

SOUTHWEST TIMNATH METRO DISTRICT'S

RECORD OF PROCEEDINGS MINUTES OF THE JOINT SPECIAL MEETING OF THE BOARDS OF DIRECTORS OF SOUTHWEST METROPOLITAN DISTRICT NOS. 1- 4

HELD: Tuesday, March 9, 2023, at 5:32 p.m.

ATTENDANCE:

The joint special meeting of the Boards of Directors of the Southwest Timnath Metropolitan District Nos. 1 -4 (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:

Ron Mullenbach	Mike DiTullio
Dino A. DiTullio	Ty Drage

Director Absent and Excused:

Jennifer DiTullio

David O'Leary of Spencer Fane, Guy Johnson and Jackie Johnson from the District were present, Homeowners present included: Irv Christy, Cliff Nancarrow

CALL TO ORDER:

Dino DiTullio called the meeting to order at 5:32 p.m.

QUALIFICATION OF BOARD MEMBERS/OATHS OF OFFICE:

Mr. O'Leary reported that all 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 official bond and/or insurance had been obtained and that all 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 the Secretary of 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 one public places within the Districts at least 72 hours in advance of the meeting, and on SWTMD web site 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, Guy Johnson

Upon motion made by Director Ron Mullenbach and seconded by Director Dino DiTullio, and unanimously carried to approve the agenda.

APPROVAL OF MINUTES:

The meeting minutes of November 15, 2022, meeting was presented and discussed,

Upon motion made by Director Dino DiTullio and seconded by Director Ty Drage, and Director Ron Mullenbach and unanimously carried to approve the meeting minutes of November 15, 2022.

APPROVAL OF RESOLUTION TO FILE EXEMPTION ON-LINE:

Mr. Johnson present to the board the Resolution of On-line filing of the Audit Exemptions of District #2 & #3, with no further discussion,

Upon motion made by Director Dino DiTullio and seconded by Director Michael DiTullio, and Director Ron Mullenbach and unanimously carried to approve the Resolution of On-line Filing of the SWTMD #2 & #3 Exemptions.

FINANCIALS:

Mr. Guy Johnson reviewed with the Board the expenditures for November 2022 through February 2023 totaling \$324,734.62.

Upon motion duly made by Director Ron Mullenbach, seconded by Director Dino DiTullio, and unanimously carried; the Board approved the payable for November 2022 through February 2023 totaling \$324,734.62.

DISTRICT LEGAL COUNSEL REPORT:

MR. O'Leary stated the Election would be canceled; the district did not have more candidates than open positions.

Mr. Johnson presented the Resolution for updates to the Fee Schedule. The changes were as follows.

1. Out of District Pool Memberships, limit of 10 per district (STMD 10 and SWTMD 10) for \$600.00 per membership, this would be approved only if STMD approved and would be sold at the rate STMD agreed upon.
2. Multi-purpose Room Rental, the fee would increase to \$120.00 for a 3-hour minimum, and \$40 per additional hour.
3. The status letter fee would increase to \$100 Administrative fee and \$100 Transfer fee, for a total of \$200.00.

With no further discussion,

Upon motion duly made by Director Mike DiTullio, seconded by Director Dino DiTullio, and unanimously carried; the Board approved the Resolution for the Update of the Fee Schedule as presented with the contingency of STMD approval.

DISTRICT MANAGERS REPORT: Mr. Guy Johnson stated:

1. General District items:

- a. Must have replacement cost for District property in new budgets and reserves.
- b. Will walk site for dead trees in June, replace if budgets allow.
- c. Talk on O and M fees to cover actual cost of O and M. Need to raise above \$1,200.00 to start then up to \$1,400.00. to cover today's cost and long-term cost and replacements.
- d. Needs funds for Maintenance and some up-grades.
- e. Stain and fence repair plan is staining an area every year, budget at least \$30,000.00 per year.
- f. Budget contingency will have to be used to stain the fence in 2023. Fence stain divided out over 4 years, each section is once every four years.
- g. Keep in mind most of the fence was built in 2017/18. The fence's life span is around 22 years. Maybe stretch to 25 years. The District has over 23,500 feet of fence. 2038/40 need over \$780,000.00 for fence replacement.
- h. Irrigation water fees are going up almost 3% to 4% in 2023. All increases take form reserves.

2. Site Work:

- a. Cleaning drains, pans, and detention ponds, monthly.
- b. Working on playground areas, will have inspected this spring.

- c. Playground and tables, Power wash once a month. Will be on hold.
- d. 2023 will stain the north side of the project if funds are available.
- e. Residents on the south side are concerned about drainage. All lots have a drainage easement and should be.
kept clear and have correct grade. They feel District tract is the issue, but the tract is designed to flow to the drainage easement.

3. Web Site: no issue.

4. Community Center & Pool: With STMD.

- a. Power wash community center once a month and Power wash parks once a month.
- b. Pool hours are the same 10:30 am to 8:00 pm, Then on July 4th closing at 5:00 pm. Then the hours change when school starts in August, then hours move to open at 4:30 pm to 7:30 pm weekdays and normal time on the weekends. Schools changed start times. (Must have lifeguards)
- c. Need to add money yearly to reserves for maintenance and replacement cost at Community Center.
- d. Parking lot will need to be sealed and Paint parking spots this summer.
- e. Add cameras to the Community Center and in the pool area on pole.
- f. Change out grass to Astroturf or fill in one section and place concrete.
- g. The carpets need to be replaced.
- h. Paint exterior and interior of Community Center.
- i. This spring working on the playground in the pool area, fixing minor items. Every year have inspected.
- j. Next meeting 11/09/2023 at 5:30 pm. Or as needed.

Top Items List working with STMD

1. Paint interior and Paint exterior of Community Center.
2. Change out carpets of Community Center.
3. Seal Parking lot of Community Center and re-strip.
4. Add 5 security Cameras and up-date security system in Community Center with newer cameras.
5. Astro turf south side of pool area at Community Center. Remove grass/fix drainage/wet from irrigation.
6. Replace exterior doors of Community Center.

PUBLIC COMMENT:

This portion of the meeting was closed with no Public present.

OTHER MATTERS:

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

ADJOURNMENT:

Following no further discussion,

Upon motion duly made by Director Mike DiTullio, seconded Director Ty Drage and unanimously carried, the Board adjourned the joint organizational meeting of the Board of Directors of the Southwest Timnath Metropolitan District Nos. 1 – 4 at 5:55 p.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and were approved by the Board of Directors of Southwest Timnath Metropolitan District Nos. 1 – 4.

Guy D. Johnson, Secretary for the Meeting