141 Union Boulevard, Suite 150 Lakewood, Colorado 80228-1898 Tel: 303-987-0835 • 800-741-3254 Fax: 303-987-2032

https://www.colorado.gov/eastcreekmd

NOTICE OF A SPECIAL MEETING AND AGENDA

Board of Directors:	Office:	<u>Term/Expiration</u> :
Greg Wright		2025/May 2025
Cameron Nelson		2023/May 2023
Martin Corley		2025/May 2025
VACANT		2023/May 2023
VACANT		2025/May 2023

Peggy Ripko Secretary

DATE: June 23, 2022

TIME: 3:00 P.M.

PLACE: VIA ZOOM If you experience technical difficulties, email Peggy Ripko at

pripko@sdmsi.com.

Join Zoom Meeting

https://us02web.zoom.us/j/86267550643?pwd=V3RnRGRtWkRyUlZZc1VMWTJFZjFHdz09

Meeting ID: 862 6755 0643 Passcode: 987572 Dial In: 1-253-215-8782

I. ADMINISTRATIVE MATTERS

- A. Confirm Quorum and Present Conflict Disclosures.
- B. Approve Agenda, confirm location of the meeting and posting of meeting notice.
- C. Discuss results of cancelled May 3, 2022 Regular Election for Directors (enclosure).
- D. Discuss vacancies on the Board and consider the appointment of eligible electors to the Board of Directors. Administer Oaths of Office.

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E.	Consider	appointment	\cap t	()tticers:
₽.	Combiaci	appointment	O1	Officers.

President			 	
Treasurer				
Secretary				
Asst. Secr	retary			
Asst. Secr	retary			

- F. Review and approve Minutes of the March 28, 2022 regular meeting (enclosure).
- II. PUBLIC COMMENTS (Items Not on the Agenda. As a courtesy to others, public comments limited to three minutes per person. Please state and spell your name before speaking and wait for confirmation before proceeding in order to facilitate notes).

A.

III. FINANCIAL MATTERS

A. Review and ratify the approval of the payment of claims as follows (enclosures):

	P	eriod Ending	Pe	eriod Ending
Fund	A	pril 30, 2022	M	(ay 31, 2022
General	\$	19,850.99	\$	17,798.33
Debt Service	\$	7,000.00	\$	-0-
Capital Projects	\$	-0-	\$	-0-
Total Claims	\$	26,850.99	\$	17,798.33

- B. Review and accept unaudited financial statements for the period ending March 31, 2022 (enclosure).
- C. Review and consider approval of 2021 Audit and authorize execution of Representations Letter (to be distributed).

IV. LEGAL MATTERS

A.

East Creek Metropolitan District No. 1 June 23, 2022 Agenda Page 3

V.	COM	MUNITY MANAGERS REPORT / COVENANT MATTERS
	A.	Landscape Maintenance.
	B.	Discuss status of resident fencing.
	C.	Discussion regarding park rules.
VI.	OTHI	ER BUSINESS
	A.	
VII.	ADJO	DURNMENT THE NEXT REGULAR MEETING IS SCHEDULED FOR OCTOBER 24, 2022.

NOTICE OF CANCELLATION

and

CERTIFIED STATEMENT OF RESULTS

§1-13.5-513(6), 32-1-104, 1-11-103(3) C.R.S.

NOTICE IS HEREBY GIVEN by the East Creek Metropolitan District No. 1, Arapahoe County, Colorado, that at the close of business on the sixty-third day before the election, there were not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates; therefore, the election to be held on May 3, 2022 is hereby canceled pursuant to section 1-13.5-513(6) C.R.S.

