

## RECORD OF PROCEEDINGS

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### MINUTES OF THE REGULAR MEETING OF SOUTHSHORE METROPOLITAN DISTRICT NO. 2 HELD NOVEMBER 14, 2023

A Regular Meeting of the Boards of Directors of the Southshore Metropolitan District No. 2 was held on November 14, 2023 at 3:00 p.m. The Meeting was held by virtual attendance on Zoom at <https://us02web.zoom.us/j/83957417542>, (669) 900-9128 or (346) 248-7799 or (646) 558-8656 or (253) 215-8782 or (301) 715-8592 or (312) 626-6799

#### ATTENDANCE

##### Directors in Attendance were:

Ryan Zent, President  
Kevin Stadler, Vice President/Secretary/Treasurer  
Jeff Bergeon, Vice President/Assistant Secretary/Treasurer  
Kevin Chan, Vice President/Assistant Secretary/Treasurer  
Colette Palmer, Vice President/Assistant Secretary/Treasurer

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##### Absent (excused):

None.

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##### Also in Attendance were:

Cathy Hamilton of Simmons & Wheeler  
Doug Richter of Earnweald Consulting Services, LLC  
David A. Greher of Cockrel Ela Glesne Greher & Ruhland, P.C. (“CEGR”)  
Kristin Z. Herndon of CEGR  
Members of the public: Nate Fogg, Joe Knopinski and others

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#### CONFLICTS OF INTEREST

Mr. Greher noted that none of the Directors have advised of any potential current conflict of interest for this meeting.

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#### NOTICE

Mr. Greher stated that Notice had been properly posted at least 24 hours prior to the meeting on the District’s website. Mr. Greher confirmed that such Notice was also placed at the entrance of the Lakehouse, Lighthouse and sent to the City of Aurora Clerk. The certification of posting is attached hereto. The notice also included the agenda items.

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#### OCTOBER 10, 2023 MINUTES

The Board considered the Minutes of the October 10, 2023 Coordinated Special Board meeting. After discussion and upon motion duly made, seconded and unanimously carried, the Minutes of the District’s Board

meeting were approved as presented.

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PUBLIC COMMENT

None.

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UPDATE ON  
STATUS OF  
DISSOLUTION OF  
SOUTHSHORE  
METROPOLITAN  
DISTRICT NO. 1  
AND BANK  
MATTERS OF THE  
DISTRICTS

Mr. Greher and Ms. Hamilton provided an update on the dissolution of District No. 1 to the Board noting that Ms. Hamilton and Director Stadler have finished various financial matters regarding setting up various accounts for District No. 2 such as the checking account and an account with ColoTrust. The quit claim deed conveying land over to District 2 be recorded prior to the December meeting. Mr. Greher discussed the conveyance of Southshore Recovery Acquisition, LLC (“SSRA”) properties to District No. 2, noting that the only parcel to remain in the possession of Southshore Recovery Acquisition is the Directors qualifying parcel.

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DISCUSS STATUS  
OF DISTRICT  
NAME CHANGE

President Zent discussed the previous decision of the Board to change the District’s name to Southshore Metropolitan District. Once District 1 is fully dissolved the name change will be official. Ms. Hamilton noted that there are no issues with the Bond and Tax documents regarding the changing of the District’s name. The Federal Government will be notified of the name change once official.

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WORKERS  
COMPENSATION  
RESOLUTIONS

Mr. Greher advised the Board of the requirements of the Workers’ Compensation Act and noted that because Board members are not compensated, the Act allows the District to exclude them from the definition of “employees” and from workers’ compensation insurance coverage. Upon motion duly made, seconded, and unanimously carried, the Board approved the Resolution Determining Not to Provide Worker’s Compensation Insurance Coverage for Uncompensated Members of the Board of Directors and legal counsel was directed to file the exclusion forms with the State Division of Workers’ Compensation, a copy of which is attached hereto and incorporated herein by this reference.

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ACCOUNTANT’S  
REPORT

Ms. Hamilton reviewed the financials with the Board. She then presented a list of checks to ratify and invoices to be approved.

Following discussion and upon motion duly made, seconded and unanimously carried, the Board (a) approved and confirmed the disbursements as presented and (b) approved the checks.

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PUBLIC HEARING  
ON ADOPTION OF  
2024 BUDGET

Mr. Greher opened the public hearing on the 2024 budget adoption, notice of which had been published in accordance with the Local Government Budget Law. No members of the general public registered any objections or offered any modifications to the proposed 2024 budget. The public hearing was then closed.

Ms. Hamilton reviewed the budget and the Board discussed. Upon motion duly made, seconded and unanimously carried, the Board tabled the approval of the Resolution to Approve Budget and Appropriate Funds and to Certify Mill Levies to the December meeting. No action was taken.

