

# SILVER PEAKS EAST METROPOLITAN DISTRICT

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## NOTICE OF A SPECIAL MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
David B. Jack	President	2027/May 2027
Lars Monson	Treasurer	2025/May 2025
Bryan Reid	Assistant Secretary	2025/May 2025
Troy Hazel	Assistant Secretary	2027/May 2027
Vacant		2027/May 2027
Peggy Ripko	Secretary	

DATE: October 20, 2023

TIME: 10:00 A.M.

PLACE: **THIS MEETING WILL BE HELD BY VIDEO/TELEPHONIC MEANS.**

Join Zoom Meeting

<https://us02web.zoom.us/j/86267550643?pwd=V3RnRGRtWkRyUIZZc1VMWTJFZjFHdz09>

Meeting ID: 862 6755 0643

Passcode: 987572

Dial in: 719-359-4580

### I. ADMINISTRATIVE MATTERS

A. Present Conflict Disclosures.

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B. Approve Agenda, and confirm quorum; confirm location of the meeting and posting of meeting notices.

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C. Review and consider approval of Minutes from the July 28, 2023 Regular Meeting (enclosure).

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### II. PUBLIC COMMENT.

Matters not specifically included on the Agenda may be addressed. As a courtesy to others, comments shall be limited to three minutes per person.

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III. FINANCIAL MATTERS

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

IV. LEGAL MATTERS

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

V. OTHER MATTERS

A. Discussion regarding vacant Board positions and consider appointing Jordan Honea to the Board. Discussion regarding potential appointment of homeowners to the Board of Directors.

VI. ADJOURNMENT **THERE ARE NO MORE REGULAR MEETINGS SCHEDULED FOR 2023.**

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE SILVER PEAKS EAST METROPOLITAN DISTRICT HELD JULY 28, 2023

A Regular meeting of the Board of Directors (the "Board") of the Silver Peaks East Metropolitan District (the "District") was convened on Friday, the 28<sup>th</sup> day of July, 2023, at 11:00 a.m. this Board meeting was held by video/telephone conference with all participants attending via video/telephone conference. The meeting was open to the public.

#### ATTENDANCE

#### Directors In Attendance Were:

Bryan Reid  
Troy Hazel  
Ryan Harvey

#### Also In Attendance Were:

Peggy Ripko; Special District Management Services, Inc.

Alex Fink; CliftonLarsonAllen LLP

Maddie Phillips; Cockrel Ela Glesne Greher & Ruhland, P.C.

Jordan Honea; DR Horton Inc.

#### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board and to the Secretary of State. Ms. Ripko noted that a quorum was present and requested members of the Board 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 the statute. Ms. Ripko noted that all Directors' Disclosure Statements had been filed.

#### 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 Reid, seconded by Director Monson and, upon vote, unanimously carried, the Agenda was approved, as amended.

## RECORD OF PROCEEDINGS

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**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, upon motion duly made by Director Reid, seconded by Director Monson and, upon vote, unanimously carried, the Board determined that because there was not a suitable or convenient location within its boundaries, or within the County in which the District is located, or within twenty (20) miles from the District boundaries to conduct this meeting, it was determined to conduct the meeting at the above-stated location. The Board further noted that notice of the time, date and location was duly posted and that they have not received any objections to the location or any requests that the meeting place be changed by taxpaying electors within its boundaries.

**Minutes:** The Board reviewed the February 24, 2023 Regular Meeting.

Following discussion, upon motion duly made by Director Reid, seconded by Director Monson and, upon vote, unanimously carried, the February 24, 2023 Regular Meeting were approved, as presented.

**PUBLIC COMMENT** There were no public comments.

### **FINANCIAL MATTERS**

**Claims:** The Board considered ratifying the approval of the payment of claims beginning October 1, 2022 to July 18, 2023, in the amount of \$43,640.83.

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

**Cash Position Schedule for the Period Ending December 31, 2022:** The Board reviewed an unaudited preliminary financial statement through the period ending March 31, 2023 updated as of July 17, 2023.

Following discussion, upon motion duly made by Director Reid, seconded by Director Monson and, upon vote, unanimously carried, the Board approved the unaudited preliminary financial statements through the period ending March 31, 2023 updated as of July 17, 2023.

**2022 Audit:** The Board reviewed the 2022 Audit.

Following discussion, upon motion duly made by Director Reid, seconded by Director Monson and, upon vote, unanimously carried, the Board approved the 2022 Audit and authorized execution of the Representations Letter.

**RECORD OF PROCEEDINGS**

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**LEGAL MATTERS**

**Warranty Assignments and Acceptance of Tracts and related Improvements from Forestar (USA) Real Estate Group Inc:** The Board discussed a Warranty Assignments and Acceptance of Tracts and related Improvements from Forestar (USA) Real Estate Group Inc.

Following discussion, upon motion duly made by Director Reid, seconded by Director Monson and, upon vote, unanimously carried, the Board approved the Warranty Assignments and Acceptance of Tracts and related Improvements from Forestar (USA) Real Estate Group Inc.

**Temporary Easement Agreement with Melody Homes, Inc. related to Tract AA, Silver Peaks Filing No. 1, Amendment No. 2, Town of Lochbuie, County of Weld and Tracts HH and LL, Silver Peaks Filing No. 1, Amendment No. 3, Town of Lochbuie, County of Weld:** The Board reviewed a Temporary Easement Agreement with Melody Homes, Inc. related to Tract AA, Silver Peaks Filing No. 1, Amendment No. 2, Town of Lochbuie, County of Weld and Tracts HH and LL, Silver Peaks Filing No. 1, Amendment No. 3, Town of Lochbuie, County of Weld.

Following discussion, upon motion duly made by Director Reid, seconded by Director Monson and, upon vote, unanimously carried, the Board approved the Temporary Easement Agreement with Melody Homes, Inc. related to Tract AA, Silver Peaks Filing No. 1, Amendment No. 2, Town of Lochbuie, County of Weld and Tracts HH and LL, Silver Peaks Filing No. 1, Amendment No. 3, Town of Lochbuie, County of Weld.

**OTHER MATTERS**

There were no other matters to discuss at this time.

**ADJOURNMENT**

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

Respectfully submitted,

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