



SOUTH TIMNATH
METRO DISTRICT

**RECORD OF PROCEEDINGS
MINUTES OF THE JOINT ORGANIZATIONAL MEETING
OF THE BOARDS OF DIRECTORS OF
SOUTH TIMNATH METROPOLITAN DISTRICT No's. 1 & 2**

HELD: March 10, 2020 at 10:30 a.m. at 6000 Summerfields Parkway, Timnath, CO 80547.

ATTENDANCE:

The joint organizational meeting of the Boards of Directors of the South Timnath Metropolitan District Nos. 1 & 2 (collectively, the "Board") was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Michael J. DiTullio Dino A. DiTullio Kara DiTullio

Board Member Jennifer DiTullio was present via call in, Board Member Kevin Walker was absent and excused, David S. O'Leary of Spencer & Fane, Guy Johnson and Jackie Johnson from the District, and present.

CALL TO ORDER:

Director Dino DiTullio called the meeting to order at 10:30 a.m.

QUALIFICATION OF BOARD MEMBERS/OATHS OF OFFICE:

Mr. O'Leary reported that all of the Board members are registered to vote in Colorado and are residents and/or owners of taxable real or personal property within the Districts. Mr. O'Leary informed the Board that the official bonds had been obtained and that all of the Board members had been administered the Oaths of Office. Thereupon, the directors assumed their duties as members of the Board of Directors.

DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST:

Guy Johnson discussed the state law requirements for disclosure of potential conflicts of interest with the directors, noting that completed disclosure statements must be filed for each of the Directors with the Secretary of State and with the District at least 72 hours prior to a meeting in which a potential conflict may arise. In addition, each director is to verbally reveal his potential conflicts of interest to the Board at the start of the meeting in which the conflict may arise.

DISCUSSION OF OPEN MEETING REQUIREMENTS/POSTING REQUIREMENTS:

Guy Johnson discussed the open meeting requirements and the posting requirements for the Districts, noting that any non-social meeting of three or more of the directors constituted an official meeting, and that notice of a meeting for the Districts is to be (1) provided to each Board member, and (2) posted in at least three public places within the Districts at least 72 hours in advance of the meeting, and (3) at the same time, a copy of such notice is to be posted at the office of the County Clerk and Recorder. If possible, the posting should include specific agenda information. Mr. Johnson further noted that notice of this joint organizational meeting had been so posted.

APPROVAL OF AGENDA:

The Board reviewed the agenda,

Upon motion was made by Director Mike DiTullio and seconded by Director Jennifer DiTullio and unanimously carried to approve the agenda.

APPROVAL OF MINUTES:

The meeting minutes of November 07, 2019 meeting was presented and discussed,

Upon motion made by Director Dino DiTullio and seconded by Director Mike DiTullio and unanimously carried to approve the meeting minutes of November 07, 2019.

PUBLIC COMMENTS:

Board member Director Dino DiTullio opened the Public Comment portion of the meeting, Ben Palmer was the only resident present however, he had no comments.

With no further Public comment this portion of the meeting was closed.

APPROVAL & RATIFICATION OF POSTING LOCATIONS INCLUDING THE WEBSITE:

Mr. Guy Johnson presented the board with the posting locations which also includes the website, with no further discussion or changes,

Upon motion duly made by Director Mike DiTullio, seconded by Director Jennifer DiTullio and unanimously carried; the approval of the posting locations including the website.

ATHORIZATOIN TO PREPARE THE 2019 AUDITS AND AUDIT EXEMPTIONS:

Mr. Guy Johnson stated the District was required to have Audits and no Audit Exemptions; therefore, District No. 1 & No. 2 would require Audits, with no further discussion

Upon motion duly made by Director Dino DiTullio, seconded by Director Mike DiTullio and unanimously carried; to approve the District to prepare for the 2019 Audits as presented.

