

CREEKSIDE SOUTH ESTATES METROPOLITAN DISTRICT

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

Join Zoom Meeting

<https://us02web.zoom.us/j/89323599672?pwd=eUtKTlEvNzJuUjRhY2twVklqeEYxUT09>

Meeting ID: 893 2359 9672

Passcode: 916297

Call In Number: 1-669-900-6833

NOTICE OF SPECIAL MEETING AND AGENDA

Board of Directors:

Della Thompson

David Deines

Matthew Moeller

Gilbert Scott

VACANT

Office:

Secretary

Treasurer

Assistant Secretary

Assistant Secretary

Term/Expiration:

2023/May 2023

2023/May 2022

2022/May 2022

2022/May 2022

2022/May 2022

Peggy Ripko

Recording Secretary

DATE: November 4, 2021

TIME: 6:00 P.M.

LOCATION: THIS DISTRICT BOARD MEETING WILL BE HELD BY TELECONFERENCE WITHOUT ANY INDIVIDUALS (NEITHER DISTRICT REPRESENTATIVES NOR THE GENERAL PUBLIC) ATTENDING IN PERSON. IF YOU WOULD LIKE TO ATTEND THIS MEETING, PLEASE SEE THE ZOOM INFORMATION ABOVE.

I. ADMINISTRATIVE MATTERS

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

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

- C. Acknowledge the resignation of Stan Martin, effective September 30, 2021 (enclosure).

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.)

- A. Approval of Minutes from the July 8, 2021 Special Meeting (enclosure).
 - B. Ratify / approve the payment of claims for the period ending _____, 2021 in the amount of \$ _____ (to be distributed).
-

III. PUBLIC COMMENT

- A. _____

IV. FINANCIAL MATTERS

- A. Review and accept the unaudited financial statements and cash position statement through the period ending _____, 2021 (to be distributed).
-
- B. Conduct Public Hearing to consider Amendment to 2021 Budget (if necessary) and consider adoption of Resolution to Amend the 2021 Budget and Appropriate Expenditures.
-
- C. Conduct Public Hearing on the proposed 2022 Budget and consider adoption of Resolution No. 2021-11-01; Adopt the 2022 Budget and Appropriate Sums of Money and Set Mill Levies for General Fund _____, Debt Service Fund _____, and Other Fund(s) _____ for a total mill levy of _____ (enclosures – preliminary AV, draft 2022 Budget, and budget resolution).
-

V. LEGAL MATTERS

- A. Consider adoption of Resolution No. 2021-11-02; 2022 Administrative Resolution (enclosure).
-

- B. Consider adoption of Resolution No. 2021-11-03; Resolution Calling a Regular Election for Directors on May 3, 2022, appointing the Designated Election Official (“DEO”), and authorizing the DEO to perform all tasks required for the conduct of mail ballot election (enclosure). Self-Nomination forms are due by February 28, 2022. Discuss the need for ballot issues and/or questions.
-

- 1. Confirm Two Methods for providing Call for Nominations: 1) emailing/mailling (as required by statute); and 2) posting on website, if available (recommended), or publication if no website.
-

- C. Discuss status of District website.
-

VI. WATER SYSTEM AND OPERATIONS MATTERS

- A. Discuss well reports.
-

- B. Discuss well maintenance, repair, and quality.
-

- 1. Update on well repairs and expenses (to be distributed).
-

VII. COVENANT ENFORCEMENT MATTERS

- A. Update regarding Community Management in the community.

- 1. Community Management Report (enclosure).
-

- B. Discuss the process for SDMSI to conduct reviews and requests.
-

- 1. Roofs on detached garages and out buildings.
-

- 2. Building colors.
-

- C. Review and consider approval of new rules and regulations for the District (to be distributed).
-

VIII. OTHER MATTERS

- A. Review and consider approval of Addendum to Service Agreement with Special District Management Services, Inc. for Management Services (to be distributed).
-

- IX. ADJOURNMENT: **THERE ARE NO MORE REGULAR MEETINGS SCHEDULED FOR 2021.**

From: Stan Martin <martinccinc@msn.com>

Sent: Thursday, September 30, 2021 5:28 PM

To: Peggy Ripko <pripko@sdmsi.com>

Cc: Mathew A Moeller <mathew.moeller@teradata.com>; David Deines <dav.deines@gmail.com>; Della Thompson <jatdt@msn.com>; Gilbert Scott (gnsco2@gmail.com) <gnsco2@gmail.com>; diane@simmonswheeler.com; Jennifer Gruber Tanaka (jtanaka@wbapc.com) <jtanaka@wbapc.com>; Brad Simons <bsimons@LRA-INC.com>; Shelly Sandoval <mypaintedangel@aol.com>; Melissa Burela <mburela@gmail.com>; Samantha Odell <samanthaojohnson@hotmail.com>

Subject: Resignation

Hi All-

Please accept this as my resignation from the Creekside South Estates Metro District Board of Directors effective immediately.

Kathy and I recently divorced and I am no longer residing in Creekside. Kathy will remain living at the house.

It has been an absolute pleasure working with each of you over the years and I wish you nothing but success as I know the community is faced with some future challenges with respect to the water and finances.

