

RECORD OF PROCEEDINGS

**MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
CREEKSIDE SOUTH ESTATES METROPOLITAN DISTRICT
(THE “DISTRICT”)
HELD
OCTOBER 28, 2024**

A special meeting of the Board of Directors of the Creekside South Estates Metropolitan District (referred to hereafter as the “Board”) was convened on Monday, October 28, 2024, at 2:00 p.m. via Zoom videoconference. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

David Deines, President
Matthew Moeller, Secretary
Al Mohar, Assistant Secretary
Peter Rediess, Assistant Secretary

Also, In Attendance Were:

Peggy Ripko; Special District Management Services, Inc.

Heather Hartung, Esq; White Bear Ankele Tanka & Waldron

Diane Wheeler; Simmons & Wheeler P.C.

Brad Simons and Tim Crawford; MMI Water Engineers LLC

Samantha Johnson- District Resident

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

The Board 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 conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. It was noted by Attorney Hartung that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors, and no additional conflicts were disclosed at the meeting.

ADMINISTRATIVE MATTERS

Quorum/Confirmation of Meeting Location/Posting of Notice: Ms. Ripko confirmed the presence of a quorum. 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, and upon

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motion duly made by Director Deines, seconded by Director Moeller, and upon vote unanimously carried, the Board determined to conduct the meeting to conduct the meeting via videoconference/teleconference. It was further noted that notice of the time, date and location was duly posted and that no objections to the location or any requests that the meeting place be changed by taxpaying electors within the District's boundaries have been received.

Agenda: The Board reviewed the Agenda for the meeting.

Following discussion, upon motion duly made by Director Deines, seconded by Director Moeller, and upon vote unanimously carried, the Board approved the Agenda and excused the absence of Director Thomson.

Minutes of the September 5, 2024 Special Meeting: The Board reviewed the Minutes of the September 5, 2024 Special Meeting.

Following review and discussion, upon motion duly made by Director Deines, seconded by Director Mohar, and upon vote unanimously carried, the Board approved the Minutes.

PUBLIC COMMENT

There were no public comments.

WELL NO. 11 UPDATE

Discuss status of Well No. 11 Construction Project: The Board discussed the status of Well No. 11 Construction Project. No action was taken.

LEGAL MATTERS Executive Session: Pursuant to Section 24-6-402(4) (b) of the Colorado Revised Statutes, upon motion duly made by Director Deines seconded by Director Moeller and upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 2:10pm for the purpose of receiving legal advice on specific legal questions regarding to potential litigation involving Well No. 11.

Furthermore, pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., no record was kept of those portions of the executive session that, in the opinion of the Board's attorney, constitute privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

Also pursuant to § 24-6-402(4), C.R.S., the Board did not adopt any proposed policy, position, resolution, rule, regulation or take formal action during execution session.

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The Board exited executive session at 3:48pm and reconvened in regular session.


OTHER MATTERS REGARDING WELL NO. 11

Well No. 11: The Board directed Ms. Ripko to contact Winegar Well Service, Inc. to provide the video of well that was done on September 11, 2024 as well as a new video that will show the entire well, if Winegar Well Service, Inc. does not provide the videos in the specified amount of time, Attorney Hartung was directed to follow up as needed.

ADJOURNMENT

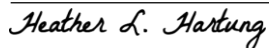
There being no further business to come before the Board at this time, upon motion duly made by Director Moeller, seconded by Director Deines and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By 
Secretary for the Meeting

ATTORNEY STATEMENT REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing Creekside South Estates Metropolitan District, I attended the executive session meeting of Creekside South Estates Metropolitan District convened on October 28, 2024 at 2:10pm for the sole purpose of discussing potential litigation involving the construction of Well 11 as authorized by Section 24-6-402(4)(b), C.R.S.. I further attest it is my opinion that part of the of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(b), C.R.S. or Section 24-6-402(2)(d.5)(II)(B), C.R.S. for those portions that were privileged.



Heather L. Hartung, Esq.