CONSIDER APPROVAL AND RATIFICATION OF THE DISTRICT FEES:

Mr. Guy Johnson present the to the board the District fees as follows:

The “Operations and Maintenance Fee” shall be as follows: (No change at this time on O and M fees)

O & M fee due of \$1,000.00, due in one (1) lump sum by March 1st, or two hundred fifty dollars (\$250.00) quarterly payments, due on or before March 1, June 1, September 1 and December 1. These fees will always be in effect, and shall be assessed against all residential lots. Operations and Maintenance Fee will be collected from the owner of the lot/home. Administration fee of \$5.00 for administration actions for invoicing, late fee invoicing and additional actions as needed, Late fees in the amount of \$25.00 which will be assessed on the day after invoice is due and every thirty days (30) after until paid, and attorney fees when needed

The “Out of District Pool Rate Fee” shall be as follows:

A family pool membership for an Out of District Pool Membership is \$550.00 (Limit 20).

Guest Pass: \$5.00 per guest, per visit (Limit 4) and must be accompanied by a person with a pool membership.

The “Pool Guest Fee” shall be as follows:

Residents are allowed to bring up to 4 guest per visit, at a cost of \$5.00 per guest each time. No free guest punch card is being used any more, all guest when allowed in the pool will pay a guest fee.

The “Pool Party” shall be as follows:

Pool Party after Memorial Day is now \$60.00 for up to 15 guests: Swimmers and/or non-swimmers, held during regular pool hours. Check with guards for 2-hour party. If you need more than two hours, price will be quoted. Cost of a day pool party includes guests, guard coverage, tables, chairs, and a semi-private area. Daily guest limits do not apply to pool parties, your guest limit at the pool party is (15) fifteen. The guest count for a pool party will include all district members and guests. (Swimmers and non-swimmers)

The “Lost FOB Fee” shall be as follows:

Lost Fob replacement fee and/or disconnected/reconnection fee for outstanding O and M fee is \$25.00 per occurrence.

The “Community Center Room Rental Fee” shall be as follows:

District residents’ room rental fee is \$60.00 for a min of 3 hours and \$20.00 per each additional hour which includes set up and clean up time. Room rental late fee: Not out by agreed time results in \$25.00 fee every 15 minutes.

Out of District room rental fee is \$240.00 for a min of 3 hours and \$80.00 per each additional hour which includes set up and clean up time. Not out by agreed time results in \$25.00 fee every 15 minutes.

Room rental for Governmental Agencies (State, County, Town, City or Districts) is no charge.

Room rental late fee: Not out by agreed/agreement time results in \$25.00 fee every 15 minutes.

The hours available for the rental room will be 4:00 am to 12:00 am (Midnight).

The Community Center Hours are 4:00 am to 10:00 pm daily.

DISTRICT FEES:

Director Dino DiTullio stated that the Operation and Maintenance fees may need to be increased to cover the cost of the Fort Collins -Loveland Water Sanitation District water increase that took effect January 1, 2020, plus overall cost of contracted work, such as fence staining, pool management, flowers, tree replacements, etc. at this time. The District would see how the water increase and contract work would affect the budget during 2020. With no further discussion from the board

Upon motion was made by Director Mike DiTullio and seconded by Director Dino DiTullio and Director Jennifer DiTullio and unanimously carried to authorize the approve and ratification of The District Fee Resolution as presented.

FINANCIALS:

Mr. Johnson reviewed with the Board the expenditures for November 2019 through February 2020 totaling \$113,125.05,

Upon motion duly made by Director Dino DiTullio, seconded by Director Mike DiTullio and unanimously carried; the Board approved the payable for November 2019 through February 2020 totaling \$113,125.05.

Mr. Johnson reviewed with the Board the actual expenditures to date and the budgeted amount. The budget is in balance at this time. After no further discussion needed this portion of the meeting was closed.

APPROVAL & RATIFICATION OF THE PROMISSORY NOTE:

Mr. Johnson stated the Promissory note required renewal yearly, Mr. Johnson noted the only changes to the note was interest at this time, Director Dino DiTullio stated with the low interest rates the Board might want to look into refinancing the bonds.

Upon motion duly made by Director Mike DiTullio, seconded by Director Dino DiTullio and unanimously carried, the Board approved the Promissory Note.

