

# CREEKSIDE SOUTH ESTATES METROPOLITAN DISTRICT

141 Union Boulevard, Suite 150  
Lakewood, Colorado 80228-1898  
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## NOTICE OF SPECIAL MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Della Thompson	Treasurer	2023/May 2023
David Deines	President	2025/May 2025
Matthew Moeller	Secretary	2025/May 2025
Al Mohar		2023/May 2023
<b>VACANT</b>		2025/May 2025
Peggy Ripko	Recording Secretary	

DATE: April 27, 2023  
TIME: 6:00 P.M.  
LOCATION: Zoom Meeting

<https://us02web.zoom.us/j/86267550643?pwd=V3RnRGRtWkRyUjZZc1VMWTJFZjFHdz09>

Meeting ID: 862 6755 0643

Passcode: 987572

Call in Number: 1 (719) 359-4580

One tap mobile: +17193594580,,86267550643#,,, \*987572#

### I. ADMINISTRATIVE & FINANCIAL MATTERS

A. Present Disclosures of Potential Conflicts of Interest and confirm quorum.

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B. Approve Agenda and confirm location of meeting and posting of notices.

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### II. CONSENT AGENDA (These items are considered to be routine and will be approved by one motion. There will be no separate discussion of these items unless requested; in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda.)

- Approval of Minutes from the November 03, 2022 Special Meeting and March 23, 2023 Special Meeting (enclosure).

### III. WATER SYSTEM AND OPERATIONS MATTERS

A. Discussion regarding Well 11 repairs and update.

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IV. PUBLIC COMMENT

A. \_\_\_\_\_

V. LEGAL MATTERS

A. \_\_\_\_\_

VI. OTHER MATTERS

A. \_\_\_\_\_

VII. ADJOURNMENT: **THE NEXT REGULAR MEETING IS SCHEDULED FOR JULY 6, 2023**

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE CREEKSIDE SOUTH ESTATES METROPOLITAN DISTRICT (THE “DISTRICT”) HELD NOVEMBER 3, 2022

A Special Meeting of the Board of Directors of the Creekside South Estates Metropolitan District (referred to hereafter as the “Board”) was convened on Tuesday, November 3, 2022, at 6:00 p.m. This District Board meeting was held via Zoom. The meeting was open to the public.

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**Directors In Attendance Were:**

David Deines  
Della Thompson  
Matthew Moeller  
Al Mohar

**Also, In Attendance Were:**

Peggy Ripko; Special District Management Services, Inc.

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**DISCLOSURE OF  
POTENTIAL  
CONFLICTS OF  
INTEREST**

**Disclosures of Potential Conflicts of Interest:** Ms. Ripko advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Ripko reported that no disclosures were noted.

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**ADMINISTRATIVE  
MATTERS**

**Agenda:** Ms. Ripko distributed for the Board’s review and approval a proposed Agenda for the District's regular meeting.

Following discussion, upon motion duly made by Director Deines, seconded by Director Thompson and, upon vote unanimously carried, the Agenda was approved, as presented.

**Resolution No. 2022-11-01; Designating the Location of Regular Meetings of the BOD:** Ms. Ripko discussed with the Board Resolution No. 2022-11-01; Designating the Location of Regular Meetings of the BOD.

The Board determined to meet at 6:00 p.m. on March 2, 2023, July 6, 2023 and November 2, 2023 via Zoom Meeting.

## RECORD OF PROCEEDINGS

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Following discussion, upon motion duly made by Director Deines, seconded by Director Moeller and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-11-01; Designating the Location of Regular Meetings of the BOD.

**§32-1-809, C.R.S. Reporting Requirements, Mode of Eligible Elector Notification for 2022:** The Board discussed §32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2022 and directed staff to post the Transparency Notice on the Special District Association's website and the District website.

**Third Addendum to the Independent Contract Agreement with SDMS for 2023 Rates:** The Board reviewed a Third Addendum to the Independent Contract Agreement with SDMS for 2023 rates.