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DISTRICT  
ENGINEER'S ORAL  
REPORT

Mr. Richter presented the engineer's report. The City of Aurora Parks Department has walked the property. The final punch list and clean has been completed. The chain link fence has been removed and the gated fence installed. Mr. Richter will do one final walk through with the City on Monday the 20<sup>th</sup> of November. The City will then send a letter confirming the acceptance of improvements. The gated fence will then be open allowing the public to access the open space and reservoir. ELCI has blown out filing 29 system. Now that the pumps are shutdown, JR Engineering are in the process of dredging the scenic pond.

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WILDFIRE  
MITIGATION

Mr. Fogg discussed with the Board the needed work regarding wildfire mitigation to help maintain the health and safety of the District. A 40-foot buffer between residential and wildlife areas is needed to protect homes. There is currently no buffer in place. Proposals have been drafted for the Board to review. The phase 2B proposal will be reviewed and discussed in the future regarding the lack of buffer. Mr. Fogg discussed with the Board some items that a partnership would entail. President Zent, Director Stadler, and Mr. Richter discussed that keeping the grass low in warmer months was important to wildfire prevention. The City of Aurora Fire Department may be responsible for this prevention if the City owns the land. Mr. Richter will get a quote from ELCI regarding the cost of mowing.

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SAFETY AND  
SECURITY  
UPDATE

Director Palmer and Director Stadler discussed the security and safety of the District with the Board noting that the next phase and installation of gates at both the community centers. Installation will be at the end of November or beginning of December. The lighting project is waiting for the final electrical finishes to be completed. This will be completed in a few

weeks. The project scheduled for this year are now mostly completed. Cameras on Titus road are still experiencing some issues. These issues are being relayed to the City of Aurora. The City should follow up in the near future with Director Stadler.

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TEMPORARY  
CONSTRUCTION  
EASEMENT  
UPDATE

Tabled.

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UNDERDRAIN  
PROJECT UPDATE

Tabled.

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DAMAGE TO  
TITUS ROAD

Tabled.

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DISTRICT AND  
HOA  
SIMPLIFICATION

President Zent and Director Palmer discussed with the Board the roles of the HoA and District noting how the two have interacted in the past. Both the District and the HoA are wanting to ensure communication is open for all members of the community. President Zent will attend the townhall meeting so that he may speak to members of the public and answer questions. A communication has gone out to the community regarding the joint session showing the collaboration between the District and the HoA. Both the District and the HoA are working towards a shared governance so that everyone has a voice going forward. President Zent then open the topic up for discussion with the public. Members of the public spoke asking questions to the Board regarding the matter.

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DISTRICT  
MANAGEMENT  
REQUEST FOR  
PROPOSALS

President Zent discussed the Request for Proposals with the Board noting that he has shared the Proposal with the HoA. Both the District and HoA agreed that all would like to get this process started. Having input from the HoA, District and residents is important to all. Mr. Greher suggested that the board should only include two directors from the District so that the sunshine law is not violated. Director Chan and Director Stadler volunteered to be on the Board. President Zent further explained what the Request for Proposals would mean for the community.

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EXECUTIVE  
SESSION

Not needed.

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ACTION ON  
MATTERS  
DISCUSSED IN  
EXECUTIVE  
SESSION

None.

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AMENDED AND  
RESTATED  
SERVICES  
AGREEMENT WITH  
SOUTHSHORE  
MASTER  
ASSOCIATION,  
INC. (THE "HOA")  
AND/OR  
MEMORANDUM OF  
UNDERSTANDING  
WITH THE HOA

President Zent discussed the Amended and Restated Services Agreement with Southshore Master Association, Inc. and Memorandum of Understanding with the HoA and the option that the District has. Termination would lead to the modified Services Agreement. President Zent and the District will work with Mr. Greher regarding the final decision. There is a 5-month timeline remaining that gives the District time to communicate with the community. President Zent stated that he will share the action with the HoA and community at the upcoming townhall. The landscaping contract end on March 31<sup>st</sup>, 2024. Directory Chan stated that the community is curious about how this will affect them. President Zent proposed that two members of the District to work with the HoA. Director Palmer and President Zent will coordinate with the HoA. Upon motion duly made, seconded, and unanimously carried, the Board approved the Amended and Restated Services Agreement with Southshore Master Association, Inc. and Memorandum of Understanding with the HoA.

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OTHER MATTERS

President Zent proposed moving the District meeting to a later time in the day that would be more convenient for the members of the community. The Board will discuss in December moving the meeting time for 2024.

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ADJOURNMENT


There being no other matters to come before the Board, the meeting was adjourned.

Respectively submitted,


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Kristin Z. Herndon, Secretary for the meeting

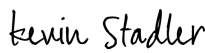
APPROVED

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Ryan Zent

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Jeff Bergeon

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Kevin Chan

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Colette Palmer

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Kevin Stadler