



SOUTH TIMNATH
METRO DISTRICT

**RECORD OF PROCEEDINGS
MINUTES OF THE JOINT SPECIAL MEETING
OF THE BOARDS OF DIRECTORS OF
SOUTH TIMNATH METROPOLITAN DISTRICT NOS. 1 & 2**

HELD: Wednesday, July 20, 2022 at 6:30 p.m. at 6000 Summerfields Parkway, Timnath, CO 80547.

ATTENDANCE:

The joint special 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:

Directors in Attendance:

Dino A. DiTullio
Jennifer DiTullio
Luke Wagner
John Cloudman
Michael Harrington
Ben Palmer (via teleconference)
Mike DiTullio (via teleconference)
Kara DiTullio (absent and excused)

Also in Attendance:

David O'Leary, of Spencer Fane, Guy Johnson, Jackie Johnson, from District Management.
Numerous homeowners were present, please see attendance sheet in the Meeting Notebook as to homeowners that were present.

INTRODUCTIONS:

The board introduced themselves, and David O'Leary stated with this being the first meeting since they took office, the board would need to appoint officers to the District #2 Board.

Upon further discussion, John Cloudman nominated himself for President, with no objections from the board, Director John Cloudman was appointed as President of the STMD #2 Board of Directors, Mr. O'Leary stated the board would need to appoint a Secretary/Treasurer, Michael Harrington nominated himself for this position, with no objections from the board, Michael Harrington was appointed Secretary/Treasurer of the STMD #2 Board of Directors. All remaining Board Members would be Vice Chair, Secretary Treasurer.

CALL TO ORDER:

Director Dino DiTullio called the meeting to order at 6:30 p.m.

QUALIFICATION OF BOARD MEMBERS/OATHS OF OFFICE:

Mr. Johnson 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. Johnson informed the Board that the official bonds for the board members had been obtained through a bonding company and/or through the special district insurance pool 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:

Mr. 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:

Mr. 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 one public place within the District boundaries or posted on the District website at least 24 hours in advance of the meeting. If possible, the posting should include specific agenda information. Mr. Johnson further noted that notice of this joint special meeting had been so posted. The notice requirement is to post 24 hours in advance of the meeting either at one physical location in the District or online at the District website. (Conflicts are filed 72 hours in advance). Mr. Johnson further noted that notice of this joint special meeting had been so posted.

APPROVAL OF AGENDA:

The Board reviewed the agenda,

Upon motion duly made by Director John Cloudman, seconded by Directors Michael Harrington unanimously carried to approve the agenda with the above mentioned change.

APPROVAL OF MINUTES:

The meeting minutes of March 08, 2022 meeting was presented and discussed,

Upon motion duly made by Director John Cloudman seconded by Director Luke Wagner for District #2, Director Dino DiTullio, seconded by Director Jenn DiTullio District #1, and unanimously carried to approve the meeting minutes of March 08, 2022.

DISCUSSION OF TREE LAWN LANDSCAPING:

Director John Cloudman opened the discussion of the request for a variance to xeriscape the tree lawn area, Director Cloudman's opinion is that the district should be flexible in reference to xeriscaping. However, he feels that the homeowners should maintain the look of the neighborhood, but sod in the tree lawn area is hard to keep green and watered. Director John Cloudman felt that if we added strict and complete guidelines for this variance it might be a good thing, but he did not know if he was willing to put in the time it would take to research and to write those guidelines. Director Luke Wagner stated if a variance was allowed, he felt that a work session was needed to discuss further and to write the guidelines prior to granting the variance, he would want the guidelines to be very strict but he was hesitant to grant the variance. Director Ben Palmer stated he was concerned about consistency of the look of xeriscaping, also felt that strong /strict guidelines would need to be in place, he thought that keeping it grass as it was easier, let them xeriscape the back yards. Director Michael Harrington voices his concerns were the same as Luke and Ben, guidelines would need to be very strict. Director John Cloudman opened this portion of the meeting up to Public Comment: Donna on Claret stated she liked the look of trees and grass down the streets, she would like to see it stay as is Suzanne on Huntly stated she also likes the tree lawn look and like that if it is changed the guidelines must be iron clad. Tom on Edgevale asked who did the Architectural Design Reviews, Guy Johnson stated he did, however, if there were things in question, he passed it on to the board of review, Director Jennifer DiTullio stated Guy was very thorough and this process had worked very well so far. Greg on Banner Street stated he would like to keep the tree lawn as is, uniformed and simple. Kyle on Banner Street stated that if the guidelines were not strict or strong you give people an inch they take a mile, and if its not broke don't fix it. Sherri on Calgary stated she likes the tree lawns as is, but if there was a change the guidelines should be very strict.