The following candidates are declared elected for the following terms of office:

Name Term

Cameron Nelson

VACANT

Next Regular Election, May 2023

Next Regular Election, May 2023

Greg Wright

Second Regular Election, May 2025

Martin W. Corley

VACANT

Second Regular Election, May 2025

Second Regular Election, May 2025

Second Regular Election, May 2025

/s/Peggy Ripko

(Designated Election Official)

Contact Person for the District: Peggy Ripko Telephone Number of the District: 303-987-0835

Address of the District: 141 Union Boulevard, Suite 150, Lakewood, CO 80228

District Facsimile Number: 303-987-2032
District Email: pripko@sdmsi.com

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE EAST CREEK METROPOLITAN DISTRICT NO. 1 (THE "DISTRICT") HELD MARCH 28, 2022

A special meeting of the Board of Directors of the East Creek Metropolitan District No. 1 (the "District") was convened on Monday, March 28, 2022 at 5:00 p.m. This District Board Meeting was held via Zoom (neither District Representative nor the general public) attending in-person. The meeting was open to the public via conference call.

Directors In Attendance Were:

Greg Wright Cameron Nelson Serge Borso

Also In Attendance Were:

Peggy Ripko; Special District Management Services, Inc. ("SDMS")

Paula Williams, Esq.; McGeady Becher P.C.

Marty Corley and Sarah Rebusmen; Residents

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

The Board noted a quorum was present and discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflict of interest with regard to any matters scheduled for discussion at this meeting. No disclosures were made, and it was noted that all Directors are residents of the District.

ADMINISTRATIVE MATTERS

<u>Agenda</u>: The Board reviewed the proposed Agenda for the District's special meeting.

Following discussion, upon motion duly made by Director Nelson, seconded by Director Wright and, upon vote, unanimously carried, the Board approved the Agenda, as presented.

Approval of Meeting Location: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. Following discussion, the Board noted this meeting was held by Zoom. The Board further noted that notice of this meeting and the conference/video access was duly posted and it had not received any objections to the format of the meeting or any requests that the meeting format be changed by taxpaying electors within the District's boundaries.

<u>Designation of 24-hour Posting Location</u>: Following discussion, upon motion duly made by Director Nelson, seconded by Director Wright and, upon vote, unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted on the District's website, or if the website is unavailable for posting, notices shall be posted within the boundaries of the District on the corner of South Airport Boulevard and East Alameda Drive, at least 24 hours prior to each meeting.

Resignation of Director: The Board acknowledged the resignations of Director Trujillo and Director Larsen effective as of December 15, 2021.

Appointment of Officers: The Board entered into discussion regarding the appointment of officers.

Following discussion, upon motion duly made by Director Nelson, seconded by Director Wright and, upon vote, unanimously carried, the following slate of officers was appointed:

President Greg Wright
Treasurer Serge Borso
Secretary Peggy Ripko
Assistant Secretary Cameron Nelson

Minutes: The Board reviewed the minutes of the October 18, 2021 special meeting.

Following discussion, upon motion duly made by Director Nelson, seconded by Director Wright and, upon vote, unanimously carried, the Board approved the minutes of the October 18, 2021 special meeting.

May 3, 2022 Election: Ms. Ripko provided an update on the May 3, 2022 election, noting the election would be cancelled, as allowed under statute.

PUBLIC COMMENT There was no public comment.

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FINANCIAL MATTERS

<u>Claims</u>: The Board considered the ratification of approval of the payment of claims as follows:

	P	eriod Ending	Pe	riod Ending	Period Ending		
Fund	C	Oct. 31, 2021	No	ov. 30, 2021	Dec. 31, 2021		
General	\$	42,950.64	\$	10,444.43	\$	14,537.45	
Debt Service	\$	-0-	\$	-0-	\$	-0-	
Capital Projects	\$	-0-	\$	-0-	\$	-0-	
Total Claims	\$	42,950.64	\$	10,444.43	\$	14,537,45	

	Period Ending			eriod Ending	Period Ending		
Fund	Jan. 10, 2022			eb. 15, 2022	March 31, 202		
General	\$	19,882.85	\$	25,597.65	\$	33,728.34	
Debt Service	\$	-0-	\$	-0-	\$	-0-	
Capital Projects	\$	-0-	\$	-0-	\$	-0-	
Total Claims	\$	19,882.85	\$	25,597.65	\$	33,728.34	

Following discussion, upon motion duly made by Director Wright, seconded by Director Borso and, upon vote unanimously carried, the Board ratified approval of the payment of claims, as presented.

