



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 08, 2018 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      Kevin Walker on the phone      Debbie Hessler

Director Jennifer DiTullio and Director Kara DiTullio were absent and excused.

David S. O'Leary of Spencer & Fane, Guy Johnson and Jackie Johnson from the District, and numerous homeowner, were present, please see sign in sheet for detail.

**CALL TO ORDER:**

Director Dino DiTullio called the meeting to order at 10:32 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 Dino DiTullio and seconded by Director Mike DiTullio and unanimously carried to approve the agenda.

**APPROVAL OF MINUTES:**

The meeting minutes of November 09, 2017 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 09, 2017.

**PUBLIC COMMENTS:**

Board member Dino DiTullio opened the Public Comment portion of the meeting by recognizing Travis Matkin of 5929 Quarry St, Mr. Matkin wanted to Thank the Board and the District for extending the Community Center hours, he was happy that the Operations & Maintenance fees were not being increased and stated that the residents were still interested in having a nightly meeting, maybe just a Q & A meeting to answer questions on development in the area. Dino DiTullio stated they would have a Q and A meeting soon and starting at 7:00 pm. Mr. Matkin also asked if the number of free guests would be decreased this pool season, Mr. Johnson stated that District would continue with the 20-free guest punch pass again this 2018 pool season. Please keep in mind as the Community grows number of guest will allowed each day may be lowered.

-The Board recognized Luke Wagner of 5833 Claret St, Mr. Wagner wanted to know the District policy on Air B & B's. Did we know of what was required by the Town to have an Air B & B, business permit? Also did the District and Board believe this to be a good idea in South Timnath Metro District. Director Dino DiTullio stated that the District and Board did not have an opinion on Air B & B's per say, however, the District could not stop a resident from this practice as long as they followed the Town Code.

-The Board recognized Mike Lester of 5737 Red Bridge Dr, Mr. Lester stated he was at the recent Town meeting and the Town was working on rules for Air B & B's, his concern was just the parking of multi-cars on the streets and the use of the Community Center and Pool by the Air B & B renters. Director Dino DiTullio stated that street parking was allowed by the Town and the use of the pool would be restricted to the Air B & B's as homeowner must be with guests and the guest limit is 4 per day.

-The Board recognized, Megan Barash of 5920 Banner Street, Mrs. Barash wanted to know if Townhomes would be built in the South Timnath Metro District, and if so what did the plans look like, would they also have access to the Community Center and Pool. Director Dino DiTullio stated that the Town thought Townhomes or some sort of attached product would be a diverse product and wanted to see something like that built in the area. Mr. DiTullio thought this product would provide a good alternative living in the area and yes if they are within District boundaries they could use the pool. Director Mike DiTullio stated there would be some estate lots and patio homes to the south of the Community Center if and when plans are submitted to the Town and approved, normally takes over a year to get any plans approved.

-The Board recognized Clifford Nancarrow of 6756 Covenant Ct, Mr. Nancarrow stated he was new to the neighborhood and did not understand the STMD and SWTMD meeting signs and posting on the website, asked for clarification. Mr. Johnson referred to the map behind him showing the two (2) different Districts. Mr. Johnson also stated STMD was for South Timnath Metro District where he lived, and SWTMD was for Southwest Timnath Metro District. Mr. Johnson stated the District would spell out the District names in hopes to help residents understand the difference.

-The Board recognized Valerie Miller of 5970 Jasper St, Mrs. Miller stated she had heard that the Town would be having public hearing for Air B & B's. She also asked that the District abbreviations be spelled out on the website to help residents. With no further Public comment this portion of the meeting was closed.

**APPROVAL & RATIFICATION OF LOCATION OF MEETING POSTINGS:**

Mr. Guy Johnson stated that the Posting locations were the same as previous years. The District must present a Resolution yearly of the posting locations to the Board, this was just a House keeping item.

Upon motion duly made by Director Dino DiTullio and seconded Michael J. DiTullio and unanimously carried, the Board approved the Posting Locations for 2018.

**APPROVAL & RATIFICATION FOR THE DISTRICT MANAGER TO PREPARE THE 2019 BUDGETS:**

Mr. Guy Johnson stated the Budgets were due the Board of Directors by October 15 each year and would need the Boards direction to prepare said budgets.

Upon motion duly made by Director Dino DiTullio and seconded Michael J. DiTullio, and unanimously carried, the Board approved the District Manager to prepare the 2019 Budgets.

**APPROVAL & RATIFICATION FOR THE DISTRICT TO PREPARE FOR ANNUAL AUDIT/EXEMPTIONS:**

Mr. Guy Johnson stated the District needed to prepare the information for the Audit firm to file the Audits and Audit Exemptions.