I'm still living in the area and you'll still see me coming and going as I'm picking up and dropping off Walker.

if you'd like to respond, I know Peggy and Jennifer would really appreciate you reply to me only so they don't lose sleep at night worrying about triggering a special meeting :)

Appreciate all of you and the work and dedication you each put into Creekside. It's been a great 20 years living in Creekside and I've enjoyed every minute of it... except maybe the homeowners meetings where we were getting yelled at, and all the problems with well 3, and the drunk guy who lived up the street who thought we were always discriminating against him, and dealing with CDPHE, and ... :)

Stan

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE CREEKSIDE SOUTH ESTATES METROPOLITAN DISTRICT (THE “DISTRICT”) HELD JULY 8, 2021

A special meeting of the Board of Directors of the Creekside South Estates Metropolitan District (referred to hereafter as the “Board”) was convened on Thursday, July 8, 2021, at 6:00 p.m. Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board meeting was held by Zoom. The meeting was open to the public via conference Zoom.

Directors In Attendance Were:

Della Thompson
David Deines
Matthew Moeller
Gilbert Scott

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

Also, In Attendance Were:

Peggy Ripko; Special District Management Services, Inc.
Diane Wheeler; Simmons & Wheeler, P.C
Brad Simons; MMI Water Engineers, LLC
Samantha Johnson; Architectural Control Committee
Tom Seagroves; Homeowner

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 disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State’s Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Ms. Ripko also noted that a quorum was present and inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No disclosures were noted.

RECORD OF PROCEEDINGS

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 Thompson, seconded by Director Deines and, upon vote unanimously carried, the Agenda was approved, as presented.

Designation of 24-Hour Posting Location: Following discussion, upon motion duly made by Director Thompson, seconded by Director Deines, 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 within the boundaries of the District as least 24 hours prior to each meeting at the southwest corner of East 159th Place and Lima Street, Todd Creek, Colorado 80602.

2021 SDA Conference: Ms. Ripko discussed the SDA Conference with the Board, and noted the information concerning the details of the conference will be emailed to them once the information is available.

CONSENT AGENDA

Consent Agenda: The Board considered the following actions:

- Approval of Minutes from the November 5, 2020 Special Meeting.
- Ratify the approval of the payment of claims for the period ending May 31, 2021, in the amount of \$39,878.25.

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

PUBLIC COMMENT

Public Comment: Homeowners inquired about the following:

- The need for an assessment for the wells,
- if there was a project scheduled for the green belt,
- if people are allowed to travel on the green belt, and
- well access safety.

The Board directed Ms. Ripko to work with general counsel regarding signage and publishing information in the newsletter with an update of the homeowners' inquiries.

RECORD OF PROCEEDINGS

FINANCIAL MATTERS

Unaudited Financial Statements: Ms. Wheeler reviewed with the Board the unaudited financial statements and cash position statement through the period ending May 31, 2021. She noted the fund balance is good compared to this time last year, property taxes are coming in, taxes and expenses are coming as scheduled and legal costs are down significantly from previous years. The Board directed Ms. Wheeler to confirm that the last of the property tax revenue has been received.

Following discussion, upon motion duly made by Director Thompson, seconded by Director Scott and, upon vote, unanimously carried, the Board accepted the unaudited financial statements and cash position statement through the period ending May 31, 2021.

2020 Application for Exemption from Audit: The Board reviewed the 2020 Application for Exemption from Audit.

Following review and discussion, upon motion duly made by Director Deines, seconded by Director Scott and, upon vote, unanimously carried, the Board ratified approval of the execution and filing of the Application for Exemption from Audit for 2020.

2022 Budget Public Hearing: The Board entered into discussion regarding setting the date for a Public Hearing to adopt the 2022 Budget.

Following discussion, upon motion duly made by Director Scott, seconded by Director Deines and, upon vote, unanimously carried, the Board determined to hold the public hearing to consider adoption of the 2022 Budget on November 4, 2021, at 6:00 p.m., via Zoom Meeting.

LEGAL MATTERS

District Website: The Board entered into discussion regarding the establishment of the District's website.

Following discussion, upon motion duly made by Director Scott, seconded by Director Deines and, upon vote, unanimously carried, the Board approved the establishment of the District's website, in an amount not to exceed \$600.

Amended and Restated Public Records Request Policy: The Board entered into discussion regarding an Amended and Restated Public Records Request Policy.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Scott, seconded by Director Deines and, upon vote, unanimously carried, the Board approved the Amended and Restated Public Records Request Policy.

WATER SYSTEM AND OPERATIONS MATTERS

Wells:

Analytic Results for Iron, Sodium, and Manganese: Mr. Simons discussed with the Board the Analytic Results for Iron, Sodium, and Manganese. He noted the numbers for these items are due to the water table the District is pulling from. He further noted the water is not in violation of the Colorado Department of Public Health & Environment's drinking water standards and is not a health hazard.

Drinking Water Quality Report: The Board entered into discussion regarding the drinking water quality report. The Board acknowledged the 2020 report and that it has been distributed as needed.

Well Repairs and Expenses: There was no update at this time.

COVENANT ENFORCEMENT MATTERS

Community Management in the Community:

Enforcement & Inspections: Ms. Ripko discussed with the Board the process for inspections and the distribution of violation letters. The Board directed Ms. Ripko to send a report regarding the inspections and violations to the Board.

Architectural Process: The Board entered into discussion regarding the architectural process. The Board directed the Architectural Control Committee to send non-unanimous decisions to the Board for final review.

Process to Inform New Homeowners of Regulations: The Board entered into discussion regarding the process to inform new homeowners of regulations. Ms. Ripko reported the Board welcome packets which include the District's regulations are sent to new owners.

New Regulations for the District: The Board entered into discussion regarding new regulations for the District. The Board directed Ms. Ripko to draft the rules and regulations for the community.

OTHER BUSINESS

There were no other business matters for discussion.