<u>Financial Statements and Schedule of Cash Position</u>: Ms. Ripko presented to the Board the unaudited financial statements dated December 31, 2021.

Following review and discussion, upon motion duly made by Director Wright, seconded by Director Borso and, upon vote unanimously carried, the Board accepted the unaudited financial statements dated December 31, 2021.

<u>Preparation of 2021 Audit</u>: The Board reviewed the Engagement Letter from Schilling & Company, Inc., for preparation of the 2021 Audit.

Following review, upon motion duly made by Director Borso, seconded by Director Wright and, upon vote unanimously carried, the Board approved the engagement of Schilling & Company Inc., for preparation of the 2021 Audit.

LEGAL MATTERS

<u>Deed and Bill of Sale from Meritage Homes of Colorado, Inc.</u>: Attorney Williams reported to the Board that all tracts have been turned over to the District. The Board and Management will confirm that all pending items are complete.

<u>Property and Improvements Ownership and Maintenance Responsibilities</u>: The Board clarified maintenance responsibilities within the District.

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COMMUNITY MANAGEMENT	<u>Landscape Maintenance Services</u> : The District Manager provided an update regarding the new landscape
	Resident Fencing : The Board discussed changing out split rail fences for privacy fences and directed the District Manager to poll the homeowners.
OTHER BUSINESS	There was no other business to discuss at this time.
<u>ADJOURNMENT</u>	There being no further business to come before the Board at this time, upon motion duly made, seconded and upon vote, unanimously carried, the meeting was adjourned.
	Respectfully submitted,
	By
	Secretary for the Meeting

East Creek Metropolitan District No.1 April-22

Vendor	Invoice #	Date	Due Date	Amo	unt in USD	Expense Account	Account Number
Aurora Media Group	102553	3/17/2022	3/17/2022	\$	42.65	Miscellaneous	1685
CDI Consolidated Division, Inc.	2004185	3/19/2022	3/19/2022	\$	946.00	Snow Removal	1731
CDI Consolidated Division, Inc.	2004242	3/31/2022	3/31/2022	\$	7,950.00	Landscaping	1730
CDI Consolidated Division, Inc.	2004072	3/22/2022	4/6/2022	\$	2,522.93	Landscaping	1730
McGeady Becher P.C.	1346W 2-2022	2/28/2022	2/28/2022	\$	306.00	Legal	1675
Pet Scoop	397032	3/31/2022	4/15/2022	\$	298.75	Covenant Control/Comm Mgmt	1710
Special Dist Management Srvs	Mar-22	3/31/2022	3/31/2022	\$	122.69	Miscellaneous	1685
Special Dist Management Srvs	Mar-22	3/31/2022	3/31/2022	\$	1,410.00	Covenant Control/Comm Mgmt	1710
Special Dist Management Srvs	Mar-22	3/31/2022	3/31/2022	\$	2,237.40	Management	1680
Special Dist Management Srvs	Mar-22	3/31/2022	3/31/2022	\$	1,287.60	Accounting	1612
Special Dist Management Srvs	Mar-22	3/31/2022	3/31/2022	\$	378.00	Billing & Collection	1721
UMB Bank, N.A.	916967	4/7/2022	4/7/2022	\$	3,500.00	Paying Agent Fees	2668
UMB Bank, N.A.	916968	4/7/2022	4/7/2022	\$	3,500.00	Paying Agent Fees	2668
UNCC	222030487	3/31/2022	3/31/2022	\$	11.70	Miscellaneous	1685
Waste Management of Denver	7563780-2514-9	4/1/2022	5/1/2022	\$	2,311.70	Trash and Recycling	1736
Xcel Energy	772660465	3/22/2022	4/11/2022	\$	13.17	Utilites	1750
Xpress Bill Pay	64279	3/31/2022	4/5/2022	\$	12.40	Miscellaneous	1685

