

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

November 9, 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 9th day of November, 2020, 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, Ron Angle, and Andrew Kunkel, Pinnacle Consulting Group, Inc.;
Mary Ann Thaxton, Linda Gress, Lynne Schwartau; Timbers Estates Community Members

ADMINISTRATIVE/
MANAGEMENT
MATTERS

Call to Order/Declaration of Quorum: Director Hartvigsen called the meeting to order at 6:51 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 Gress, seconded by Director Schwartau and, upon vote, unanimously carried, the agenda was approved, as presented.

Minutes: The Board reviewed the minutes of the September 28, 2020 Regular Meeting. Following review and discussion, upon motion duly made by Director Gress, seconded by Director Latham and, upon vote, unanimously carried, the minutes of the September 28, 2020 Regular Meeting were approved, as amended to change Gatehouse review lead by Director Latham and to change mention of Lot 27 during Perimeter Fence review to Lot 7.

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Board Member Status Reports and Comments:

1. Release of Water from Evergreen Meadows Reservoir No. 1 - Augmentation Plan and Reporting. Director Latham reported that water was released from Evergreen Meadows Reservoir No. 1 in accordance with the District's augmentation plan. Reporting by Jehn Waters and photos of the pump gauges reflecting that 1.8-acre feet of water was released into Turkey Creek, and documentation was submitted to Tim Buckley, Water Commissioner District 9. Director Latham noted that Ms. Gina Burke with Jehn Waters did an excellent job assisting with the process. Director Hartvigsen suggested that potentially two pumps be utilized in spring 2021 for pumping.

2. Fishing Policy – Signs and Letter to Residents. Director Gress provided an update to the Board regarding the status of signage for Evergreen Meadows Reservoir No. 1. Ms. Green reported that she ran the proposed pond use policy through District legal counsel, and that legal counsel recommends a resolution requiring community members to sign a waiver of liability at a minimum be adopted by the Board, and to consider a 45-day Notice to Jefferson County of the addition of recreational service to the Service Plan. The Board recommended adding ice skating to the list of recreational activities allowed and provided direction to Ms. Green to work with Director Gress and legal counsel to draft a resolution regarding pond use, including an annual waiver of liability, for consideration at the next regular meeting.

3. Timbers Estates Metro District – Duty to Maintain Pumping System and Irrigation Practices. Director Hartvigsen discussed the responsibilities and duties of the District to maintain a pumping system from Tract C /Pond #3 to Lot 15, and the need to monitor irrigation practices within the District.

4. Gatehouse – Temporary Signage and Entryway Repairs. Director Hartvigsen thanked everyone involved with contractor coordination, insurance claim submittal, and the temporary signage installation to direct traffic near the Gatehouse while repairs to the entryway stone arch repairs are scheduled and completed. Director Ginieczki reported that repairs to the entryway stonework were slated to begin November 16th. Following review and discussion, upon motion duly made by Director Latham, seconded by Director Gress and, upon vote, unanimously carried, to ratify the use of temporary traffic signage at the Gatehouse.

5. Gatehouse – Status of Electrical Repairs. Director Latham provided an update to the Board regarding the status of electrical repairs on the Gatehouse, noting final lighting work is scheduled to be completed by the Tesla Electric Company on November 20th.

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8. Perimeter Fence. Director Ginieczki reported that he has been very satisfied with Eagle Eye Fencing workmanship on fence line repairs projects completed to date. Director Ginieczki reviewed the proposal for repair work to be completed on the stretch of fence along the west side of Olympus Drive exit and Lot 7, for \$3,618.85. It was the consensus of the Board to move forward with the additional fence repair work.

Director Ginieczki reported that he is working to obtain quotes for the sections of replaced fence to be stained in spring or summer of 2021.

9. Roadway Maintenance – Snow Removal. Director Schwartau recommended that the Board continue to retain Mark Ryan as the contractor responsible for snow removal services within the District at a rate of \$260 per plowing and sanding. Following review and discussion, upon motion duly made by Director Schwartau, seconded by Director Gress and, upon vote, unanimously carried, to retain Mark Ryan as the designated contractor responsible for snow removal services for the District.

10. Tree Maintenance. Director Hartvigsen provided an update regarding tree maintenance on District tracts, noting no evidence of beetle kill on tracts and very minimal kill has been observed on private properties.

