

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TIMBERS ESTATES METROPOLITAN DISTRICT AND OF THE WATER UTILITY ENTERPRISE HELD

September 25, 2023

A regular meeting of the Board of Directors of the Timbers Estates Metropolitan District (referred to hereafter as "Board") was convened on Monday the 25th day of September 2023, at 6:30 P.M., at the Timbers Estates Gatehouse, 26303 North Turkey Creek Canyon Road, Evergreen, Colorado and via teleconference.

Directors In Attendance Were:

David Hartvigsen, President
Kurt Schwartau, Vice President
Bob Latham, Treasurer
Rob Ginieczki, Assistant Secretary

Also, In Attendance Were:

Glenn Curtis, Kenny Parrish (via in person), Andrew Kunkel, and Wendy McFarland; Pinnacle Consulting Group, Inc. (via teleconference).
Several Members of the Public.

ADMINISTRATIVE
MATTERS

Call to Order/Confirmation of Location and Notice: Director Hartvigsen called the meeting to order at 6:36 p.m. and confirmed the location and notice of the meeting.

Declaration of Quorum: Director Hartvigsen noted that a quorum was present.

Agenda: The Board considered the Agenda. Following review and discussion, upon motion duly made by Director Ginieczki, seconded by Director Latham and, upon vote, unanimously carried, the agenda was approved, as amended to move Financial Items before District Manager Items.

Consider Appointment to fill Board Vacancy and Elect Officers: Director Hartvigsen provided Glenn Curtis's background and noted his interest in serving on the Board. Following review and discussion, upon motion duly made by Director Latham, seconded by Director Schwartau and, upon vote, unanimously carried, it was

RECORD OF PROCEEDINGS

RESOLVED to appoint Glenn Curtis to the Board of Directors.

Public Comment: There were no public comments brought before the Board.

Director Comment: Mr. Curtis thanked the Board for their hard work over the years.

Consent Agenda: The Board considered the following items on the consent agenda:

1. Consider Approval of Minutes – June 26, 2023, Regular Meeting Minutes.
2. Ratification of Payment of Claims.

Following review and discussion, upon motion duly made by Director Latham, seconded by Director Ginieczki and, upon vote, unanimously carried, the consent agenda items were approved.

FINANCIAL MATTERS

Financial Report: Ms. McFarland reviewed the unaudited Financial Statements for the period ending June 30, 2023, with the Board and answered questions. Following review and discussion, upon motion duly made by Director Schwartau, seconded by Director Latham and, upon vote, unanimously carried, it was

RESOLVED to accept the unaudited Financial Statements for the period ending June 30, 2023, as presented.

MANAGEMENT MATTERS

District Manager's Report: Mr. Parrish presented the District Manager's Report and answered questions.

OPERATIONS MATTERS

Board Member Status Reports and Discussion:

1. **Gatehouse.** Director Latham discussed with the Board his "To-Do List" including an annual gate checkup and battery checkup. Director Hartvigsen recommended using Adams Plumbing. Director Latham presented a proposal to repair the keypad at the Gatehouse and discussed two repair options with the Board. Following review and discussion, upon motion

RECORD OF PROCEEDINGS

duly made by Director Ginieczki, seconded by Director Schwartau and, upon vote, unanimously carried, the Board recommended the use of Metal for the repair of the keypad at \$1950.00.

2. **Perimeter Fence.** Director Ginieczki provided an update on the Perimeter Fence repair and reported a successful bidding process.
3. **Roadway Maintenance.** Director Schwartau reported a contractor was approved to start working on the crack and seal repairs for the roadway and answered questions.
4. **Tree Maintenance.** Director Hartvigsen reported that there were some dead trees noted on Tract A and B due to beetles. Trees located along Tract D, E, and H looked good and mitigation was a success. Firewood removal was noted in Tract F and was given out as free firewood. Director Hartvigsen reported multiple trees in Tract G will need to be removed and the cost would be over budget by \$5,600.
5. **Landscape Maintenance.** Director Schwartau summarized work being completed by the landscaping contractor, A. Sanchez Landscaping, and requested figures to be included in the 2024 budget.
6. **Street Number Signage Replacements.** Mr. Hartvigsen reported there was still no consensus on this matter between those serving on the Design Review Board and those serving on the Fire Committee. Mr. Hartvigsen reminded the board of Mr. Ginieczki's comment from a previous board meeting suggesting that the community not use sandstone and instead use an igneous or metamorphic stone.
7. **Fire Mitigation.** Rental goats were proposed by Mr. Elliott as a potential idea for grass removal on his property and potentially on some of the common tracts for fire mitigation. After a brief discussion, the board opined that they were open to the idea in the future subject to the number of animals to be used and the amount of time they would be required.
8. **Reservoir & Pond Matters.** Director Hartvigsen provided background on bids that were received and answered questions. Director Latham mentioned progress being made

