

# RECORD OF PROCEEDINGS

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## MINUTES OF THE SPECIAL MEETING OF

THE LAKES AT CENTERRA METROPOLITAN DISTRICT NO. 1

HELD

May 19, 2023

The Board of Directors of The Lakes at Centerra Metropolitan District No. 1 held a Special meeting, open to the public, via MS Teams on Friday, May 19, 2023, at 11:30 a.m.

### ATTENDANCE

#### Directors in Attendance:

Tim DePeder, Vice President/Asst. Secretary  
Josh Kane, Secretary/Treasurer  
Samantha Salazar, Asst. Secretary

#### Directors Absent and Excused:

Kim Perry, President & Chairperson

#### Also in Attendance:

Alan Pogue and Deborah Early; Icenogle Seaver Pogue, P.C.  
Jeff Breidenbach and Jim Niemczyk; McWhinney  
Jonathan Heroux and Akio Ohtake-Gordon; Piper Sandler  
Tom Wynne, Ryan Poulsen, and Trung Luc; Wells Fargo  
Shannon McEvoy, Sarah Bromley, Kieyesia Conaway, Bryan Newby,  
Brendan Campbell, Irene Buenavista, Jennifer Ondracek, Casey  
Milligan, and Nic Ortiz; Pinnacle Consulting Group, Inc.  
Evan Watson, Anne Blair, Todd Carnes, Ralph Mathes, James  
Laferriere, and Karl Sutton; Members of the Public

### CALL TO ORDER

The Special Meeting of the Board of Directors of The Lakes at Centerra Metropolitan District No. 1 was called to order at 11:34 a.m. by Ms. Bromley, noting that a quorum was present for the Board. Each of the Directors confirmed their qualifications to serve on the Board. Ms. Bromley confirmed that prior to the meeting each of the Directors had been notified of the meeting.

### CONFLICTS OF INTEREST DISCLOSURE

Mr. Pogue noted that notices of potential conflicts of interest for Board Members employed by McWhinney Real Estate Services, Inc., were filed with the Colorado Secretary of State's Office, disclosing that potential conflicts of interest may exist, as some Board Members are employees of McWhinney Real Estate Services, Inc. which is associated

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with the primary landowner and developer of land within the District. Mr. Pogue advised the Board that pursuant to Colorado law, certain disclosures by the Board Members might be required prior to taking official action at a meeting. The Board reviewed the agenda for the meeting, following which each Board Member present confirmed the contents of the written disclosures previously made stating the fact and summary nature of any matters as required under Colorado law to permit official action to be taken at the meeting. Additionally, the Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

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### AGENDA

The Board considered the agenda. Upon motion duly made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously

**RESOLVED** to approve the agenda, as presented.

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### PUBLIC COMMENT

There were no comments made by members of the public.

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### CONSENT AGENDA

The Board considered the following consent agenda items:

- A. January 26, 2023, Regular Meeting Minutes.
- B. Ratification of Claims Presented for Payment.
- C. Ratification of Contract Modifications.

Upon motion duly made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously

**RESOLVED** to approve the consent agenda items, as presented.

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### CAPITAL INFRASTRUCTURE ITEMS

District Capital Infrastructure Report and District Project Manager Update: Mr. Milligan and Mr. Breidenbach presented the District Capital Infrastructure Report and the District Project Manager Update to the Board and answered questions.

Capital Fund Summary Review: Mr. Milligan reviewed the Capital Fund Summary with the Board and answered questions.

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### FINANCIAL ITEMS

Financial Statements as of March 31, 2023: Ms. Buenavista presented the Financial Statements as of March 31, 2023 to the Board and answered questions.

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### LEGAL ITEMS

2023 Elections Update: Mr. Pogue presented the 2023 Elections update to the Board and answered questions.

Discussion regarding Water Rights Use Agreement: Ms. Early and Mr. Niemczyk presented the Water Rights Use Agreement to the Board and answered questions.

Conveying Dock to The Lakes at Centerra Master Homeowners Association, Inc. and in connection therewith, the Assignment of Easement Rights related to the Dock and Amendment and Assignment of Reservoir Access Agreement: Ms. Early discussed Conveyance of the Dock to The Lakes at Centerra Master Homeowners Association, Inc. and in connection therewith, the Assignment of Easement Rights related to the Dock and Amendment and Assignment of Reservoir Access Agreement with the Board and answered questions. Following review and discussion, upon motion duly made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously

**RESOLVED** to approve Conveyance of the Dock to The Lakes at Centerra Master Homeowners Association, Inc. and in connection therewith, the Assignment of Easement Rights related to the Dock and Amendment and Assignment of Reservoir Access Agreement.

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### DISTRICT MANAGER ITEMS

Master Services Agreement and WO 2023-01 with All Sweep, Inc. for Graffiti Removal Services (\$1,500.00): Ms. Bromley presented the Master Services Agreement and WO 2023-01 with All Sweep, Inc. for Graffiti Removal Services to the Board and answered questions. Following review and discussion, upon motion duly made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously

**RESOLVED** to approve the Master Services Agreement and WO 2023-01 with All Sweep, Inc. for Graffiti Removal Services in the amount of \$1,500.00.

District Manager's Report: Ms. Bromley presented the District's Manager's Report to the Board and answered questions.

Operations and Maintenance Report: Ms. Bromley presented the Operations and Maintenance Report to the Board and answered questions.

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DIRECTORS ITEMS            There were no Director Items to be presented.

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OTHER MATTERS            There were no Other Matters to be presented.

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ADJOURNMENT            There being no further items to bring before the Board, the meeting was adjourned at 12:02 p.m.

Respectfully submitted,

*Kieyesia Conaway*  
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Kieyesia Conaway  
Recording Secretary for the Meeting