Following discussion, upon motion duly made by Director Thompson, seconded by Director Deines and, upon vote, unanimously carried, the Board approved the Third Addendum to the Independent Contract Agreement with SDMS for 2023 rates.

**Board Vacancy:** The Board entered into discussion regarding the current Board Vacancy. No interest in the open board position has been expressed and outreach should continue.

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### **CONSENT AGENDA**

**Consent Agenda:** The Board considered the following actions:

- Approval of Minutes from the July 7, 2022 Regular Meeting and September 27, 2022 Special Meeting.
- Ratify / approve the payment of claims for the period ending October 30, 2022 in the amount of \$52,396.95.

Following review, upon motion duly made by Director Deines, seconded by Director Thompson and, upon vote, unanimously carried, the Board approved the Consent Agenda.

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### **WATER SYSTEM AND OPERATIONS MATTERS**

**Well Maintenance:** Mr. Simons discussed with the Board the well maintenance, repair and quality.

**Well Repairs:** Mr. Simons updated the Board on the well repairs and expenses.

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### **PUBLIC COMMENT**

**Public Comment:** There was no public comment.

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### **FINANCIAL MATTERS**

**Unaudited Financial Statements:** Ms. Wheeler reviewed with the Board the unaudited financial statements and cash position statement through the period ending June 30, 2022.

Following discussion, upon motion duly made by Director Thompson, seconded by Director Deines and, upon vote, unanimously carried, the Board accepted the unaudited financial statements and cash position statement through the period ending June 30, 2022.

**2022 Application for Exemption from Audit:** The Board discussed the requirements for an audit.

Following discussion, upon motion duly made by Director Deines, seconded by Director Moeller and, upon vote, unanimously carried, the Board approved the appointment of the District Accountant to prepare the Application for Exemption from Audit for 2022.

**2022 Budget Amendment Hearing:** The President opened the public hearing to consider the Resolution to Amend the 2022 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2022 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to or at this public hearing. No public comments were received and the President closed the public hearing.

The Board determined that an amendment to the 2022 Budget was not necessary.

**2023 Budget Hearing:** The President opened the public hearing to consider the proposed 2023 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2023 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to or at this public hearing.

No public comments were received and the public hearing was closed.

Ms. Wheeler reviewed the estimated 2022 expenditures and the proposed 2023 expenditures.

Following discussion, the Board considered adoption of Resolution No. 2022-11-02; Resolution Adopting Budget, Imposing Mill Levy for the General Fund at

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80.000 mills, for a total mill levy of 80.000 mills, and Appropriating Funds. Upon motion duly made by Director Deines, seconded by Director Moeller, and, upon vote, unanimously carried, the Board adopted the Resolution, as discussed, and authorized execution of the Certification of Budget and Certification of Mill Levies, subject to receipt of the final Certification of Assessed Valuation from the County on or before December 10, 2022. The District Accountant was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Adams County not later than December 15, 2022. The District Accountant was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2023. Copies of the adopted Resolution is attached to these minutes and incorporated herein by this reference.

**DLG-70 Mill Levy Certification Form:** The Board considered authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

Following discussion, upon motion duly made by Director Deines, seconded by Director Thompson and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

**Fixing and/or Increasing Fees, Rates, Tolls, Penalties or Charges for Water and/or Sanitary Sewer:** *The Board deferred discussion.*

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### **LEGAL MATTERS**

**Election Resolution:** The Board reviewed Resolution No. 2022-11-04; Resolution Calling a Regular Election for Directors on May 2, 2023, appointing the Designated Election Official (“DEO”) and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election.

Following discussion, upon motion duly made by Director Thompson, seconded by Director Deines and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-11-04; Resolution Calling a Regular Election for Directors on May 2, 2023, appointing the DEO and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

**Annual Administrative Resolution:** The Board reviewed Resolution No. 2022-11-05: Annual Administrative Resolution.

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Following discussion, upon motion duly made by Director Deines, seconded by Director Thompson and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-11-05: Annual Administrative Resolution. A copy of the Resolution is attached hereto and incorporated herein by this reference.