\$ 26,850.99

East Creek Metropolitan District No.1 April-22

	General		Debt		Capital		Totals	
Disbursements	\$	19,850.99	\$	7,000.00	\$	-	\$	26,850.99
Total Disbursements from Checking Acct	\$	19,850,99		\$0.00		\$0.00	<u> </u>	26.850.99

East Creek Metropolitan District No.1 May-22

Vendor	Invoice #	Date	Due Date	Αı	mount in USD	Expense Account	Account Number
Aurora Water	282759-179350 5-22	5/12/2022	5/12/2022	\$	390.16	Utilities	1750
CAM Services	W362913	4/30/2022	5/30/2022	\$	960.00	Miscellaneous	1685
CDI Consolidated Division, Inc.	2004357	4/22/2022	5/7/2022	\$	2,522.93	Landscaping	1730
CDI Consolidated Division, Inc.	2004366	4/1/2022	4/27/2022	\$	3,807.00	Landscaping	1730
McGeady Becher P.C.	1346W 3-2022	3/31/2022	3/31/2022	\$	1,958.50	Legal	1675
Pet Scoop	404918	4/30/2022	5/15/2022	\$	318.50	Covenant Control/Comm Mgmt	1710
Special Dist Management Srvs	22-Apr	4/30/2022	4/30/2022	\$	181.52	Miscellaneous	1685
Special Dist Management Srvs	22-Apr	4/30/2022	4/30/2022	\$	1,700.00	Covenant Control/Comm Mgmt	1710
Special Dist Management Srvs	22-Apr	4/30/2022	4/30/2022	\$	695.60	Management	1680
Special Dist Management Srvs	22-Apr	4/30/2022	4/30/2022	\$	1,790.80	Accounting	1612
Special Dist Management Srvs	22-Apr	4/30/2022	4/30/2022	\$	749.00	Billing & Collection	1721
UNCC	222040507	4/30/2022	4/30/2022	\$	6.50	Miscellaneous	1685
Waste Management of Denver	7608315-2514-1	5/2/2022	6/1/2022	\$	2,294.28	Trash and Recycling	1736
Xcel Energy	776476020	4/19/2022	5/9/2022	\$	13.41	Utilites	1750
Xpress Bill Pay	64994	4/30/2022	5/5/2022	\$	410.13	Billing & Collection	1721

\$ 17,798.33

East Creek Metropolitan District No.1 May-22

	 General	Debt	Capital		Totals
Disbursements	\$ 17,798.33	\$	-		\$ 17,798.33
Total Disbursements from Checking Acct	\$ 17,798.33	\$0.00	\$0.00) (\$ 17,798.33

Schedule of Cash Position March 31, 2022

		Rate	Operating	Debt Service	Capital Projects	Total	
Checking:							
	Cash in Bank-1st Bank		\$ (22,498.71)	\$ 320,493.76	\$ -	\$	297,995.05
Trustee:							
	UMB Sr. Bond Fund 149658.1		-	154.81	-		154.81
	UMB Reserve Fund 149658.2		-	320,244.65	-		320,244.65
	UMB Surplus Fund 149658.3		-	16,006.11	-		16,006.11
	UMB XS Proc. Redemp. Fd. 658.6		-	229,000.00	-		229,000.00
	UMB Sub Excess 659.4		-	65,393.27	-		65,393.27
	UMB Sr. Proj Fd Rest 658.4		-	-	2.45		2.45
	UMB Sub Proj Fd Rest 659.2		-	-	0.70		0.70
TOTAL FU	NDS:		\$ (22,498.71)	\$ 951,292.60	\$ 3.15	\$	928,797.04

2022 Mill Levy Information

Certified General Fund Mill Levy
Certified Debt Service Fund Mill Levy
55.664
Certified ARI Mill Levy
1.113
Total Certified Mill Levy
67.909