RECORD OF PROCEEDINGS

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

Ken Musso
ASSESSOR



Assessor's Office
4430 South Adams County Parkway
2nd Floor, Suite C2100
Brighton, CO 80601-8201
PHONE 720.523.6038
FAX 720.523.6037
www.adcogov.org

August 25, 2021

CREEKSIDE SOUTH ESTATES METRO DIST
SPECIAL DISTRICT MANAGEMENT SERVICES INC
Attn: LISA A JOHNSON
141 UNION BLVD STE 150
LAKEWOOD CO 80228-1898

AUG 30 2021

To LISA A JOHNSON:

Enclosed is the 2021 preliminary valuation. This valuation along with all other statutory requirements is on the enclosed form. A final certification of value will be sent out on or before December 10, 2021.

This value is subject to change by the County Board of Equalization, Board of Assessment Appeals and the State Board of Equalization as provided by law.

2021 UPDATE: House Bill 21-1312, increase the exemption threshold on personal property accounts from \$7,900 to \$50,000. This means all personal property accounts that have a value of \$7,901 or more, and below \$50,000 that were previously taxable are now exempt. The state will be reimbursing the lost revenue to all taxing entities. The last line of this Certification of Valuation has not been filled in for the preliminary Certification, but the amount will be provided on the December re-Certification.

Sincerely,

Ken Musso
Adams County Assessor
KM/rmb

CERTIFICATION OF VALUATION BY ADAMS COUNTY ASSESSOR

Name of Jurisdiction: 464 - CREEKSIDE SOUTH ESTATES METRO DIST

IN ADAMS COUNTY ON 8/24/2021

New Entity: No

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATIONS (5.5% LIMIT) ONLY

IN ACCORDANCE WITH 39-5-121(2)(a) AND 39-5-128(1), C.R.S. AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES THE TOTAL VALUATION FOR ASSESSMENT FOR THE TAXABLE YEAR 2021 IN ADAMS COUNTY, COLORADO

1. PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	\$2,202,680
2. CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: *	\$2,133,460
3. LESS TIF DISTRICT INCREMENT, IF ANY:	\$0
4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	\$2,133,460
5. NEW CONSTRUCTION: **	\$2,490
6. INCREASED PRODUCTION OF PRODUCING MINES: #	\$0
7. ANNEXATIONS/INCLUSIONS:	\$0
8. PREVIOUSLY EXEMPT FEDERAL PROPERTY: #	\$0
9. NEW PRIMARY OIL OR GAS PRODUCTION FROM ANY PRODUCING OIL AND GAS LEASEHOLD OR LAND (29-1-301(1)(b) C.R.S.): ##	\$0
10. TAXES COLLECTED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1))(a) C.R.S.):	\$0.00
11. TAXES ABATED AND REFUNDED AS OF AUG. 1 (29-1-301(1)(a) C.R.S.) and (39-10-114(1)(a)(I)(B) C.R.S.):	\$145.59

* This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec. 20(8)(b), Colo.

** New construction is defined as: Taxable real property structures and the personal property connected with the structure.

Jurisdiction must submit respective certifications (Forms DLG 52 AND 52A) to the Division of Local Government in order for the values to be treated as growth in the limit calculation.

Jurisdiction must apply (Forms DLG 52B) to the Division of Local Government before the value can be treated as growth in the limit calculation.

USE FOR 'TABOR' LOCAL GROWTH CALCULATIONS ONLY

IN ACCORDANCE WITH THE PROVISION OF ARTICLE X, SECTION 20, COLO CONST, AND 39-5-121(2)(b), C.R.S. THE ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR 2021 IN ADAMS COUNTY, COLORADO ON AUGUST 25, 2021

1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: @	\$29,070,643
ADDITIONS TO TAXABLE REAL PROPERTY:	
2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: †	\$34,865
3. ANNEXATIONS/INCLUSIONS:	\$0
4. INCREASED MINING PRODUCTION: %	\$0
5. PREVIOUSLY EXEMPT PROPERTY:	\$0
6. OIL OR GAS PRODUCTION FROM A NEW WELL:	\$0
7. TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT:	\$0
(If land and/or a structure is picked up as omitted property for multiple years, only the most current year's actual value can be reported as omitted property.)	
DELETIONS FROM TAXABLE REAL PROPERTY:	
8. DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:	\$0
9. DISCONNECTIONS/EXCLUSION:	\$0
10. PREVIOUSLY TAXABLE PROPERTY:	\$0

@ This includes the actual value of all taxable real property plus the actual value of religious, private schools, and charitable real property.

† Construction is defined as newly constructed taxable real property structures.

% Includes production from new mines and increases in production of existing producing mines.

IN ACCORDANCE WITH 39-5-128(1), C.R.S. AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES TO SCHOOL DISTRICTS: 1. TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY: —————→	\$0
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NOTE: All levies must be Certified to the Board of County Commissioners NO LATER THAN DECEMBER 15, 2021

Data Date: 8/24/2021

Creekside South Estates Metro District
Proposed Budget
General Fund
For the Years ended December 31, 2022

