

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 28, 2020

A regular meeting of the Board of Directors of the Timbers Estates Metropolitan District (referred to hereafter as "Board") was convened on Monday the 28th day of September, 2020, at 6:47 P.M., at the Timbers Estates Gatehouse, 26303 North Turkey Creek Canyon Road, Evergreen, Colorado. Due to the current Coronavirus Pandemic Public Health Orders, this meeting was noticed as open to the public via teleconference, in order to maintain capacity restrictions at the Gatehouse.

Directors In Attendance Were:

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

Also In Attendance Was:

Chelsey Green; Pinnacle Consulting Group, Inc.
Andrew Kunkel; Pinnacle Consulting Group, Inc. (via teleconference)
Mike and MaryAnn Thaxton, Lynne Schwartau, Glen Curtis, Linda Gress, John MacArthur; Timbers Estates Community Members (via teleconference)

ADMINISTRATIVE/
MATTERS

Call to Order/Declaration of Quorum: Director Hartvigsen, called the meeting to order at 6:47 p.m., noting that a quorum was present, with all directors in attendance, and welcomed the public. Following review and discussion, upon motion duly made by Director Latham, seconded by Director Gress and, upon vote, unanimously carried, the meeting was called to order.

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.

Consent Agenda: Ms. Green reviewed with the Board the following consent agenda items:

1. Review and Consider Approval of the June 22, 2020 Regular Meeting Minutes: Following review and discussion, the Board directed Ms.

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Green to make minor modification to the minutes on pages 5 & 7, upon motion duly made by Director Gress, seconded by Director Ginieczki and, upon vote, unanimously carried, the June 22, 2020 Regular Meeting Minutes were approved, as amended.

2. Review and Ratify Claims for the Period from June 1, 2020 through August 31, 2020: Following review and discussion, upon motion duly made by Director Latham, seconded by Director Schwartau and, upon vote, unanimously carried, to ratify the claims for the period from June 1, 2020 through August 31, 2020, as presented.
3. Review and Accept unaudited Financial Statements for the period ending June 30, 2020 and Cash Position Statement dated September 22, 2020: Following review and discussion, upon motion duly made by Director Gress, seconded by Director Schwartau and, upon vote, unanimously carried, to accept the unaudited Financial Statements for the period ending June 30, 2020 and Cash Position dated September 22, 2020, as presented.

OPERATIONAL MATTERS

Ponds & Reservoir: Director Hartvigsen provided an update regarding a meeting Director Hartvigsen attended on August 20th with Water Commissioner Tim Buckley and Gina Burke with Jehn Water Consultants to discuss the District's Augmentation Plan and Evergreen Meadows Reservoir #1 key items including a) reduced storage capacity of the reservoir (and the possible risk of the state ruling that we have abandoned a portion of our water rights), b) leakage subsequent to our latest fill, c) need for a permanent pumping structure, d) diversions and releases, e) a reservoir restoration project and f) irrigation challenges within the Timbers.

Director Hartvigsen noted that Mr. Buckley allowed, for this year only, a portion of the 3-4 acre-feet leak that occurred this summer to be treated as a partial release for January – June, 2020, so the 2020 fall release is likely to be around 1.5 acre-feet, roughly half of last year's 2.6 acre feet release.

Fishing Policy: Director Gress distributed and reviewed the proposed Pond #3 fishing policy and draft letter to District residents. The Board discussed edits to the draft policy letter being completed prior to distribution to the community, and the content for the signage that would be posted at Pond #3. Ms. Green indicated that she would apprise legal counsel of the Pond #3 fishing policy but did not anticipate any further legal counsel coordination would be necessary for implementation. Following review and discussion, upon motion duly made by Director Schwartau, seconded by Director Gress and, upon vote,

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unanimously carried, to approve the fishing policy, as amended.

Gatehouse: Director Gress or Latham reviewed with the Board the Tesla Electric Company bid dated 9/16/2020 for electrical repairs to the gatehouse. Following review and discussion, upon motion duly made by Director Gress, seconded by Director Schwartau and, upon vote, unanimously carried, to approve bid for Tesla Electric Company in an amount not to exceed \$1000 to complete electrical repairs on the Gatehouse.

