



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:** Tuesday, March 9, 2023, 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  
Ron Mullenbach  
Mike DiTullio

**Directors in Attendance:**

John Cloudman  
Michael Harrington  
Luke Wagner  
Ben Palmer (via teleconference)

**Directors Absent and Excused:**

Jennifer DiTullio

**Also in Attendance:**

David O'Leary of Spencer Fane, Guy Johnson, Jackie Johnson, from District Management

One homeowner was present, please see attendance sheet in the Meeting Notebook as to homeowner that were present.

**CALL TO ORDER:**

Director John Cloudman called the meeting to order at 6:31 p.m.

**QUALIFICATION OF BOARD MEMBERS/OATHS OF OFFICE:**

Mr. Johnson 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. 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 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 Luke Wagner, seconded by Director Dino DiTullio, Director Michael Harrington unanimously carried to approve the agenda with the abovementioned change.

**APPROVAL OF MINUTES:**

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

Upon motion duly made by Director Luke Wagner, seconded by Director John Cloudman, Director Ben Palmer, and Director Mike DiTullio, and unanimously carried to approve the meeting minutes of November 15, 2022.

**PUBLIC COMMENTS:**

Homeowner, Karen Boyd asked if xeriscaping in the front yard was allowed, Director Cloudman stated that xeriscaping was allow in the front and back yard only, not the tree lawn, if she wanted to xeriscape her front yard, she should submit an ADA for review. Mrs. Boyd stated she was concerned with residents over watering their lawns, Director Cloudman stated that we could not control residents watering schedules. Mrs. Boyd asked if the pool could be shut down at anytime for adult lap swims, Director Wagner stated later in the evening the pool was not busy and he thought she could lap swim with no problem, and the guards were very accommodating about pulling out the lane ropes for daily lap swimmers.

With no further comments this portion of the meeting was closed

**FINANCIAL REPORT:**

Consider approval and ratification of payables:

Mr. Johnson reviewed with the Board the expenditures for November 2022 through February 2023 for a grand total of \$436,567.46 Director Luke Wagner ask how the snow removal budget is, Mr. Johnson stated with all the snow we have been receiving this would more than likely go out of budget by years end. After further discussion on the matters,

Upon motion duly made by Director Mike DiTullio, seconded by Director Michael Harrington, Director John Cloudman and unanimously carried; the Board approved the payable for November 2022 through February 2023 for a grand total of \$436,567.46.

**DISTRICT LEGAL COUNSEL REPORT:**

Mr. O’Leary stated that there were no more candidates than positions open on the board, therefore, the election would canceled.

Mr. Johnson presented the Resolution for the District fees, the only changes that Mr. Johnson stated he was proposing was.

1. Out of District Pool Memberships, the district could sell a limit of 10 (which SWTMD would mimic) at a cost of \$550.00 for the pool season.
2. The Multi-purpose Room Rental Fee to be increased to \$120.00 for 3 hours min/\$40.00 per additional hour.
3. The Status Letter fee be increased to \$100 Administrative Fee and \$100 Transfer Fee for a total of \$200.00.

After further discussion of these fees,

Upon motion duly made by Director John Cloudman and seconded by Director Luke Wagner and unanimously carried:

The Board approved the Fee Resolution with updates to the Out of District Pool Membership fee at \$600.00 with a limit of 10, Multi-purpose Room Rental fee to be \$120.00 for 3 hours min/\$40.00 per additional hour, and the status letter fee to be \$100 Administrative Fee and \$100 Transfer Fee for a total of \$200.00.

**DISTRICT MANAGERS REPORT:**

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

- a. Water rates from the Local water District would be increased again.
- b. Stain and fence repair plan is staining an area every year, budget should be at least \$55,000.00 per year.
- c. Ash trees. Bore ash is coming, 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, order several species of trees, work with Town.
- d. Changing out 5 areas that are mulch and replacing with cobble stone, in 2023.
- e. Will check for dead trees second week of June) and arrange for R and R, when budget allows.
- f. 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.
- g. Geese, what to do? A lot of dead geese this year.
- h. Playgrounds on site will be inspected and repairs made if needed.

**Web Site:**

- a. Keeping site up.

**Community Center & Pool:**

- a. Issues with young adults in Community Center, rule is 17 or under with guardian or parent.
- b. Power wash community center once a month.
- c. Power wash parks once a month. On hold.
- d. Need to add money yearly to reserves for maintenance and replacement cost at Community Center.
- e. Doors are starting to show age with looks and issues.
- f. Parking lot to be sealed and Paint parking spots.
- g. Carpets set up to be replaced.
- h. Set up paint inside of clubhouse. If funds allow.
- i. Exterior should be painted and stain, next year, 2024.

**Top Items List**

- 1. Paint interior of Community Center.
- 2. Paint exterior of Community Center.
- 3. Change out carpets of Community Center.
- 4. Seal Parking lot of Community Center and re-strip.
- 5. Add 5 security Cameras and up-date security system in Community Center with newer cameras.
- 6. Astro turf south side of pool area at Community Center. Remove grass/fix drainage/wet from irrigation.
- 7. Replace exterior doors of Community Center.
- 8. All season lighting on Community Center and pump house. Lighting in molding stays on all the time.
- 9. 2 Pickleball courts to be added in Tract M, Summerfield's Park. No lights.
- 10. Replace mulch and dead shrubs at Summerfield's and Threebell with new plants and cobble stone.
- 11. Replace mulch and dead shrubs at Summerfield's and Sienna with new plants and cobble stone.

With further discussion, Director John Cloudman stated he would start crossing items from the district managers Top Items list off, after we saw and evaluated the water irrigation cost and overall budget this summer. Also, Director John Cloudman, Director Ben Palmer and Director Luke Wagner did not want to see All season lighting on Community Center and/or any Pickleball courts to be added in STMD. Director John Cloudman stated the Town of Timnath was building new pickleball courts in the Town park right now.

**ADJOURNMENT:**

Following no further discussion,

Upon motion duly made by Director Luke Wagner, 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 7:01 p.m.

The foregoing minutes constitute 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