Upon motion duly made by Director Dino DiTullio and seconded by Director Debbie Hessler/Mike DiTullio and unanimously carried, the Board approved the District Manager to prepare the information needed to file the annual Audits and Audit Exemptions.

**FINANCIALS:**

Mr. Johnson reviewed with the Board the expenditures for November and December 2017 and January – February 2018 totaling \$ 456,693.73,

Upon motion duly made by Director Dino DiTullio, seconded by Director Debbie Hessler/Mike DiTullio and unanimously carried; the Board approved the payable for November and December 2017 and January – February 2018 totaling \$ 456,693.73,

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 state the Promissory note required renewal yearly, Mr. Johnson noted the only change was the addition of interest for the prior year,

Upon motion duly made by Director Mike DiTullio, seconded by Director Dino DiTullio and unanimously carried, the Board approved the Promissory Note for 2018.

**APPROVAL & AUTHORIZATION TO EXECUTE & UPDATE NECESSARY DOCUMENTS FOR BONDS/LOAN:**

Mr. O’Leary stated the Board needed to Authorize the update and extension of any necessary agreements or documents for the outstanding Bonds/Loans, approving this would ensure that all paper work was in order if the Board choose to re-finance or draw on the outstanding Bonds/Loans.

Upon motion duly made by Director Mike DiTullio, seconded by Director Debbie Hessler/Dino DiTullio and unanimously carried, the Board approved and authorize the update and extension of any necessary agreements or documents for the outstanding Bonds/Loans.

**DISTRICT LEGAL COUNSEL REPORT:**

David O’Leary went over the Cancellation of election and that the board members that kept their seats would be signing new Oath of Offices.

**DISTRICT MANAGERS REPORT:**

Mr. Johnson stated:

**1. General District items:**

- A. Two residents had questions on short term rentals in STMD, seems to be at least 2 Airbnb’s in the area. These two homeowners would like covenants changed to stop this. Town of Timnath does allow short term rentals.
- B. The new area, “Tallgrass” this will be added to the budget for maintenance and long-range replacements. District brings on new areas every year and this adds on all the same cost and revenue as the other areas.
- C. Issue on site drainage: We have been cleaning detention ponds, inlets, outlets, drain pans around the site, this includes wet and dry detention ponds and regrading areas for water issues. The drainage areas are cleaned monthly and sometimes more depending on weather.
- D. Starting to re-stain fence again: Starting in the Meritage homes area and Prairie View area.
- E. Changing out 6 areas that are mulch and replacing with cobble stone, re-doing a few areas each year.
- F. Will check for dead trees this spring and arrange for R and R when budget allows. Budget for 15 trees.
- G. Detention ponds working as designed. Have products put in every 3 or 4 weeks: Aquatron and sludge remover are now being added to the detention ponds, as part of the maintenance program. Seems to work, very expensive. Also, a licensed company sprays Detention ponds every 4 to 6 weeks for several kinds of grasses and algae.
- H. 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. Get calls to clean shore lines.

- I. Play grounds on site, had inspected late fall. Repairing items in park such as Spinner mat, replacement of several nuts and bolts. Replace bolts that show any sign of wear. Added new safety stickers warning as required. Replacing table top someone put grill on top. Also filling in wood fiber (Spec very expensive)
- J. Power wash parks once a month.
- K. This winter, very high winds several sections of fence blew down, had to be repaired.

**2. Web Site:**

- a. Keeping site up.

**b. Community Center & Pool:**

- a. Power wash community center once a month in winter and twice a month in summer.
- b. Power wash parks once a month. Main park and pocket parks in other sections of the community.
- c. Hours at Community Center: Change to 4:00 am to 10:00 pm for the fitness area and Grand Hall area. Room rentals now available to 12:00 am (Midnight).
- d. Pool hours are 10:30 am to 8:00 pm, until school starts fourth week of August, then moves to open at 3:30 pm to 7:30 pm weekdays and 10:30 am to 7:30 pm on the weekends. (Must have lifeguards)
- e. Carpets set up to be cleaned 4 times a year. Have re-placed carpet in high traffic areas.

**Next meeting to be held on 11/8/18 at time to be determined by the board.**

**OTHER MATTERS:**

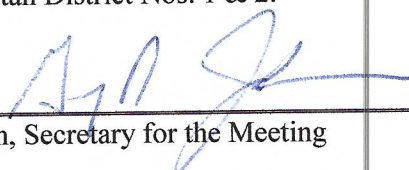
The Board noted there were no other matters at this time.

**ADJOURNMENT:**

Following no further discussion,

Upon motion duly made by Director Dino DiTullio, seconded Director Debbie Hessler/Michael J. 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 11:16 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.

  
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Guy D. Johnson, Secretary for the Meeting