	Actual <u>2020</u>	Adopted Budget <u>2021</u>	Actual <u>8/31/2021</u>	Estimated <u>2021</u>	Proposed Budget <u>2022</u>
Beginning fund balance	\$ 81,186	\$ 27,677	\$ 34,096	\$ 34,096	\$ 96,204
Revenues:					
Property taxes	164,793	176,214	176,069	176,070	170,677
Specific ownership taxes	12,036	11,983	9,026	18,000	11,606
Other income	902	-	404	404	-
Transfer from HOA (3)	3,860	-	50,535	50,535	-
Interest income	588	1,000	214	215	1,000
Total revenues	<u>182,179</u>	<u>189,197</u>	<u>236,248</u>	<u>245,224</u>	<u>183,283</u>
Total funds available	<u>263,365</u>	<u>216,874</u>	<u>270,344</u>	<u>279,320</u>	<u>279,487</u>
Expenditures:					
Accounting	8,722	6,500	5,657	10,000	6,500
Election expenses	-	-	-	-	15,000
Engineering	288	4,500	479	4,000	4,500
Insurance	4,689	5,000	4,259	4,300	5,000
Legal - general	14,943	17,500	5,260	17,500	17,500
Legal - capital projects	-	4,500	-	-	4,500
Management (covenant control)	18,668	21,000	9,998	20,000	21,000
Covenant control and enforcement	-	-	-	-	-
Gate repair	-	-	3,821	3,821	-
Miscellaneous	6,041	1,000	322	1,500	1,000
Trash removal (2)	13,613	12,100	6,857	12,100	12,705
Utilities	11,397	13,000	7,846	12,500	13,000
Water operator contract	27,756	27,000	13,878	27,000	27,000
Water testing and treatment	30,280	25,000	10,836	25,000	25,000
Well maintenance	89,614	42,750	14,429	42,750	42,750
County Treasurer fees	3,258	2,645	2,644	2,645	2,562
Contingency	-	1,000	-	-	1,000
Well maintenance reserve (1)	-	27,904	-	-	74,529
Emergency reserve (3%)	-	5,475	-	-	5,941
Total expenditures	<u>229,269</u>	<u>216,874</u>	<u>86,286</u>	<u>183,116</u>	<u>279,487</u>
Ending fund balance	<u>\$ 34,096</u>	<u>\$ -</u>	<u>\$ 184,058</u>	<u>\$ 96,204</u>	<u>\$ -</u>
Assessed valuation		<u>\$ 2,202,680</u>			<u>\$ 2,133,460</u>
Mill Levy		<u>80.000</u>			<u>80.000</u>

(1) Well Maintenance Reserve is the expected balance at the end of 2022 assuming no funds are used during 2022

(2) Trash is based upon the current monthly payment

(3) The District received \$55,000 from the HOA, and is expecting an additional no further funds

Resolution No. 2021-11-01

**RESOLUTION
ADOPTING BUDGET, IMPOSING MILL LEVY AND APPROPRIATING FUNDS**

(2022)

The Board of Directors of Creekside South Estates Metropolitan District (the “**Board**”), County of Adams, Colorado (the “**District**”) held a special meeting held via teleconference on Thursday, November 4, 2021, at the hour of 6:00 P.M.

Prior to the meeting, each of the directors was notified of the date, time and place of the budget meeting and the purpose for which it was called and a notice of the meeting was posted or published in accordance with § 29-1-106, C.R.S.

[Remainder of Page Intentionally Left Blank.]

NOTICE AS TO PROPOSED 2022 BUDGET

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET AND APPROPRIATING SUMS OF MONEY TO EACH FUND IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN FOR THE DISTRICT FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2022 AND ENDING ON THE LAST DAY OF DECEMBER 2022.

WHEREAS, the Board has authorized its accountant to prepare and submit a proposed budget to the Board in accordance with Colorado law; and

WHEREAS, the proposed budget has been submitted to the Board for its review and consideration; and

WHEREAS, upon due and proper notice, provided in accordance with Colorado law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 4, 2021, interested electors were given the opportunity to file or present any objections to said proposed budget at any time prior to final adoption of the budget by the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. Adoption of Budget. The budget attached hereto and incorporated herein is approved and adopted as the budget of the District for fiscal year 2022. In the event of recertification of values by the County Assessor's Office after the date of adoption hereof, staff is hereby directed to modify and/or adjust the budget and certification to reflect the recertification without the need for additional Board authorization. Any such modification to the budget or certification as contemplated by this Section 1 shall be deemed ratified by the Board.

Section 2. Levy for General Operating Expenses. For the purpose of meeting all general operating expenses of the District during the 2022 budget year, there is hereby levied a tax of 80.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 3. Levy for Debt Service Obligations. For the purposes of meeting all debt service obligations of the District during the 2022 budget year, there is hereby levied a tax of 0.000

mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 4. Levy for Contractual Obligation Expenses. For the purposes of meeting all contractual obligations of the District during the 2022 budget year, there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 5. Levy for Capital Project Expenses. For the purposes of meeting all capital project obligations of the District during the 2022 budget year, there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 6. Certification to County Commissioners. The Board directs its legal counsel, manager, accountant or other designee to certify to the Board of County Commissioners of Adams County, Colorado the mill levies for the District as set forth herein. Such certification shall be in compliance with the requirements of Colorado law.

Section 7. Appropriations. The amounts set forth as expenditures in the budget attached hereto are hereby appropriated.

Section 8. Filing of Budget and Budget Message. The Board hereby directs its legal counsel, manager or other designee to file a certified copy of the adopted budget resolution, the budget and budget message with the Division of Local Government by January 30 of the ensuing year.

Section 9. Budget Certification. The budget shall be certified by a member of the District, or a person appointed by the District, and made a part of the public records of the District.

[Remainder of page intentionally left blank.]

ADOPTED THIS 4TH DAY OF NOVEMBER, 2021.