Board of Directors

Greg Wright Serge Borso Cameron Nelson Peggy Ripko

^{*}authorized signer on checking account

FINANCIAL STATEMENTS

March 31, 2022

EAST CREEK METROPOLITAN DISTRICT NO. 1 COMBINED BALANCE SHEET - ALL FUND TYPES AND ACCOUNT GROUPS March 31, 2022

	GENERAL		DEBT SERVICE		CAPITAL PROJECTS		LONG-TERM DEBT		 TOTAL
Assets									
Cash in Bank-1st Bank Xpress Deposit Account	\$	(22,499) 26,030	\$	320,494	\$	-	\$	- -	\$ 297,995 26,030
Property Taxes Receivable Accounts Receivable UMB Sr. Bond Fund 149658.1		33,806 7,611 -		153,674 - 155		- -		- - -	187,480 7,611 155
UMB Reserve Fund 149658.2 UMB Surplus Fund 149658.3		- -		320,245 16,006		-		- -	320,245 16,006
UMB XS Proc. Redemp. Fd. 658.6 UMB Sub Excess 659.4 UMB Sr. Proj Fd Rest 658.4		- - -		229,000 65,393		- - 2		- - -	229,000 65,393 2
UMB Sub Proj Fd Rest 659.2		-		-		1			 1
Total Current Assets Other Debits		44,948		1,104,967		3		-	1,149,918
Amount in Debt Service Fund Amount to be Provided for Debt		-		-		- -		951,293 4,118,879	951,293 4,118,879
Total Other Debits		-		-		-		5,070,172	 5,070,172
Total Assets	\$	44,948	\$	1,104,967	\$	3	\$	5,070,172	\$ 6,220,090
Liabilities									
Accounts Payable Bonds Payable 2019A Bonds Payable 2019B	\$	1,829 - -	\$	- - -	\$	- - -	\$	- 4,010,000 584,000	\$ 1,829 4,010,000 584,000
Developer Advances - Capital Accrued Interest - Dev Adv Cap Developer Advance - Operations		- - -		- - -		- - -		377,063 34,132 52,273	377,063 34,132 52,273
Accured Interest - Dev Adv Ops		-		-		-		12,704	12,704
Total Liabilities		1,829		-				5,070,172	5,072,001
Deferred Inflows of Resources									
Deferred Property Taxes		33,806		153,674					 187,480
Total Deferred Inflows of Resources Fund Balance		33,806		153,674		-			187,480
Fund Balance		31,274		534,232		294,300		-	859,806
Current Year Earnings		(21,960)		417,060		(294,297)		-	100,803
Total Fund Balances		9,313		951,293		3		-	960,609
Total Liabilities, Deferred Inflows of Resources and Fund Balance	\$	44,948	\$	1,104,967	\$	3	\$	5,070,172	\$ 6,220,090

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Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual General Fund

