RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF
WESTERLY CREEK METROPOLITAN DISTRICT

HELD
May 18, 2026

The Regular Meeting of the Board of Directors of Westerly Creek Metropolitan District was held at the MCA Cube and via Zoom and Teleconference on Monday, May 18, 2026, at 6:30 p.m.

<u>ATTENDANCE</u>	<u>Directors in Attendance</u>: Robert Douglas Marsh, President Jack Seward, Vice President Matthew Blackburn, Treasurer Omid Jazaeri, Secretary John Karner, Assistant Secretary <u>Also in Attendance</u>: Kevin Mitts, Matt Sorenson, and Andrew Kunkel; Pinnacle Consulting Group, Inc. Selina Baschiera, Esq.; VF-Law
<u>ADMINISTRATIVE ITEMS</u>	<u>Call to Order</u>: The Regular Meeting of the Board of Directors of the Westerly Creek Metropolitan District was called to order by Director Marsh at 6:30 p.m. <u>Declaration of Quorum/Director Qualifications</u>: Director Marsh noted that a quorum was present, with five out of five Directors in attendance. All Board Members confirmed their qualifications to serve on the Board. <u>Disclosure of Potential Conflicts of Interest</u>: Ms. Baschiera advised the Board that pursuant to Colorado law, certain disclosures by Board Members might be required prior to taking official action at a meeting. Ms. Baschiera reported that disclosures for those Board Members who provided VF-Law with notice of potential or existing conflicts of interest, if any, were filed with the Colorado 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. Baschiera inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest regarding any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda: Upon a motion duly made by Director Blackburn, seconded by Director Seward, and upon vote, unanimously carried, it was

RESOLVED to approve the agenda, as presented.

Public Comment: There were no Public Comments received.

Director Comments: There were no Director Comments received.

CONSENT AGENDA

Director Marsh reviewed the items on the consent agenda with the Board. Director Marsh advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any Director. No items were requested to be removed from the consent agenda. Upon a motion duly made by Director Blackburn, Seconded by Director Seward, the following items on the consent agenda were unanimously approved, ratified and adopted:

A. Minutes – March 16, 2026, Regular Meeting.
B. Payment of Claims

FINANCIAL ITEMS

Finance Manager Status Update: Director Blackburn led a discussion with the Board regarding the financial status of the District's account balances and transfer protocols between the Westerly Creek Metropolitan District and the Park Creek Metropolitan District.

Financial Statements: Mr. Sorenson and Mr. Mitts presented the Unaudited Financial Statements for the period ending March 31, 2026, to the Board and answered questions. It was the decision of the Board to table the acceptance of the Unaudited Financial statements pending further financial review.

Changing the District Bank: It was the decision of the Board to Table the discussion regarding changing the District Bank.

Treasurer's Report: It was the decision of the Board to Table the discussion regarding the Treasurer's Report.

DISTRICT MANAGER ITEMS

Status of Asset Management Plan: Director Karner provided an update on the Status of the Asset Management Plan to the Board and thanked the members of the Board for providing their input. It was the decision of the Board to compile the current redlines into a finalized document, re-present the plan at the June Board meeting, and have Director Karner present the finalized plan to the Park Creek Metropolitan District Board of Directors and the MCA. Bidding may commence following finalization by all parties with a timeline subject to needed revisions requested by the Park Creek Metropolitan District Board of Directors and the MCA.

Website Refresh: Mr. Mitts provided an updated regarding the recently completed Website Refresh to the Board.

LEGAL ITEMS

Modified Fee Agreement: Director Marsh requested ratification of the Modified Fee Agreement by the Board. Following review and discussion, upon a motion duly made by Director Seward, seconded by Director Blackburn, and upon vote, unanimously carried, it was

RESOLVED to ratify the Modified Fee Agreement, as presented.

DIRECTOR ITEMS

District Calendar & Important Dates for 2026: Director Marsh, Mr. Mitts and the Board discussed the District calendar and important dates for 2026. The Board emphasized the importance of the Audit timeline.

Capital Expenditure Projects to PCMD: The Board discussed whether and/or how to advocate Capital Expenditure Projects to the Park Creek Metropolitan District.

Discussion Regarding District Communications: It was the decision of the Board to table the discussion regarding District communications.

Other Matters: The Board discussed the current Bank and Bill.com signers for the District.

ADJOURNMENT

There being no further business to come before the Board, Director Marsh adjourned the meeting at 8:02 p.m.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting. Respectfully submitted,

Andrew Kunkel

Andrew Kunkel, Recording Secretary for the Meeting