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### **COVENANT ENFORCEMENT MATTERS**

#### **Community Management in the Community:**

*Community Management Report:* Ms. Ripko reviewed with the Board the Community Management Report.

**New Rules and Regulations for the District:** Ms. Ripko reviewed with the Board the new Rules and Regulations for the District. *No action was taken by the Board.*

**Landscaping Enforcement in the Community:** *The Board deferred discussion.*

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### **OTHER BUSINESS**

There was no other business to discuss.

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### **ADJOURNMENT**

There being no further business to come before the Board at this time, the meeting was adjourned.

Respectfully submitted,

By \_\_\_\_\_  
Secretary for the Meeting

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE CREEKSIDE SOUTH ESTATES METROPOLITAN DISTRICT (THE “DISTRICT”) HELD MARCH 23, 2023

A Special Meeting of the Board of Directors of the Creekside South Estates Metropolitan District (referred to hereafter as the “Board”) was convened on Tuesday, March 3, 2023, at 6:00 p.m. This District Board meeting was held via Zoom. The meeting was open to the public.

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**Directors In Attendance Were:**

David Deines  
Della Thompson  
Matthew Moeller

Following discussion, upon motion duly made by Director Moeller seconded by Director Thompson and, upon vote, unanimously carried, the absence of Director Mohar was excused.

**Also, In Attendance Were:**

Peggy Ripko; Special District Management Services, Inc.

**DISCLOSURE OF  
POTENTIAL  
CONFLICTS OF  
INTEREST**

**Disclosures of Potential Conflicts of Interest:** Ms. Ripko advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Ripko noted that a quorum was present and inquired into whether members of the Board had any disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No disclosures were noted.

**ADMINISTRATIVE  
MATTERS**

**Agenda:** Ms. Ripko distributed for the Board’s review and approval a proposed Agenda for the District's Special meeting.

Following discussion, upon motion duly made by Director Deines, seconded by Director Thompson and, upon vote unanimously carried, the Agenda was approved, as presented.

**Meeting Location/Manner and Posting of Meeting Notice:** The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S.,



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concerning the location of the District's Board meeting. The Board noted that the District Board meeting was held by Zoom video/telephone conference. Ms. Ripko reported that notice was duly posted and that no objections to the video/telephonic manner of the meeting or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District boundaries have been received.

**2022 Audit Exemption:** The Board discussed the preparation, execution and filing of the Application for Exemption from Audit for 2022.

Following discussion, upon motion duly made by Director Thompson, seconded by Director Moeller and, upon vote, unanimously carried, the Board approved the Application for Exemption from Audit for 2022.

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### **WATER SYSTEM AND OPERATIONS MATTERS**

#### **Maintenance and repair of Well 11:**

**Emergency Work:** The Board reviewed an emergency work.

Vendor	Cost	Purpose
Boulder Water Well	\$601.25	Dewater pump 11; pull samples
Boulder Water Well	\$947.52	Run temporary line from well 7 to well 11
Boulder Water Well	\$255.00	Water levels in well 11 & 7
Alberts Water	\$3,369.83	March contract; work on well 11 & 7
PST	\$2,423.33	Insulation of pipe between well 11 & 7
MMI Water Engineers	\$264.00	Consultation

Following discussion, upon motion duly made by Director Thompson, seconded by Director Moeller and, upon vote, unanimously carried, the Board ratified approval of the emergency work.

**Well Committee:** The Board discussed the Well 11 repairs and the need for Well Committee to approve expenses moving forward as needed.

Following discussion, upon motion duly made by Director Deines, seconded by Director Thompson and, upon vote, unanimously carried, the Board approved the Well Committee to approve expenses moving forward as needed, not to exceed \$20,000.00.

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### **PUBLIC COMMENT**

There was no public comment.

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### OTHER BUSINESS

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There was no other business to discuss.  
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### ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned.

Respectfully submitted,

By \_\_\_\_\_  
Secretary for the Meeting