

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

March 22, 2021

A regular meeting of the Board of Directors of the Timbers Estates Metropolitan District (referred to hereafter as "Board") was convened on Monday the 22th day of March, 2021, at 6:30 P.M., at a virtual meeting held via Zoom Webinar.

Directors In Attendance Were:

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

Also In Attendance Were:

Chelsey Green and Erin West; Pinnacle Consulting Group, Inc.
Mike and Mary Ann Thaxton, Linda Gress, Amanda Venuto, Shelley Grice;
Timbers Estates Community Members

ADMINISTRATIVE/
MANAGEMENT
MATTERS

Call to Order/Declaration of Quorum: Director Hartvigsen called the meeting to order at 6:37 p.m., noting that a quorum was present, with five of five directors in attendance.

Agenda: Ms. Green distributed for the Board's review and approval a proposed agenda for the regular meeting. Following review and discussion, upon motion duly made by Director Latham, seconded by Director Gress and, upon vote, unanimously carried, the agenda was approved, as presented.

Minutes: The Board reviewed the minutes of the November 9, 2020 Regular Meeting. Following review and discussion, upon motion duly made by Director Gress, seconded by Director Ginieczki and, upon vote, unanimously carried, the minutes of the November 9, 2020 Regular Meeting were approved, as amended to change the total for Capital Outlay on Page 4 from \$20,00 to \$20,000 and to change County of Larimer on Page 5 to County of Jefferson.

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FINANCIAL MATTERS

Claims: The Board reviewed the claims listing for ratification of approval. Following review and discussion, upon motion duly made by Director Gress, seconded by Director Ginieczki and, upon vote, unanimously carried, the Board ratified the payment of claims for the period November 1, 2020 through February 28, 2021 totaling \$43,075.64.

Financial Statements and Cash Position Statements: Ms. Green reviewed with the Board the unaudited Financial Statements for the period ending December 31, 2020 and the Cash Position Statement for the period ending February 28, 2021. Following review and discussion, upon motion duly made by Director Gress, seconded by Director Latham and, upon vote, unanimously carried, the Board approved the unaudited Financial Statements for the period ending December 31, 2020 and the cash position statement for the period ending February 28, 2021, subject to revision and confirmation of the ending fund balance.

2020 Application for Exemption from Audit: Ms. Green reviewed with the Board the 2020 Application for Exemption from Audit, a copy of which was previously provided to the Board and filed with the Office of the State Auditor. Following review and discussion, upon motion duly made by Director Gress, seconded by Director Ginieczki and, upon vote, unanimously carried, the Board ratified approval of the 2020 Application for Exemption from Audit.

OPERATIONS MATTERS

Board Member Status Reports and Comments:

1. Gatehouse – Installation of a Video Surveillance Security System.

Director Hartvigsen asked the Board for their opinions regarding the potential installation of a video surveillance security system at the Gatehouse noting a recent incident where a vendor accidentally collided with the structure, which has occurred multiple times through the years that Director Hartvigsen has lived in the District. Director Gress commented on potential privacy and use issues and the need to place signage at the Gatehouse if a video surveillance system is installed. Director Hartvigsen suggested limiting the scope of use to security purposes only. Director Schwartau noted the potential difficulties involved with maintenance and data storage. Director Gress suggested posting signage routing deliveries through the exit gate.

Following review and discussion, upon motion duly made by Director Gress, seconded by Director Latham and, upon vote, unanimously carried, the Board moved to implement the posting of signage which states, “With the exception of mail delivery services all other vendors enter through the

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exit gate” and to table the proposal of a video surveillance security system until the next regular meeting.

2. **Perimeter Fence.** Director Ginieczki provided an update regarding Perimeter Fence repairs throughout the District and discussed bidding for Perimeter Fence repair projects. It was the direction of the Board for Director Ginieczki to obtain contractor bids for Perimeter Fence repairs and present them to the Board at the next regular meeting.
3. **Roadway Maintenance.** Director Schwartau provided an update regarding Roadway Maintenance throughout the District and noted that crack sealing would be taking place in the summer of 2021. Director Latham discussed the potential impact to the community of planned maintenance to North Turkey Creek Canyon Road.
4. **Tree Maintenance.** Director Hartvigsen provided an update regarding Tree Maintenance throughout the District, noting that beetle kill mitigation appears to be successful but highlighted the difficulty in evaluating the impact of beetle kill until the summer months. Director Hartvigsen proposed coordination with Colorado Foresters for a tree thinning project to create a fire break in tracts E and H with a total project expenditure of \$17,000, and to pursue a state grant in an amount of \$11,800 for funding assistance. Following review and discussion, upon motion duly made by Director Gress, seconded by Director Ginieczki and, upon vote, unanimously carried, the Board moved to coordinate with Colorado Foresters and to pursue a state grant in the amount of \$11,800 for project funding assistance to the District.
5. **Landscape Maintenance.** Director Schwartau provided an update regarding Landscape Maintenance throughout the District noting plans for pesticide application for spruce trees at the entrance of the Gatehouse and the purchase of additional splat for tracts that have large ponderosa pines. Director Schwartau also noted the need to purchase a new water pump for Pond 3. It was the direction of the Board for Director Schwartau to obtain bids on a new pump and present them to the Board at the next regular meeting.
6. **Street Number Signage Replacements.** Director Hartvigsen suggested that residents of the District install uniform rock boulder signage capable of withstanding a catastrophic fire at the entrance of individual property driveways and noted that the Timbers Estates HOA has the ability to create a fee assessment to cover the cost of signage. Director Schwartau expressed his discontent with the current bid provided by Zuni Signs.

