

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARDS OF DIRECTORS OF

EAGLE BROOK MEADOWS METROPOLITAN DISTRICT NOS. 1-3

**HELD
June 8, 2023**

The Combined Special Meeting of the Boards of Directors (collectively, “Boards”) of the Eagle Brook Meadows Metropolitan District No. 1, Eagle Brook Meadows Metropolitan District No. 2, and Eagle Brook Meadows Metropolitan District No. 3 (collectively, “Districts”) was held via Zoom at 4:00 p.m. on Thursday, June 8, 2023. Notice of the combined meeting was duly posted.

ATTENDANCE

Directors in Attendance for District Nos. 1 and 3:

Robert Eck II, President
Erik Halverson, Assistant Secretary
Donald Guerra, Assistant Secretary

Directors in Attendance for District No. 2:

Robert Eck, II, President
Jeanne Findley, Vice President
Erich Menzel, Treasurer
Roberto Ortiz, Secretary
Peter Sankhagowit, Director

Also in Attendance Were:

Deborah Early, Esq.; Icenogle Seaver Pogue, P.C.
Shannon McEvoy, Kevin Mitts, Kieyesia Conaway, Adam Brix, Tracie Kaminski, Christy McCutchen, Amanda Castle, and Nic Ortiz; Pinnacle Consulting Group, Inc.
Paul Aiken, Natalie DeLaCroix, John VanDenBerg, Jamie Durner, Nathan Eaton, Kelly Loudermilk, Phillip Korpi and Ron Hanson; Members of the Public

ADMINISTRATIVE ITEMS

Call to Order/ Declaration of Quorum: The meeting was called to order at 4:03 p.m. by Mr. McEvoy, noting that a quorum was present, with three of three Board members in attendance for District Nos. 1 and 3 and five of five Board members in attendance for District No. 2. The Directors in attendance confirmed their qualifications to serve.

Director Disclosure of any Potential Conflicts of Interest: Ms. Early advised the Board that, pursuant to Colorado law, Board members are required to disclose certain potential conflicts of interest regarding any matters scheduled for discussion at this meeting and prior to taking official action

RECORD OF PROCEEDINGS

at this meeting. Ms. Early noted that potential conflicts of interest disclosures were filed with the Colorado Secretary of State for Directors Eck, Halverson and Guerra as required by law. Directors Menzel, Ortiz, Sankhagowit, and Findley did not have any potential conflicts of interests to report. Additionally, the Boards determined that the participation of all Board members present was necessary to obtain a quorum or otherwise enable the Board to act.

COMBINED MEETING

The Districts are meeting in a combined Board Meeting. Unless otherwise noted, the matters set forth below shall be deemed to be the actions of Eagle Brook Meadows Metropolitan District No. 1, Eagle Brook Meadows Metropolitan District No. 2, and Eagle Brook Meadows Metropolitan District No. 3.

APPROVAL OF AGENDA

The Boards considered the agenda. Upon motion duly made by Director Eck, seconded by Director Halverson and, upon vote, unanimously carried, it was

RESOLVED to approve the agenda, as presented.

PUBLIC COMMENT

The Boards opened the meeting to public comment.

Kelly Loudermilk inquired on the board meeting process, and why the Public Comment section is at the beginning of the agenda. Ms. Loudermilk also asked if the Boards have looked at other vendors for Management Companies. Mr. McEvoy explained the layout of the agenda and how the board meetings are conducted. The Boards requested to have an additional Public Comment section added to the end of each agenda going forward. Mr. Eck noted that the management contract is reviewed annually. Ms. Castle explained that the annual contract is renewed through the budget approval process.

Natalie DeLaCroix noted she has similar concerns to Ms. Loudermilk in regard to the District's budget.

Director Menzel noted the staff changes within Pinnacle Consulting Group, Inc. and asked if the District had any say in the hiring of staff for the District. Ms. Castle and Mr. McEvoy explained that periodically, Pinnacle Consulting Group, Inc. adjusts internal client assignments to balance staff workload and to ensure subject matter experts are appropriately assigned to manage the District, including managing operations, compliance, financial management, Board of Directors relations, and constituent relations.

RECORD OF PROCEEDINGS

Mr. Menzel also asked how movement of funds work within the different Districts at Eagle Brook Meadows. Ms. Early noted that IGAs are in place between the three districts and District No. 1 is the control district that all funds run through.

Paul Aiken asked what review system the District has in place for acquiring competitive contracts. Mr. Aiken also asked what information is gathered to understand real-time data in the District and when tax revenue is realized. Lastly, Mr. Aiken asked what data the District is acquiring to ensure fulfilling promises to the Developer noting that a working relationship is imperative while understanding what incentives the District has to be efficient. Mr. McEvoy and Ms. Castle explained the contract management system and how data was utilized to create the budget. Mr. Aiken was informed that tax revenues are usually received in March for the previous year.

There were no further comments.

DIRECTOR COMMENT There were no Director Comments to come before the Boards.

CONSENT AGENDA The Boards considered the following items on the consent agenda:

- A. Approval of Minutes – February 2, 2023, Regular Meeting.
- B. Ratification of Payables.
- C. Ratification of Contract Modifications.

Following review and discussion, upon motion duly made by Director Findley, seconded by Director Guerra and, upon vote, unanimously carried, it was

RESOLVED to approve the consent agenda items, as presented.

DISTRICT MANAGER ITEMS District Managers' Report: Mr. McEvoy, Mr. Brix, and Ms. McCutchen presented the District Managers' Report and answered questions.

Discussion Regarding Fence Installation Requirements: Mr. McEvoy presented the discussion regarding fence installation requirements and answered questions.

Fence Waivers and Reimbursements: Mr. McEvoy presented the fence waivers and reimbursements to the Boards. Mr. McEvoy noted that the approvals on 5409 Segundo Dr, 1912 Aroya St., and 5309 Maher Ave. were incorrect and did not meet District guidelines for fence setbacks. Following

RECORD OF PROCEEDINGS

review and discussion, upon motion duly made by Director Menzel, seconded by Director Sankhagowit and, upon vote, unanimously carried, it was

RESOLVED to approve the reimbursement for the relocation of the fence at 1912 Aroya St. in the amount of \$2,300.00 and requested Pinnacle Consulting Group, Inc. cover this expense.

FURTHER RESOLVED with, Director Menzel opposed, to require the fence at 5409 Segundo Dr. to be moved to the District's setback requirement of 10 feet at no expense to the homeowner or District. The Board directed the District Manager to seek compensation from parties involved in the erroneous approval.

FURTHER RESOLVED to approve a variance at 5309 Maher Ave. for the fence to be kept at a setback of 58" while requesting the resident submit a variance application.

CAPITAL
INFRASTRUCTURE
ITEMS

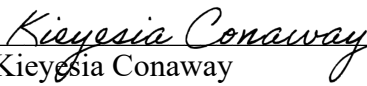
District Capital Infrastructure Report and District Project Manager Update: Mr. Ortiz reviewed the Capital Infrastructure Report and the District Project Manager Update with the Boards and answered questions.

Capital Fund Summary Review: Mr. Ortiz reviewed the Capital Fund Summary Review with the Boards and answered questions.

CONTINUATION

Upon motion duly made by Director Eck, seconded by Director Guerra and, upon vote, unanimously carried, the meeting was continued to June 14, 2023, at 1:00 p.m.

Respectfully submitted,



Kieyesia Conaway
Recording Secretary for the Meeting