6b7b98b69bc360a33bbbc812a
<b>AUDIT TRAIL DATE FORMAT</b>	MM / DD / YYYY
<b>STATUS</b>	● Completed

## Document History



SENT

**02 / 10 / 2021**

16:59:07 UTC

Sent for signature to Peggy Ripko (pripko@sdmsi.com) from apadilla@sdmsi.com  
IP: 50.78.200.153



VIEWED

**02 / 10 / 2021**

17:13:56 UTC

Viewed by Peggy Ripko (pripko@sdmsi.com)  
IP: 50.78.200.153



SIGNED

**02 / 10 / 2021**

17:14:08 UTC

Signed by Peggy Ripko (pripko@sdmsi.com)  
IP: 50.78.200.153



COMPLETED

**02 / 10 / 2021**

17:14:08 UTC

The document has been completed.