

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

Held: Monday, May 5, 2025, 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
Eric Pearson, Assistant Secretary
Joan Ivaska, Assistant Secretary

District No. 1

Joe Knopinski, President
Todd Johnson, Treasurer
Eric Pearson, Assistant Secretary

District No. 2

Joe Knopinski, President
Todd Johnson, Assistant Secretary
Eric Pearson, Assistant Secretary
Joan Ivaska, Assistantg Secretary

The following Director was absent (*absence excused*):

John Gooch, Secretary/Treasurer

Also present were Robert Rogers, Esq., and Audrey Johnson, Esq., WBA, Local Government Lawwhite Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Diane Wheeler, Simmons & Wheeler, P.C. District Accountant; Justin Janca, Public Alliance LLC, District Manager; Bill Swalling, Actual Communities LP; and members of the public.

Call to Order

It was noted that a quorum of the Board for District No. 2 was present, and the meeting was called to order at 2:00 p.m. by Director Knopinski.

It was then noted that a quorum of the Board for District No. 1 was present, and the meeting was called to order at 2:16 p.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. Mr. 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. Mr. 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 presented.

Public Comment

Ms. Stern requested weed control in future amenity lots. Also requested street sweeping to address builder trash. Ms. Dupont agreed on the need for street sweeping.

Mr. Swalling noted he would address both issues.

Mitch Greenwood – Expressed irrigation concerns. Addressed by Justin Janca

Julie and Bill Thompson – Expressed concern over low pressure and noted that their heads are low flow which can exceed recommended runtimes with little to no runoff. Raised questions regarding water windows and grasshopper mitigation efforts. Mr. Janca addressed water window questions. Director Ivaska noted that grasshoppers are an issue that the District cannot address.

Scott Dickinson – Noted that Republic Trash Services missed service on multiple streets. Anne Dupont and Rick Greenwald confirmed. Justin Janca noted that Republic will not perform District-wide missed trash pickups. As many residents as possible need to report missed pick-up to reinforce the need for consistent service.

Director Matters

Formation of Two Committees and Request Resident Volunteers:

Design Review Committee: Following discussion, upon a motion duly made by Director Knopinski and seconded by Director Pearson, the Board approved the formation of the Design Review Committee, and encouraged residents to submit notices of interest in serving

Social Committee: Following discussion, upon a motion duly made by Director Knopinski and seconded by Director Pearson, the Board approved the formation of the Social Committee, and encouraged residents to submit notices of interest in serving.

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.

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

- a. Approval of Minutes of February 19, 2025, Special Meeting.
- b. Ratification of Independent Contractor Agreement with Public Alliance, LLC for Management Services.
- c. Ratification of Independent Contractor Agreement with American Conservation and Billing Solutions, Inc. for Billing Services.
- d. Ratification of Third Amendment to Funding and Reimbursement Agreement with Waters' Edge Developments, Inc.
- e. Ratification of Delegation of Authority to Director Kopinski to Approve Connexion Service Access Agreement on District Tracts.

Financial Matters

Claims: Ms. Wheeler presented the claims for the period ending April 9, 2025, in the amount of \$33,094.96.

Following discussion, upon a motion duly made by Director Johnson and seconded by Director Pearson, the Boards unanimously ratified approval of the payment of claims.

Legal Matters

May 2025 Election Matters: Attorney Rogers reported to the Board that the Election was cancelled as the number of candidates did not exceed the number of vacancies. The new Board members will have their oaths of office filed before the statutory deadline.

Management Matters

Managers' Report: Mr. Janca reviewed the Management report with the Boards. There were no questions.

Builder Installed Tree Lawn Trees: Director Ivaska noted that the tree lawn trees have been installed.

Amenities and Community Construction: Mr. Swalling noted that the anticipated date for the Learning Center's building permit is May 20, 2025. He also noted that groundbreaking is expected in the summer of 2025, but initial construction will not include pickleball courts. Mr. Swalling reported that a contract with Saunders Construction is already in place and movement will begin once the building permit is issued. The remaining amenities will be included in Phase 2 construction.

Spring Landscaping Matters:

Irrigation Activation and Watering Schedule: Mr. Janca reported that the Irrigation activation is complete and there is no watering schedule currently active. The system's design requires an all or nothing approach and the District is currently not built out to the point where restrictions would be effective.

Fertilization, Aeration and Mowing: Mr. Janca reported that fertilization and aeration have occurred. He also noted that mowing has not started as the dry conditions have not been conducive to turf growth. Some residents noted that not all of the community had been fertilized and aerated and mowing should begin soon.

Dog Park Code Lock Installation: Mr. Janca reported that per Mill Brothers the dog park padlocks have been installed. Some Residents noted that no locks had been installed, and Director Ivaska noted that the agreement calls for a punch-code knob and not a padlock.

Installation of Dog Waste Stations: Mr. Janca reported that per Mill Brothers the dog waste stations were installed and a resident confirmed.

Plant Replacement Schedule: Mr. Janca reported that he is waiting Mill Brother response but noted that replanting typically takes place after Mother's Day.

Plan for Morningstar Median Landscape Revision: Mr. Janca reported that no minor plan amendment was filed by Teleos. He noted that until a minor plan amendment is approved, Mill Brothers was requested to keep the grasses in the median cut to 12' until further notice. Mr. Swalling will submit minor amendment plan.

Public Comment

Ms. Suzanne W. requested that her information be added to the distribution list. Mr. Spradley noted that he has xeric tree lawn and does not want a required tree. Director Ivaska noted that the street scape is approved by the City and must be followed. Multiple residents requested builders update their communication policies to reflect the new amenity installation timeline.

Executive Session

Upon motion of Director Johnson, seconded by Director Pearson, and upon an affirmative vote of at least two thirds of the quorum present, the Board convened in executive session at 3:07 p.m. for the purpose of conferencing with the District's attorney and receiving legal advice on specific legal questions under 24-6-402 (4)(b), C.R.S. relating non potable water system in the District and various landscaping approvals.

Also pursuant to § 24-6-402(4), C.R.S., the Board did not adopt any proposed policy, position, resolution, rule, regulation or take formal action during executive session.

The Board reconvened in regular session at 4:07 p.m.

Other Business

None.

Adjournment

There being no further business to come before the Boards, Director Knopinski determined to adjourn the meetings at 4:10 p.m.

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

DocuSigned by:

Joe Knopinski

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Secretary for the Meeting