FINANCIAL REPORT:

- a. Consider approval and ratification of payables.

Mr. Johnson reviewed with the Board the expenditures for March 2022 through June 2022 for a grand total of \$648,304.05. After further discussion on the matters,

Upon motion duly made by Director John Cloudman, seconded by Directors Luke Wagner STMD #2, Director Dino DiTullio and seconded by Jennifer DiTullio of STMD #1 Mike DiTullio and unanimously carried; the Board approved the payable for March 2022 through June 2022 for a grand total of \$648,304.05.

DISTRICT LEGAL COUNSEL REPORT:

Mr. O'Leary stated he nothing further to add.

DISTRICT MANAGERS REPORT:

Mr. Johnson was asked to review some of the few points of the District Managers report.

1. General District items:

- a. Re-stain Meritage Homes and Prairie View is complete. Several rotten post and broken pickets.
- b. Stain and fence repair plan, is staining an area every year, budget at least \$55,000.00 per year.
- c. Grubs have hit us. Fixing grub areas and putting down grub killer, Merit. Put down top soil and seed. Running more water.
- d. Hooking up irrigation valves to the clocks.
- e. Keep in mind most of Summerfield's and The Preserves fence was built in 2008. Fence life span around 22 years. Maybe stretch to 25 years.
- f. LDGA (Disc Golf or frisbee golf) will put on tournament around park.
- g. Ash trees. Bore ash is coming, Lilac bore is here. Will need to remove trees and replace. Maybe order a truck load of 1-inch trees to plant in between ash trees, over several years.
- h. Drain pans have settlements around the site, work with Town.
- i. Front trees in homeowners tree lawns and issues with cottonwoods and soon ash trees. Working with the Town.
- j. Changing out 5 areas that are mulch and replacing with cobble stone, in 2022. Depends on budget.
- k. Will check for dead trees this spring (Second week of June) and arrange for R and R, when budget Allows and or Contingency in the budgets.
- l. Site drainage: We have been cleaning detention ponds, inlets, outlets, drain pans and regrading areas for water issues. Trees in east detention pond need pruned.
- m. 64 trees need to be removed. getting a price on, will have to use Contingency/3% in budget.
- n. Pond aerators are working and maintenance plan in place.
- o. Play grounds on site, will be inspected and repairs made if needed.
- p. Will work on a few drainage issues around the site if budgets allow.

Web Site:

- a. Keeping site up.

1. Community Center & Pool:

- a. Had windows tinted in fitness area, working great.
- b. Power wash community center once a month. And clean windows.
- c. Power wash parks once a month. Started to clean.
- d. Pool hours are the same this summer 10:30 am to 8:00 pm, except July 4th, open at 11:00 am close at 5:00 pm, and no food serve by the guards. 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. Concerns on guard coverage in 2022, guards hard to fine. Currently 30/35 to 1, Red Cross is 50 to 1.
- e. Need to add money yearly to reserves for maintenance and replacement cost at Community Center.
- f. Doors are starting to show age with looks and issues.
- g. Parking lot to be sealed and Paint parking spots. If budget allows.
- h. Carpets set up to be replaced.
- i. Set up paint inside of clubhouse. If funds allow.
- j. Exterior should be painted and stain, next year, 2023.
- k. Need to order pool furniture this year to arrive in time for next year. Lounge chair \$350.00 ea

PUBLIC COMMENT:

Suzanne on Huntly asked why was the district watering during the heat of the day, Guy Johnson stated that the district had over 600 zones, and with the water taps that the district had, the irrigation was running generally 24/7.

Sherri on Calgary asked what ever happened with the questionnaire, Luke stated that the opinions received back were to not change what was happening.

Tom on Edgevale asked Guy what was happening with Reserve Study, Guy stated he provided the board with his work study and Luke wanted to look into an outside Reserve Study and cost, the new board members of #2 wanted to review Guys Reserve Study before a decision was made.

EXECUTIVE SESSION:

Not needed at this time, this portion of this meeting was closed

OTHER MATERS:

No other matters before the board, this portion of the meeting was closed

ADJOURNMENT:

Following no further discussion,

Upon motion duly made by Director John Cloudman, seconded Director Luke Wagner 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 7:30 p.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