RECORD OF PROCEEDINGS

with Xcel regarding power hookups for the station and mentioned each step of the bidding process is expected to come in under budget. Director Hartvigsen noted the previous pond pumping system was outdated and he was having difficulty contacting Boulder Groundwater Systems. However, he said the project was moving forward.

9. **HOA Update.** Director Hartvigsen reported there was an upcoming HOA meeting and that the Amended Declaration was being reviewed by Evan Ela for the Timbers HOA. As soon as Evan completes his review, the draft will be distributed to the TEMD board for review.

10. **Other.** Mary Ann Thaxton asked about real estate signs and Director Hartvigsen reported real estate signs are not permitted within the Timbers at present. Mr. Hartvigsen raised the question about real estate signs be installed by realtors along North Turkey Creek Road on TEMD property. The current information post is undersized for the purpose of displaying available real estate. After discussion, the board recommended not allowing multiple real estate signs to be installed but decided to install a larger more functional sign that would offer realtors a chance to hang smaller signs on the same structure. The location for this sign would be to the northwest of the gatehouse. This discussion was requested to be continued at the November board meeting.

LEGAL MATTERS

There were no Legal Matters brought before the Board.

DIRECTOR ITEMS

There were no Director Items brought before the Board.

OTHER BUSINESS

Karen Crosbie addressed needs at the gatehouse and requested an exterminator be hired to help mitigate the mice in the attic. Director Hartvigsen reported he would look into her request.

RECORD OF PROCEEDINGS

ADJOURNMENT

There being no further business to come before the Board the regular meeting of the Timbers Estates Metropolitan District adjourned at 8:42 p.m.

Respectfully submitted,

Secretary for the Meeting

THE BOARD OF DIRECTORS SIGNING BELOW:



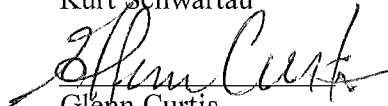
Dave Hartvigsen



Bob Latham

Rob Ginieczki

Kurt Schwartau



Glenn Curtis

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF TIMBERS ESTATES METROPOLITAN DISTRICT

HELD
November 13, 2023

The Regular Meeting of Timbers Estates Metropolitan District was held via Zoom and Teleconference and in person at the Timbers Estates Gatehouse on Monday, November 13, 2023, at 6:30 p.m.

ATTENDANCE

Directors in Attendance:

Dave Hartvigsen, President & Chairperson
Kurt Schwartau, Vice President
Bob Latham, Treasurer
Glenn Curtis, Secretary
Rob Ginieczki, Assistant Secretary

Also in Attendance:

Kenny Parrish, Andrew Kunkel, and Wendy McFarland; Pinnacle Consulting Group, Inc.
Sara Hingtgen, Mary Anne Thaxton; Members of the Public.

ADMINISTRATIVE ITEMS

Call to Order: The Regular Meeting of the Board of Directors of the Timbers Estates Metropolitan District was called to order by Director Hartvigsen at 6:30 p.m.

Declaration of Quorum/Director Qualifications/Disclosure of Potential Conflicts of Interest: Director Hartvigsen noted that a quorum was present, with five out of five Directors in attendance. All Board Members confirmed their qualifications to serve on the Board. Mr. Parrish noted there were no Conflicts of Interest for any members of the Board of Directors.

Approval of Agenda: The Board considered the approval of the agenda. Following review and discussion, upon a motion duly made by Director Latham, seconded by Director Curtis, and upon vote, unanimously carried, it was

RESOLVED to approve the agenda, as presented.

RECORD OF PROCEEDINGS

Public Comment:

Mary Anne Thaxton asked if the fountains in the District’s ponds will be turned off for winter and Director Hartvigsen answered in the affirmative.

Director Comment: There were no Director Comments received.

CONSENT AGENDA

Director Hartvigsen reviewed the items on the consent agenda with the Board. Director Hartvigsen advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any Director. Director Hartvigsen requested changes to the September 25, 2023, Regular Meeting Minutes and removed them from the Consent Agenda. Upon a motion duly made by Director Curtis, seconded by Director Latham, the following items on the consent agenda were unanimously approved, ratified, and adopted:

- A. Payment of Claims.