CREEKSIDE SOUTH ESTATE METROPOLITAN
DISTRICT

Officer of the District

ATTEST:

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

STATE OF COLORADO
COUNTY OF ADAMS
CREEKSIDE SOUTH ESTATE METROPOLITAN DISTRICT

I hereby certify that the foregoing resolution constitutes a true and correct copy of the record of proceedings of the Board adopted by a majority of the Board at a District meeting held on November 4, 2021, via teleconference as recorded in the official record of the proceedings of the District.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 4th day of November, 2021.

EXHIBIT A
BUDGET DOCUMENT
BUDGET MESSAGE

Creekside South Estates Metro District
Proposed Budget
General Fund
For the Years ended December 31, 2022

	Actual <u>2020</u>	Adopted Budget <u>2021</u>	Actual <u>8/31/2021</u>	Estimated <u>2021</u>	Proposed Budget <u>2022</u>
Beginning fund balance	\$ 81,186	\$ 27,677	\$ 34,096	\$ 34,096	\$ 96,204
Revenues:					
Property taxes	164,793	176,214	176,069	176,070	170,677
Specific ownership taxes	12,036	11,983	9,026	18,000	11,606
Other income	902	-	404	404	-
Transfer from HOA (3)	3,860	-	50,535	50,535	-
Interest income	588	1,000	214	215	1,000
Total revenues	<u>182,179</u>	<u>189,197</u>	<u>236,248</u>	<u>245,224</u>	<u>183,283</u>
Total funds available	<u>263,365</u>	<u>216,874</u>	<u>270,344</u>	<u>279,320</u>	<u>279,487</u>
Expenditures:					
Accounting	8,722	6,500	5,657	10,000	6,500
Election expenses	-	-	-	-	15,000
Engineering	288	4,500	479	4,000	4,500
Insurance	4,689	5,000	4,259	4,300	5,000
Legal - general	14,943	17,500	5,260	17,500	17,500
Legal - capital projects	-	4,500	-	-	4,500
Management (covenant control)	18,668	21,000	9,998	20,000	21,000
Covenant control and enforcement	-	-	-	-	-
Gate repair	-	-	3,821	3,821	-
Miscellaneous	6,041	1,000	322	1,500	1,000
Trash removal (2)	13,613	12,100	6,857	12,100	12,705
Utilities	11,397	13,000	7,846	12,500	13,000
Water operator contract	27,756	27,000	13,878	27,000	27,000
Water testing and treatment	30,280	25,000	10,836	25,000	25,000
Well maintenance	89,614	42,750	14,429	42,750	42,750
County Treasurer fees	3,258	2,645	2,644	2,645	2,562
Contingency	-	1,000	-	-	1,000
Well maintenance reserve (1)	-	27,904	-	-	74,529
Emergency reserve (3%)	-	5,475	-	-	5,941
Total expenditures	<u>229,269</u>	<u>216,874</u>	<u>86,286</u>	<u>183,116</u>	<u>279,487</u>
Ending fund balance	<u>\$ 34,096</u>	<u>\$ -</u>	<u>\$ 184,058</u>	<u>\$ 96,204</u>	<u>\$ -</u>
Assessed valuation		<u>\$ 2,202,680</u>			<u>\$ 2,133,460</u>
Mill Levy		<u>80.000</u>			<u>80.000</u>

(1) Well Maintenance Reserve is the expected balance at the end of 2022 assuming no funds are used during 2022

(2) Trash is based upon the current monthly payment

(3) The District received \$55,000 from the HOA, and is expecting an additional no further funds

Resolution No. 2021-11-02

**CREEKSIDE SOUTH ESTATES METROPOLITAN DISTRICT
ANNUAL ADMINISTRATIVE RESOLUTION
(2022)**

WHEREAS, Creekside South Estates Metropolitan District (the “**District**”), was organized as a special district pursuant to an Order and Decree of the District Court in and for the County of Adams, Colorado (the “**County**”); and

WHEREAS, the Board of Directors (the “**Board**”) of the District, has a duty to perform certain obligations in order to assure the efficient operation of the District and hereby directs its consultants to take the following actions.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. The Board directs the District Manager to cause an accurate map of the District’s boundaries to be prepared in accordance with the standards specified by the Division of Local Government (“**Division**”) and to be filed in accordance with § 32-1-306, C.R.S.

2. The Board directs the District Manager to notify the Board of County Commissioners, the County Assessor, the County Treasurer, the County Clerk and Recorder, the governing body of any municipality in which the District is located, and the Division of the name of the chairman of the Board, the contact person, telephone number and business address of the District, as required by § 32-1-104(2), C.R.S.

3. The Board directs the District Manager to prepare and file with the Division, within thirty (30) days of a written request from the Division, an informational listing of all contracts in effect with other political subdivisions, in accordance with § 29-1-205, C.R.S.

4. The Board directs the District’s accountant to cause the preparation of and to file with the Department of Local Affairs the annual public securities report for nonrated public securities issued by the District within sixty (60) days of the close of the fiscal year, as required by §§ 11-58-101, *et seq.*, C.R.S.

5. The Board directs the District’s accountant to: 1) obtain proposals for auditors to be presented to the Board; 2) to cause an audit of the annual financial statements of the District to be prepared and submitted to the Board on or before June 30; and 3) to cause the audit to be filed with the State Auditor by July 31st, or by the filing deadline permitted under any extension thereof, all in accordance with §§ 29-1-603(1) and 29-1-606, C.R.S. Alternatively, if warranted by § 29-1-604, C.R.S., the Board directs the District’s accountant to apply for and obtain an audit exemption from the State Auditor on or before March 31st in accordance with § 29-1-604, C.R.S.