For the 3 Months Ending March 31, 2022

	Period Actual	YTD Actual	Budget	Favorable (Unfavorable) Variance	% of Budget
Revenues					
Property Tax Revenue Specific Ownership Taxes O& M Fees ARI Fees Working Capital	\$ 24,186 584 26,280 2,477 300	\$ 24,186 584 26,280 2,477 300	\$ 54,919 3,295 112,560 5,491	\$ (30,733) (2,711) (86,280) (3,014) 300	44.0% 17.7% 23.3% 45.1%
Total Revenues	53,827	53,827	176,265	(122,438)	30.5%
	00,021	55,627	170,200	(122,400)	30.070
Expenditures					
Accounting Audit Election	2,664 - -	2,664 - -	14,000 5,250 25,000	11,336 5,250 25,000	19.0% 0.0% 0.0%
Insurance/SDA Dues Legal Management	4,168 1,125 2,692	4,168 1,125 2,692	5,250 16,000 17,000	1,083 14,875 14,308	79.4% 7.0% 15.8%
Miscellaneous Treasurer's Fees Covenant Control/Comm Mgmt	908 363 2,118	908 363 2,118	2,000 824 15,250	1,092 461 13,132	45.4% 44.0% 13.9%
Drainage Billing & Collection Landscaping	- 1,127 -	- 1,127 -	2,000 8,000 25,080	2,000 6,873 25,080	0.0% 14.1% 0.0%
Snow Removal Fencing Trash and Recycling	54,270 - 6,475	54,270 - 6,475	10,000 1,500 28,900	(44,270) 1,500 22,425	542.7% 0.0% 22.4%
Park Utilites Monuments	- 27 -	- 27 -	5,000 7,500 1,000	5,000 7,473 1,000	0.0% 0.4% 0.0%
Mailboxes Contingency Covenant Enforcement - Legal	- - -	- - -	750 10,000 2,500	750 10,000 2,500	0.0% 0.0% 0.0%
Total Expenditures	75,935	75,935	202,804	126,869	37.4%
Excess (Deficiency) of Revenues Over Expenditures	(22,108)	(22,108)	(26,539)	4,431	
Transfers and Other Sources (Uses)					
Emergency Reserve ARI Fees Transfer from District No. 2	- (36) 184	- (36) 184	(1,648) (5,491) 11,388	1,648 5,455 (11,204)	
Total Transfers and Other Sources (Uses)	148	148	4,249	(4,101)	
Change in Fund Balance	(21,960)	(21,960)	(22,290)	330	
Beginning Fund Balance	31,274	31,274	64,823	(33,549)	
Ending Fund Balance	\$ 9,313	\$ 9,313	\$ 42,533	\$ (33,220)	

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Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual Debt Service Fund For the 3 Months Ending March 31, 2022

	Period Actual		YTD Actual		Budget		Favorable (Unfavorable) Variance		% of Budget
Revenues									
Property Tax Revenue Specific Ownership Taxes Interest Income	\$	120,939 2,921 115	\$	120,939 2,921 115	\$	274,613 16,477 2,500	\$	(153,674) (13,556) (2,385)	44.0% 17.7% 4.6%
Total Revenues		123,975		123,975		293,590		(169,615)	42.2%
Expenditures									
Bond Interest Bond Principal Paying Agent Fees Treasurer's Fees		- - - 1,814		- - - 1,814		210,525 15,000 7,500 4,119		210,525 15,000 7,500 2,305	0.0% 0.0% 0.0% 44.0%
Total Expenditures		1,814		1,814		237,144		235,330	0.8%
Excess (Deficiency) of Revenues Over Expenditures		122,161		122,161		56,446		65,715	
Other Financing Sources (Uses)									
Transfer from Capital Projects Transfer From District No. 2		294,398 502		294,398 502		- 35,174		294,398 (34,672)	
Other Financing Sources (Uses)		294,900		294,900		35,174		259,726	
Change in Fund Balance		417,060		417,060		91,620		325,440	
Beginning Fund Balance		829,132		534,232		489,526		44,706	
Ending Fund Balance		951,293	\$	951,293	\$	581,146	\$	370,147	

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Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual Capital Projects Fund For the 3 Months Ending March 31, 2022

	Period Actual	YTD Actual	Budget	Favorable (Unfavorable) Variance	% of Budget
Revenues					
Interest Income	\$ 101	\$ 101	\$ -	\$ 101	-
Total Revenues	101	101		101	
Expenditures					
Miscellaneous	-	-	-	-	-
Total Expenditures				-	
Excess (Deficiency) of Revenues Over Expenditures	101	101	-	101	
Other Financing Sources (Uses)					
Transfer to Debt Service Fund	(294,398)	(294,398)	-	(294,398)	
Other Financing Sources (Uses)	(294,398)	(294,398)		(294,398)	
Change in Fund Balance	(294,297)	(294,297)	-	(294,297)	
Beginning Fund Balance	294,300	294,300	-	294,300	
Ending Fund Balance	\$ 3	\$ 3	\$ -	\$ 3	

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