DISTRICT MANAGER ITEMS

District Manager’s Report: Mr. Parrish presented the District Manager’s Report to the Board and answered questions.

2024 Master Service Agreements with Operations and Maintenance Service Contractors: Mr. Parrish presented the 2024 Master Service Agreements with Operations and Maintenance Service Contractors to the Board and answered questions.

- i. A. Sanchez Landscaping.
- ii. Jehn Water Consultants, Inc.
- iii. Mark J. Ryan, Inc.
- iv. Solitude Lake Management.

FINANCIAL ITEMS

Finance Manager’s Report: Ms. McFarland presented the Finance Manager’s Report to the Board and answered questions.

2024 BUDGET HEARING

Ms. McFarland opened the 2024 Budget Hearing for the Timbers Estates Metropolitan District. Ms. McFarland reported that notice of the budget hearing was published on November 2, 2023, in the Canyon Courier, in accordance with state budget law. Ms. McFarland reviewed the mill levy, estimated revenues, and expenditures in detail and answered questions. The budget for the District is as follows:

RECORD OF PROCEEDINGS

Mill Levy: 33.883 mills
 General Fund: \$138,009.00
 Divergent Fund: \$23,500.00

There being no public input, the public portion of the budget hearing was closed. After further review and discussion, upon a motion duly made by Director Latham, seconded by Director Hartvigsen, and upon vote, unanimously carried, it was

RESOLVED to approve the Resolution to Adopt the 2024 Budget for Timbers Estates Metropolitan District, set the mill levy, and appropriate budgeted funds upon final certification of values being received by the County of Jefferson on or before December 15, 2023, and approve all other documents related to the 2024 budget. The District Manager is authorized to make minor modifications that may be necessary following receipt of final assessed values.

OPERATIONS ITEMS

1. Gatehouse: Director Latham noted an upcoming inspection appointment for the Gatehouse furnace. Director Latham noted his intention to acquire a quote from Sanchez Landscaping to find the best cost for the District.
2. Perimeter Fence: Director Ginieczki noted his presentation regarding the Perimeter Fence was discussed during the public hearing for the 2024 Budget.
3. Roadway Maintenance: Director Schwartau noted the successful completion of crack and pothole repairs throughout the District.
4. Tree Maintenance: Director Hartvigsen noted the necessity to remove trees from Tract G and outlined the potential impacts of Pine Beetle kill if left unaddressed.
5. Landscape Maintenance: Director Schwartau discussed irrigation monitoring and management and noted the need to measure distances around the Districts Ponds in the 2024 season.
6. Street Number Signage Replacements: Director Hartvigsen inquired into the need to discuss Street Number Signage Replacements in the upcoming HOA meeting. It was noted to be unnecessary.

RECORD OF PROCEEDINGS

- 7. Fire Mitigation: Director Hartvigsen noted Fire Mitigation had been discussed earlier in the meeting.
- 8. Reservoir & Pond Matters: Director Ginieczki provided an update regarding the new pump house and the work completed by Tesla and Excel Energy.
- 9. HOA Update: Director Hartvigsen noted the completion of a declaration.
- 10. Other: There were no other matters discussed.

LEGAL ITEMS

2024 Annual Administrative Matters Resolution: Mr. Parrish presented the 2024 Annual Administrative Matters Resolution to the Board. Following review and discussion, upon a motion duly made by Director Curtis, seconded by Director Ginieczki, and upon vote, unanimously carried, it was

RESOLVED to approve the 2024 Annual Administrative Matters Resolution, as amended to change monthly meetings to quarterly meetings.

OTHER MATTERS

There were no Other Matters to come before the Board.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 8:28 p.m.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Respectfully submitted,

Andrew Kunkel, Recording Secretary for the Meeting

RECORD OF PROCEEDINGS

ADJOURNMENT

There being no further business to come before the Board the regular meeting of the Timbers Estates Metropolitan District adjourned at 8:42 p.m.

Respectfully submitted,

Secretary for the Meeting

THE BOARD OF DIRECTORS SIGNING BELOW:



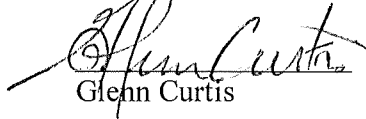
Dave Hartvigsen



Bob Latham

Rob Ginieczki

Kurt Schwartz



Glenn Curtis