6. The Board directs the District Manager, if the District has authorized but unissued general obligation debt as of the end of the fiscal year, to cause to be submitted to the Board of County Commissioners or the governing body of the municipality that adopted a resolution of

approval of the District, the District's audit report or a copy of its application for exemption from audit in accordance with § 29-1-606(7), C.R.S.

7. The Board directs the District's accountant to submit a proposed budget to the Board by October 15th, to prepare the final budget and budget message, including any amendments thereto, if necessary, and directs the District Manager to schedule a public hearing on the proposed budget and/or amendments, and to post or publish notices thereof, and directs legal counsel to prepare all budget resolutions and to file the budget, budget resolution and budget message with the Division on or before January 30th, all in accordance with §§ 29-1-101, *et seq.*, C.R.S.

8. The Board directs the District's accountant to monitor expenditures and contracted expenditures and, if necessary, to notify the District Manager, legal counsel and the Board when expenditures or contracted expenditures are expected to exceed appropriated amounts, and directs legal counsel to prepare all budget amendment resolutions and directs the District Manager to schedule a public hearing on a proposed budget amendment and to post or publish notices thereof and to file the amended budget with the Division on or before the date of making such expenditure or contracting for such expenditure, all in accordance with §§ 29-1-101, *et seq.*, C.R.S.

9. The Board directs legal counsel to cause the preparation of the Unclaimed Property Act report and submission of the same to the State Treasurer by November 1st if there is property presumed abandoned and subject to custody as unclaimed property, in accordance with § 38-13-110, C.R.S.

10. The Board directs the District's accountant to prepare the mill levy certification form and directs the District Manager to file the mill levy certification form with the Board of County Commissioners on or before December 15th, in accordance with § 39-5-128, C.R.S.

11. The Board directs that all legal notices shall be published in accordance with § 32-1-103(15), C.R.S.

12. The Board determines that each director shall not receive compensation for their services as directors subject to the limitations set forth in §§ 32-1-902(3)(a)(I) & (II), C.R.S.

13. The District hereby acknowledges, in accordance with § 32-1-902, C.R.S., the following officers for the District:

Treasurer:	David Deines
Secretary:	Della Thompson
Assistant Secretary:	Matthew Moeller
Assistant Secretary:	Gilbert Scott
Recording Secretary:	District Manager

14. The Board hereby determines that each member of the Board shall, for any potential or actual conflicts of interest, complete conflicts of interest disclosures and directs legal counsel to file the conflicts of interest disclosures with the Board and with the Colorado Secretary of State

at least seventy-two (72) hours prior to every regular and special meeting of the Board, in accordance with §§ 32-1-902(3)(b) and 18-8-308, C.R.S. Written disclosures provided by Board members required to be filed with the governing body in accordance with § 18-8-308, C.R.S. shall be deemed filed with the Board when filed with the Secretary of State. Additionally, at the beginning of each year, each Board member shall submit information to legal counsel regarding any actual or potential conflicts of interest and, throughout the year, each Board member shall provide legal counsel with any revisions, additions, corrections or deletions to said conflicts of interest disclosures.

15. The Board confirms its obligations under § 24-10-110(1), C.R.S., with regards to the defense and indemnification of its public employees, which, by definition, includes elected and appointed officers.

16. The Board hereby appoints the District Manager as the official custodian for the maintenance, care and keeping of all public records of the District, in accordance with §§ 24-72-202, *et seq.*, C.R.S. The Board hereby directs its legal counsel, accountant, manager and all other consultants to adhere to the Colorado Special District Records Retention Schedule as adopted by the District.

17. The Board directs the District Manager to post notice of all regular and special meetings in accordance with § 32-1-903(2) and § 24-6-402(2)(c), C.R.S. The Board hereby designates, unless otherwise designated by the Board, southwest corner of E. 159th Place and Lima Street as the location where the District will post physical notice of meetings. If possible, the physical posting shall include specific agenda information.

The Board determines to hold regular meetings on March 3, 2022, July 7, 2022 and November 3, 2022, at 6:00 p.m. by telephone, electronic, or other means not including physical presence.

All notices of meetings shall designate whether such meeting will be held by electronic means, at a physical location, or both, and shall designate how members of the public may attend such meeting, including the conference number or link by which members of the public can attend the meeting electronically, if applicable.

18. In the event of an emergency, the Board may conduct a meeting outside of the limitations prescribed in § 24-6-402(2)(c), C.R.S., provided that any actions taken at such emergency meeting are ratified at the next regular meeting of the Board or at a special meeting conducted after proper notice has been given to the public.

19. For the convenience of the electors of the District, and pursuant to its authority set forth in § 1-13.5-1101, C.R.S., the Board hereby deems that all regular and special elections of the District shall be conducted as independent mail ballot elections in accordance with §§ 1-13.5-1101, *et seq.*, C.R.S., unless otherwise deemed necessary and expressed in a separate election resolution adopted by the Board.

20. Pursuant to the authority set forth in § 1-1-111, C.R.S., the Board hereby appoints Ashley B. Frisbie, of the law firm of WHITE BEAR ANKELE TANAKA & WALDRON, Attorneys at Law, as the Designated Election Official (the “DEO”) of the District for any elections called by the Board, or called on behalf of the Board by the DEO, and hereby authorizes and directs the

DEO to take all actions necessary for the proper conduct of the election, including, if applicable, cancellation of the election in accordance with § 1-13.5-513, C.R.S.