Ms. Green reported that a notice of potential claim has been filed with the District's insurance carrier regarding the entryway stone arch damage caused by Mountain View Waste, and reviewed the proposal received by All Phase Construction. The Board discussed qualified masonry contractors that may potentially submit proposals to complete the repair work. It was the consensus of the Board to continue seeking a qualified masonry contractor to complete the repair work. Director Hartvigsen reported that he had been in contact with Mountain View Waste co-owner regarding acknowledgement of the driver being at fault, and will continue discussions regarding the repair costs being paid for directly by Mountain View Waste or through the related insurance companies once further qualified contractor proposals are received.

Perimeter Fence: Director Ginieczki reported that the sections of fence line to the east of the Gatehouse along N. Turkey Creek Road were completed by Eagle Eye Fencing. Director Ginieczki discussed additional fence repair work being completed within 2020 to address the fence section in need of repair along Olympus Drive and Lot 27 (Brekke Property). It was the consensus of the Board to have Eagle Eye Fencing provide a proposal for the additional sections of fence to be repaired within 2020, and to move forward with repairs if cost come in under or around \$2,000.

The Board discussed new sections of fence lien being stained in the spring, using a water-base stain, and sections of fence that needed to be prioritized for repair in 2021. Director Ginieczki noted that he would work to obtain a proposal and schedule Eagle Eye Fencing to complete additional fence line repairs and staining in the spring.

Roadway Maintenance: Director Schwartau provided an update to the Board regarding the status of Timbers Drive sections paving replacements, overlays, and crack filling project and answered questions.

Tree Maintenance: Director Hartvigsen discussed the status of Tracts G, D, E, and H tree maintenance and fire mitigation community projects. Director Hartvigsen noted that Tract G, D, E would be a community led tree removal

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project, and that Tract H 2.4-acre plot is slated to be coordinated with the Homeowner Association fire wise grant mitigation efforts.

Tract H & E Repurposing: Director Hartvigsen discussed with the Board the potential of combining and rezoning Tract H and E to repurpose as an additional residential lot development. It was the consensus to move forward with legal counsel and Director Hartvigsen exploring next steps for these potential tracts repurposing efforts to occur in 2021.

Landscape Maintenance: Director Schwartau provided an update to the Board regarding routine landscape maintenance services coordinated through Acres Landscaping and answered questions.

MANAGEMENT AND FINANCIAL MATTERS

2021 Budget Timeline and Capital Projects: The Board discussed the key projects to be addressed in 2021. The key capital projects are as follows.

1. Reservoir #1 permanent diversion structure and repairs.
2. Gatehouse controls – updating gate entry system and keypad.
3. Paving –annual assessment and replacement of necessary sections.
4. Mailboxes – repairing mailbox housing structures.
5. Address post by driveway entrances.

LEGAL ITEMS

There were no legal items to come before the Board.

OTHER BUSINESS

Community Comments: MaryAnn Thaxton discussed audio quality issues with the Board. The Board discussed utilizing a different speaker system at the next Board meeting. Glen Curtis inquired about the history of mailboxes in the district and their previous locations.

ADJOURNMENT

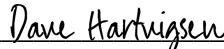
There being no further business to come before the Board, upon motion duly made, by Director Hartvigsen, seconded by Director Latham and, upon vote, unanimously carried, the regular meeting of the Timbers Estates Metropolitan District adjourned at 9:08 p.m.

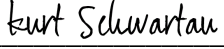
Respectfully submitted,

By: _____
Secretary for the Meeting

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THESE MINUTES APPROVED AS THE OFFICIAL SEPTEMBER 28, 2020
MINUTES OF THE TIMBERS ESTATES METROPOLITAN DISTRICT BY
THE BOARD OF DIRECTORS SIGNING BELOW:

DocuSigned by:

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Dave Hartvigsen

DocuSigned by:

150CB5D3405B49D
Kurt Schwartz

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Robert Latham

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Bob Gress

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Rob Gimieczki