DISTRICT LEGAL COUNSEL REPORT:

Mr. O'Leary stated the May 2020 Election was cancelled, two homeowners Ben Palmer and Luke Wagner did show interest in running for the board, however, with only two resident showing interest, two of the current Board members were willing to step down to allow Ben Palmer and Luke Wagner to be appointed to the board without an election which would save the District roughly \$25,000.

DISTRICT MANAGERS REPORT:

Mr. Johnson stated:

1. General District items:

- a. Completed re-stain of fence in Summerfields area. Next area to stain if budgets allow, is The Preserve or Tallgrass. Stain plan, more than likely every 3 to 4-year fence.
- b. Changing out 5 mulch areas that are mulch and replacing with cobble stone, in 2020.
- c. Will check for dead trees this spring and arrange for R and R, when budget allows.
- d. Issue on site drainage: We have been cleaning detention ponds, inlets, outlets, drain pans and regrading areas for water issues.
- e. Working on goose deterrent. Tried Swan decoys which were vandalized and coyote decoy. Received several calls leave geese alone and ask not to turn off aerators, concerns on fish populations.
- f. Detention ponds working as designed. Have products put in every 3 or 4 weeks and Detention ponds: Aquatron and sludge remover are now being added to the detention ponds, as part of the maintenance program. Also, a licensed company sprays Detention ponds every 4 to 6 weeks for several kinds of grasses and algae.
- g. Get a lot of trash in detention ponds. Clean out every two weeks. Trash cans in area blow over and a lot of trash ends up in detention ponds.
- h. Play grounds on site, will be inspected and repairs made if needed.

2. Web Site:

- a. Keeping site up.

1. Community Center & Pool:

- a. Fitness equipment being replace. New flooring, Changing TV system around and removing monitors on fitness equipment.
- b. Will get price on blinds, 30 days in late Aug. and Sept. sun setting issues.
- c. Power wash community center once a month in winter and twice a month in summer.
- d. Power wash parks once a month.
- e. Pool hours are the same 10:30 am to 8:00 pm, until school starts in August, then moves to open at 4:30 pm to 7:30 pm weekdays and normal time on the weekends. Schools changed start times. (Must have lifeguards on duty)
- f. Complaints on crowds at pool certain times of the day and a lot of residents stated too many pool guests.
- g. Need to add money yearly to reserves for maintenance and replacement cost at Community Center.
- h. Parking lot will need to be sealed soon. Paint parking spots.
- i. Add cameras to pool area? Roughly \$11,000.00.
- j. Change out grass to Astro -turf or fill in one section and place concrete? \$14,000.00.
- k. Rule on large slide, kids wait on pool deck until person on slide starts to go down slide.
- l. Carpets set up to be cleaned 4 times a year. Have re-place carpet in high traffic areas.
- m. This spring working on playground in pool area, fixing minor items. Every year have inspected.
- n. Set up paint inside of clubhouse.

Mr. Guy Johnson also stated that the District would be putting out a newsletter and would address the need for the Operation and Maintenance fee increase due to the Fort Collins-Loveland Water Sanitation increase and overall contracted pricing is going up, due to minimum wage.

OTHER MATTERS:

The Board noted there were no other matters at this time.

APPROVAL OF MEETING MINUTES:

Guy Johnson asked that the board take a recess and review the draft minutes of this meeting to be completed, and upon review and comments from the Board and District consultants,

Upon motion duly made by Director Dino DiTullio, seconded by Director Mike DiTullio and unanimously carried, it was resolved to approve the minutes of the March 10th, 2020 Board meeting with such changes as noted by the Board.

ADJOURNMENT:

Following no further discussion, and Executive Session was not necessary,

Upon motion duly made by Director Dino DiTullio, seconded Director Mike DiTullio and unanimously carried, the Board adjourned the joint organizational meeting of the Board of Directors of the South Timnath Metropolitan District Nos. 1 & 2 at 10:44 a.m.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of South Timnath Metropolitan District Nos. 1 & 2.



Guy D. Johnson, Secretary for the Meeting