

**MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
STONE CREEK METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
AUGUST 31, 2023**

A Special Meeting of the Board of Directors (referred to hereafter as the “Board”) of the District was convened on Wednesday, August 31, 2023, at 6:30 p.m. The District Board meeting was held via Zoom video/telephone conference. The meeting was posted to the public.

Directors In Attendance Were:

Tim Riggle
Holly Green

Also, In Attendance Were:

Mariah Watkins; Goodwin & Company.

Several constituents were also in attendance.

I. Administrative matters:

A. Quorum/Confirmation of Meeting Location/Posting of Notice/Approval of Agenda: The meeting was called to order at 6:32 PM by Mariah Watkins. Mariah Watkins reviewed administration matters, confirming the presence of a quorum and the proper posting of the meeting notice. Director Green made motion, and Director Riggle second, the agenda was approved unanimously.

II. Operations and Maintenance:

A. Discussion of new board members: Director Green discussed five applications for new board members, two have bowed out. New board members will serve a term to be finalized. Director Riggle motioned for Marcus Vigil, Scott Ferguson, and Justin Reyher to be appointed until the next regular election scheduled for May 2025. Both Directors voted in favor. New board members will take oath of office prior to the next meeting.

B. Goodwin Settlement: Director Green motioned to accept \$20,000 agreement with Goodwin for lack of services in Q1, 2023, Director Riggle seconded to accept the agreement. Both Directors voted in favor.

C. McGeady resignation: McGeady Becher resigned from general legal services for the Metro District. McGeady is offering a payment of \$57,200 to resolve all outstanding debts, offered and due on September 28, 2023. Director Riggle motioned to accept the agreement, Director Green seconded and both Directors voted in favor.

D. **SDMS Records:** Director Riggle investigated if there was history of the Board agreeing to a settlement. There was discussion of the agreement in the December 2022 meeting of the Board. Stone Creek Metro agreed to pay \$10,000 to SDMS for records. To establish the agreement Director Riggle motioned that the Board formalize the acceptance, Director Green seconded. All approved. The Stone Creek Metro actually paid \$5,000 in April for the records and continued to make monthly payments, leaving \$3,400 outstanding. Director Riggle motioned that the District is to make the final payment of \$3,400 to SDMS and including a release from any further liability, seconded by Director Green. Both Directors voted in favor.

E. **Cox Landscaping Settlement:** Director Riggle discussed the settlement with Cox Landscaping of \$6,500. Director Riggle motioned for the final payment of \$1,900 to Cox and a legal release from liability. Director Green requested to table until further documentation is available. Director Riggle rescinded the motion. Director Riggle confirmed this was the last open outstanding settlement according to the accounting firm at that time.

F. **Board Fees:** Director Riggle requested to add board fees to the agenda. Director Riggle then went on to comment that the covenants have no teeth and that homeowners can do the work and then ask for permission with no consequence. He proposes that the Board should review resolution 20180403 and the recorded Covenants before there is discussion regarding the addition of fees. Director Riggle added that the covenants are here to protect all the neighbors, his request is adding a section for fines. His motion is to modify the resolution. Additionally, he wishes to educate neighbors about ARC request, more importantly, the fines motion to edits by legal before the board review of 20180403 the sole purpose to update with fees for noncompliance of covenants. Director Green seconded to approve.

III. **Homeowner Forum:** The Board of Directors opened the floor to constituents for questions, comments, or concerns. One asked when meeting recordings will be posted to TownSq or the website? Director Green noted they are large files, and finding a way to efficiently provide them to the community is being investigated. Additionally, the Board was asked about the availability of past meeting minutes. Director Green said as minutes are approved, they will be provided to the community. Another constituent asked about landscaping on the eastside, a lot of vacant land that developers never turned into parks and how the District could potentially turn it into a park. Director Green commented the Board is prioritizing the landscaping, and that the intent is to landscape these areas as soon as budget allows. Director Riggle mentioned there is the same issue on the west side.

IV. **Executive Session:** At 7:02 by motion of Director Green and a second by Director Riggle, the Board moved into executive discussion to discuss the CCI settlement. At 7:28, the Board came out of executive session with a motion by Director Green, seconded by Director Riggle. Both Directors approved the motion.

V. **Adjournment:** The meeting adjourned at 7:29 PM. Director Green made the motion to adjourn, and Director Riggle seconded it. All attendees were in favor.