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Director Ginieczki expressed concern regarding the choice of materials for rock boulder signage. Director Schwartau recommended that additional bids be acquired and that the District consider requesting that individual homeowners be responsible for the removal of the current wooden signage. Following review and discussion, upon motion duly made by Director Gress, seconded by Director Schwartau and, upon vote, unanimously carried, the Board moved to pursue Option 3 subject to the review of additional options for vendors and associated costs.

7. Reservoir & Pond Matters.

- a. **Spring Pumping Coordination.** Director Hartvigsen provided an update regarding Spring Pumping Coordination noting future coordination with Gina Burke and the current situation regarding ground water saturation and surface flow.
- b. **Discussion Regarding Permanent Pumping Station and Funding Opportunities.** Director Schwartau recommended that the District approve the Permanent Pumping Station project but noted his concerns regarding funding. Director Hartvigsen suggested skipping an engineering step for plans as the existing plans should be sufficient. Following review and discussion, upon motion duly made by Director Latham, seconded by Director Gress and, upon vote, unanimously carried, the Board moved to pursue bids for an Infiltration Gallery and Permanent Pumping Station.
- c. **Pond #3 Fish Stocking.** Director Ginieczki provided an update regarding Pond #3 Fish Stocking and recommended stocking be done in the month of April or May due to the supplier's limited stock of fish that runs low in the summer months. Director Ginieczki expressed hope that the pond will not experience a fish kill this year but noted the limitations in oxygenation when the pond is covered by ice for extensive periods of time.

Combination and Sale of Adjoining Parcels: Director Hartvigsen recommended that the Board consider combining certain unused parcels of land owned by the District and list them for sale.

Resolution Regarding Pond Use Policy: Director Gress presented the Resolution Regarding Pond Use Policy to the Board. Director Hartvigsen expressed his concern regarding ice thickness assessments for safety and recommend that a member of the Board be responsible for assessing the thickness of pond ice instead of leaving the responsibility up to the members of the community. Following review and discussion, upon motion duly made by Director Gress, seconded by Director Ginieczki and, upon vote, unanimously carried, the Board

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approved the Resolution Regarding Pond Use Policy, subject to changing the document date on page 40 to March 22, 2021 and changing Director Ginieczki's phone number ending in 7832, and noting that skating is to take place on Pond 1 only. Timber Estates Metropolitan District Home Owner's will receive a letter and will need to sign a Release of Liability to use the recreation amenities of the Timber Estates Metropolitan District.

- 1. Discussion of Waiver Administration.** Director Hartvigsen recommended posting the Pond Use Waiver on the Timbers Estates Homeowners website www.timbersestate.com for members of the community to access. It was the consensus of the Board for Director Gress to administer the collection of Pond Use Waivers and for Pinnacle Consulting Group, Inc. to retain them.
- 2. Discussion of Signage Content and Design Approval.** It was the consensus of the Board for Director Gress to pursue basic "at own risk" signage for Pond #3 and Pond #1.

MANAGEMENT MATTERS

Manager's Report: Ms. Green presented the Manager's Report to the Board and answered questions. Director Ginieczki recommended that the District develop a contingency plan for snow plowing allowing for an additional exit route on Olympus Drive in the event of front gate failure. Director Schwartau noted that contractor Mark Ryan could be called upon to plow an additional exit route on Olympus Drive if the need arises.

OTHER BUSINESS

Community Comments: Linda Gress commented on the stone choice for uniform rock boulder signage noting the determined choice is Oklahoma Flagstone and pointed out that it is denser than sandstone. MaryAnn Thaxton expressed discontent with the electronic meeting format and noted difficulties experienced while trying to access the meeting via the dial in phone option for Zoom and also noted difficulties experienced while trying to raise a hand throughout the meeting. MaryAnn Thaxton commented on the cost to individual residents and property owners regarding uniform rock boulder signage and stated that she believes the Timbers Estates Metropolitan District should be responsible for the cost of these signs.

Director Comments: Director Gress inquired about sending Jefferson County a 45 day notice regarding changes to the Districts recreational use policy and expressed his recommendation to do so.

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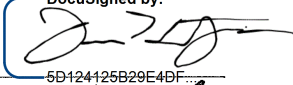
ADJOURNMENT


There being no further business to come before the Board the regular meeting of the Timbers Estates Metropolitan District adjourned at 9:25 p.m.

Respectfully submitted,
DocuSigned by:

By: Robert Gress
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Secretary for the Meeting


THESE MINUTES APPROVED AS THE OFFICIAL MARCH 22, 2021 MINUTES OF THE TIMBERS ESTATES METROPOLITAN DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

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Dave Hartvigsen


Bob Latham

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Rob Ginieczki
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Rob Ginieczki


Kurt Schwartau


Bob Gress