21. In accordance with § 1-11-103(3), C.R.S., the Board hereby directs the DEO to certify to the Division the results of any elections held by the District and, pursuant to § 32-1-1101.5(1), C.R.S., to certify results of any ballot issue election to incur general obligation indebtedness to the Board of County Commissioners or the governing body of the municipality that adopted a resolution of approval of the district and file a copy of such certification with the Division of Securities.

22. The Board directs legal counsel to cause a notice of authorization of or notice to incur general obligation debt to be recorded with the County Clerk and Recorder within thirty (30) days of authorizing or incurring any indebtedness, in accordance with § 32-1-1604, C.R.S.

23. Pursuant to the authority set forth in § 24-12-103, C.R.S., the Board hereby designates, in addition to any officer of the District, Ashley B. Frisbie of the law firm of WHITE BEAR ANKELE TANAKA & WALDRON, Attorneys at Law as a person with the power to administer all oaths or affirmations of office and other oaths or affirmations required to be taken by any person upon any lawful occasion.

24. The Board directs the District Manager to cause the preparation of and filing with the Board of County Commissioners or the governing body of the municipality that adopted a resolution of approval of the District, if requested, the application for quinquennial finding of reasonable diligence in accordance with §§ 32-1-1101.5(1.5) and (2), C.R.S.

25. The Board directs the District Manager to cause the preparation of and the filing with the Board of County Commissioners or the governing body of any municipality in which the District is located, the Division, the State Auditor, the County Clerk and Recorder and any interested parties entitled to notice pursuant to § 32-1-204(1), C.R.S., an annual report, if requested, in accordance with § 32-1-207(3)(c), C.R.S.

26. The Board directs the District Manager/ to obtain proposals and/or renewals for insurance, as applicable, to insure the District against all or any part of the District's liability, in accordance with §§ 24-10-115, *et seq.*, C.R.S. The Board directs the District's accountant to pay the annual SDA membership dues, agency fees and insurance premiums, as applicable, in a timely manner. The Board appoints the District Manager as its proxy for the SDA Annual meeting for

27. The Board hereby opts to exclude elected or appointed officials as employees within the meaning of § 8-40-202(1)(a)(I)(A), C.R.S., and hereby directs the District Manager to file a statement with the Division of Workers' Compensation in the Department of Labor and Employment not less than forty-five (45) days before the start of the policy year for which the option is to be exercised, in accordance with § 8-40-202(1)(a)(I)(B), C.R.S.

28. The Board hereby directs the District Manager to prepare the disclosure notice required by § 32-1-809, C.R.S., and to disseminate the information to the electors of the District accordingly.

29. The Board hereby directs the District Manager to prepare and record with the County Clerk and Recorder updates to the disclosure statement notice and map required by § 32-1-104.8, C.R.S., if additional property is included within the District's boundaries.

30. In accordance with § 38-35-109.5(2), C.R.S., the District hereby designates the President of the Board as the official who shall record any instrument conveying title of real property to the District within 30 days of any such conveyance.

31. The Board directs the District's accountant to prepare and submit the documentation required by any continuing disclosure obligation signed in conjunction with the issuance of debt by the District.

32. The Board directs legal counsel to monitor, and inform the Board of, any legislative changes that may occur throughout the year.

[Remainder of page intentionally left blank, signature page follows.]

ADOPTED this 4th day of November, 2021.

**CREEKSIDE SOUTH ESTATES
METROPOLITAN DISTRICT**

By: _____
Officer of the District

Attest:

By: _____

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

CERTIFICATION OF RESOLUTION

I hereby certify that the foregoing constitutes a true and correct copy of the resolution of the Board adopted at a meeting held on November 4, 2021, via teleconference.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 4th day of November, 2021.

Signature

Printed Name

Resolution No. 2021-11-03

**RESOLUTION OF BOARD OF DIRECTORS
CALLING ELECTION**

CREEKSIDE SOUTH ESTATES METROPOLITAN DISTRICT

§§ 32-1-804, 1-1-111(2), 1-13.5-1103(1), and 1-13.5-513(1), C.R.S.

At a meeting of the Board of Directors (the “**Board**”) of the Creekside South Estates Metropolitan District (the “**District**”), it was moved to adopt the following Resolution:

WHEREAS, the District was organized as a special district pursuant to §§ 32-1-101, *et seq.*, C.R.S. (the “**Special District Act**”); and

WHEREAS, the District is located entirely within Adams County, Colorado (the “**County**”); and

WHEREAS, pursuant to § 32-1-804, C.R.S., the Board governs the conduct of regular and special elections for the District; and

WHEREAS, the Board anticipates holding a regular election on May 3, 2022, for the purpose of electing directors, and desires to take all actions necessary and proper for the conduct thereof (the “**Election**”); and

WHEREAS, the Election shall be conducted pursuant to the Special District Act, the Colorado Local Government Election Code and the Uniform Election Code of 1992, to the extent not in conflict with the Colorado Local Government Election Code, including any amendments thereto, and shall also comply with Article X, § 20 of the Colorado Constitution (“**TABOR**”), as necessary; and

WHEREAS, pursuant to § 1-1-111(2), C.R.S., the Board is authorized to designate an election official (the “Designated Election Official”) to exercise authority of the Board in conducting the Election; and

WHEREAS, pursuant to § 1-13.5-513(1), C.R.S., the Board can authorize the Designated Election Official to cancel the Election upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

1. The Board hereby calls the Election for the purpose of electing directors. The Election shall be conducted as an independent mail ballot election in accordance with §§ 1-13.5-1101, *et seq.*, C.R.S.

