

MINUTES OF THE JOINT REGULAR MEETING OF THE
BOARDS OF DIRECTORS

OF

ERIE COMMONS METROPOLITAN DISTRICT NOS. 1-3

Held: October 26, 2022, at 6:00 P.M., held via Zoom
Teleconference.

Attendance/Qualification

A joint regular meeting of the Boards of Directors of Erie Commons Metropolitan District Nos. 1-3 was 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:

For District No. 1:

Jon R. Lee
Jessica Brothers
Steve Rane

For District No. 2:

Jon R. Lee
Jessica Brothers
Steve Rane
Lisa Willis

For District No. 3:

Jon R. Lee
Jessica Brothers
Steve Rane

Also present for the District: K. Sean Allen, Esq., White, Bear, Ankele, Tanaka & Waldron, Attorneys at Law, District general counsel and members of the public.

Combined Meeting

The Boards of Directors of the Districts have determined to hold a joint meeting of the Districts and to prepare joint minutes of actions taken by the Districts in such meetings. Unless otherwise noted herein, all official action reflected in these minutes shall be deemed to be the action of all Districts. Where necessary, action taken by an individual District will be reflected in these minutes.

Call to Order/Quorum

It was noted that a quorum of the Districts' Boards was present, and the meeting was called to order.

Disclosure Matters

Mr. Allen advised the Boards that, pursuant to Colorado law,

certain disclosures by the Directors may be required prior to taking official action at the meeting. The agenda for the meeting was reviewed, following which each Director confirmed that nothing appeared on the agenda for which disclosure certificates had not been filed. The disclosure certificates, having been reviewed by the relevant Directors, were made part of the official minutes of the meeting by reference. The Boards determined that participation by the Directors with potential conflicts of interest was necessary to obtain a quorum or otherwise enable lawful action to occur.

Approval of Agenda The Directors reviewed the agenda. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the agenda as presented.

Approval of Minutes The minutes from the April 27, 2022 joint meeting were reviewed by the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the minutes.

Public Comment None.

Financial Matters

Financial Statements and Payables Director Rane presented the September 30, 2022, financial statements and the payables to the Boards. Following Discussion, upon a motion duly made and seconded, the Boards unanimously approved the financials and ratified the payables.

2022 Budget Amendment Director Rane reported that 2022 Budget Amendments are not needed based on expected year-end projects for revenues and expenditures.

Public Hearing on 2023 Budget (District No. 1) Director Lee opened the public hearing on the proposed 2023 Budget. Mr. Allen noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of Resolution Approving 2023 Budget (District No. 1) Director Rane reviewed the 2023 Budget with the Board of District No. 1. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2023 Budget, appropriating funds therefor and certifying mills for the General Fund as shown in the 2023 Budget, subject to receipt of final assessed valuation.

Public Hearing on 2023 Director Lee opened the public hearing on the proposed 2023

Budget (District No. 2)

Budget. Mr. Allen noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of Resolution Approving 2023 Budget (District No. 2)

Director Rane reviewed the 2023 Budget with the Board of District No. 2. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2023 Budget, appropriating funds therefor and certifying mills for the General Fund and mills for the Debt Service Fund as shown in the 2023 Budget, subject to receipt of final assessed valuation.

Public Hearing on 2023 Budget (District No. 3)

Director Lee opened the public hearing on the proposed 2023 Budget. Mr. Allen noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of Resolution Approving 2023 Budget (District No. 3)

Director Rane reviewed the 2023 Budget with the Board of District No. 3. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2023 Budget, appropriating funds therefor and certifying mills for the General Fund and mills for the Debt Service Fund as shown in the 2023 Budget, subject to receipt of final assessed valuation.

General Matters

Discuss and Consider Approval of Property and Liability Schedule and Limits

The Boards reviewed the current general liability and property schedules and limits. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the general liability and property schedules and authorized coverage for 2023.

Consider Approval of Resolution Calling May 2, 2023 Director Election

Mr. Allen presented the Resolution Calling the May 2, 2023 Director Election to the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously adopted the resolution.

Board Vacancies and Appointments

The Boards did not appoint any additional directors given the upcoming May 2023 director election.

District No. 3: Maintenance

Director Rane provided a summary of the ongoing operations and maintenance progress regarding parking lot repairs and tree removal.

District No. 3
Contractor/Services;
Operations and Maintenance
Budget/Revenues;
Maintenance Fee Imposition

Director Rane reported that the prior season snow removal cost was approximately \$25,000, and that revenue from the District's operations mill levy set at 12 mills was insufficient causing Flagship Management to defer a portion of the management fee to 2023. It was noted that due to the revenue shortfall, snow removal of parking lot stall spaces will not happen in 2022/2023. It was noted that the District likely will need to seek a Service Plan amendment to increase the operations mill levy to a level sufficient to pay for the operations and maintenance program. It was also noted that the previous operations fee program had collection problems, so it is better to receive revenue from property taxes.

Director Rane noted to the Board of District No. 3 they are seeking to reform the Owner's Committee.

Next Regular Meeting

The next regular meeting of the Boards of Directors will be held on April 26, 2023.

Adjournment

There being no further business to come before the Boards, and upon motion duly made, seconded and unanimously carried, the Boards determined to adjourn the meeting.

The foregoing minutes were approved by the Boards of Directors on April 26, 2023, and constitute a true and correct copy of the minutes of the above-referenced meeting.

Steve Rane

Secretary for the Meeting