2. The Board names Ashley B. Frisbie of the law firm of White Bear Ankele Tanaka & Waldron as the Designated Election Official for the Election. The Designated Election Official shall

act as the primary contact with the County and shall be primarily responsible for ensuring the proper conduct of the Election.

3. Without limiting the foregoing, the following specific determinations also are made:
 - a. The Board hereby directs general counsel to the District to approve the final form of the ballot to be submitted to the eligible electors of the District and authorizes the Designated Election Official to certify those questions and take any required action therewith.
 - b. The Board hereby directs general counsel to the District to oversee the general conduct of the Election and authorizes the Designated Election Official to take all action necessary for the proper conduct thereof and to exercise the authority of the Board in conducting the Election, including, but not limited to, causing the call for nominations; appointment, training and setting compensation of election judges and a board of canvassers, as necessary; all required notices of election, including notices required pursuant to TABOR; printing of ballots; supervision of the counting of ballots and certification of election results; and all other appropriate actions.
4. The District shall be responsible for the payment of any and all costs associated with the conduct of the Election, including its cancellation, if permitted.
5. The Board hereby ratifies any and all actions taken to date by general counsel and the Designated Election Official in connection with the Election.
6. The Board hereby authorizes and directs the Designated Election Official to cancel the Election and to declare the candidates elected if, at the close of business on the sixty-third day before the Election, or at any time thereafter, there are not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates, and so long as the only ballot questions are for the election of candidates. The Board further authorizes and directs the Designated Election Official to publish and post notice of the cancellation as necessary and file such notice and cancellation resolutions with the County Clerk and Recorder and with the Division of Local Government, as required. The Designated Election Official shall also notify the candidates that the Election was canceled and that they were elected by acclamation.
7. This Resolution shall remain in full force and effect until repealed or superseded by subsequent official action of the Board.

[Remainder of Page Intentionally Left Blank]

ADOPTED this 4th day of November, 2021.

CREEKSIDE SOUTH
METROPOLITAN DISTRICT

ESTATES

Officer of the District

ATTEST:

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

Signature Page to Resolution Calling Election

Violation Type / Item	Escalation	Item Count	# Letters	# Violations
Animals				
Open				
Dogs: Disallowed/Too Many	Level Courtesy Notice	2		
Dogs: Disallowed/Too Many	Level First Notice	1		
Total Items / Letters Open		3	3	
Total Animals		3	3	3
Fencing				
Open				
Fencing: Does Not Conform to Guidelines	Level Courtesy Notice	1		
Total Items / Letters Open		1	1	
Total Fencing		1	1	1
Holiday Decorations				
Open				
Holiday Lights: Left Up	Level Courtesy Notice	2		
Total Items / Letters Open		2	2	
Total Holiday Decorations		2	2	2
Landscaping				
Open				
Landscaping: Dead Shrub(s)	Level Courtesy Notice	1		
Landscaping: Not installed	Level Courtesy Notice	1		
Total Items / Letters Open		2	2	
Total Landscaping		2	2	2
Lawn				
Open				
Lawn: Dead Spots	Level Courtesy Notice	1		
Lawn: Health of Grass	Level Courtesy Notice	2		
Lawn: Hole in lawn	Level Second Notice	1		
Lawn: Needs Mowed	Level Courtesy Notice	2		
Lawn: Needs Mowed	Level First Notice	1		
Total Items / Letters Open		7	14	
Total Lawn		7	14	7
Misc				

Violations Summary
 Creekside South Estates Metropolitan District
 Period: 1/1/2021 through 10/11/2021

Date: 11/1/2021
Time: 5:41 pm
Page: 2

Violation Type / Item	Escalation	Item Count	# Letters	# Violations
Misc				
Open				
Nuisance	Level Courtesy Notice	6		
Objects Stored at House/On Side	Level Courtesy Notice	3		
Unapproved Improvement	Level Courtesy Notice	3		
Total Items / Letters Open		12	12	
Total Misc		12	12	12
Parking, etc.				
Open				
Camper/Trailer/Recreational/Heavy Equipment Vehicle at Residence	Level Courtesy Notice	5		
Unapproved Dumpster in Driveway	Level Courtesy Notice	1		
Total Items / Letters Open		6	6	
Total Parking, etc.		6	6	6
Trash Cans				
Open				
Trash Cans: Out After Collection Time	Level Courtesy Notice	8		
Trash Cans: Visible	Level Courtesy Notice	8		
Total Items / Letters Open		16	16	
Total Trash Cans		16	16	16
Trees				
Open				
Tree: Dead	Level Courtesy Notice	2		
Total Items / Letters Open		2	3	
Total Trees		2	3	2
Weeds				
Open				
Weeds in Lawn	Level Courtesy Notice	2		
Weeds: Driveway	Level Courtesy Notice	8		
Weeds: Driveway	Level First Notice	1		

Violations Summary
 Creekside South Estates Metropolitan District
 Period: 1/1/2021 through 10/11/2021

Date: 11/1/2021
Time: 5:41 pm
Page: 3

Violation Type / Item	Escalation	Item Count	# Letters	# Violations
Weeds				
	Open			
Weeds: Rock/mulch beds	Level Courtesy Notice	16		
Weeds: Rock/mulch beds	Level First Notice	5		
Weeds: Tree ring	Level First Notice	1		
Total Items / Letters Open		33	50	
Total Weeds		33	50	33
Total for Creekside South Estates Metropolitan District		84	109	84