Director Hartvigsen thanked the community for efforts to mitigate tree on Tract D open space on the west side of Olympus Drive. Additionally, tree mitigation efforts will be coordinated as a community project for Tract G and Tract D. The remaining Tract H on the easternly side of Olympus Drive will require additional funding for professional tree mitigation services.

11. Landscape Maintenance. Director Schwartau noted Dave Stubbs winterized the irrigation systems and completed fall cleanup of the flower beds.

FINANCIAL MATTERS

Claims: The Board reviewed the claims listing for ratification. Following review and discussion, upon motion duly made by Director Gress, seconded by Director Latham and, upon vote, unanimously carried, the Board ratified the payment of claims for the period September 24, 2020 through October 31, 2020 totaling \$8,546.04.

Financial Statements and Cash Position Statements: Mr. Angle reviewed with the Board the unaudited financial statements for the period ending September 30, 2020 and the cash position statement for the period ending October 31, 2020. Following review and discussion, upon motion duly made by Director Latham,

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seconded by Director Gress and, upon vote, unanimously carried, the Board approved the unaudited financial statements for the period ending September 30, 2020, and the cash position statement for the period ending October 31, 2020.

Public Hearing to Consider Resolution to Amend the 2020 Adopted Budget:

Director Hartvigsen opened the 2020 Amended Budget Hearing to the public. Ms. Green reported that notice of the hearing had been published on October 28, 2020 in accordance with state budget law. There being no public input, the public portion of the budget hearing was closed. Mr. Angle reviewed the proposed amended budget and answered questions. The 2020 budget is to be amended as follows:

General Fund Expenditures Adopted: \$183,275

General Fund Expenditures Amended: \$193,275

Following review and discussion, and upon motion duly made by Director Gress, seconded by Director Latham and, upon vote, unanimously carried, it was

RESOLVED to approve the Resolution to Adopt the Amended 2020 Budget and appropriate budgeted funds, as amended to add \$5,000 to the Adopted Budget for Perimeter Fence, and to add \$5,000 to the Adopted Budget for Road Maintenance.

Public Hearing to Consider Resolution to Adopt the 2021 Budget; Set Mill Levies; and, Appropriate Sums of Money: Director Hartvigsen opened the 2021 Budget Hearing for Timbers Estates Metropolitan District. Ms. Green reported that notice of the budget hearing was published on October 28, 2020, in accordance with state budget law. There being no public input the public portion of the budget hearing was closed. Mr. Angle reviewed the budgets in detail and responded to questions. The budgets for the District by fund are as follows:

Mill levy is 52.703 mills.

General Fund Expenditures: \$187,581

Divergent Fund Expenditures: \$29,600

Following review and discussion, upon motion duly made by Director Gress, seconded by Director Latham and, upon vote, unanimously carried, it was

RESOLVED to approve the Resolution to Adopt the 2021 budgets for Timbers Estates Metropolitan District, as amended to reduce the 2021 budget for Capital Outlay from \$20,000 to \$15,000 with \$5,000 to be incorporated into the 2020 Amended Budget, and set the mill levies, appropriate budgeted funds upon

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final certification of value being received by the County of Jefferson on or before December 10, 2020 and approve all other documents related to the 2021 budgets. The District Manager and/or Accountant is authorized to make minor modifications that may be necessary following receipt of final assessed values and file the necessary documents with the state and county regarding the approval of the final budgets.

MANAGEMENT MATTERS

2021 Annual Administrative Matters Resolution: Ms. Green presented to the Board the 2021 Annual Administrative Matters Resolution, which sets forth certain annual administrative obligations to be performed in 2021 by the District or its designees. Following review and discussion, upon motion duly made by Director Latham, seconded by Director Schwartau and, upon vote, unanimously carried, it was

RESOLVED to approve the 2021 Annual Administrative Matters Resolution, as presented.

Approval of 2021 Contract Vendors: Ms. Green discussed the following contracts with the Board.

- i. Solitude Lake Management
- ii. Acres Services
- iii. Mark Ryan
- iv. Jehn Water Consultants, Inc.
- v. Pinnacle Consulting Group, Inc.

Following review and discussion, upon motion duly made by Director Latham, seconded by Director Gress and, upon vote, unanimously carried, it was

RESOLVED to approve the 2021 Operations and Maintenance Contractors, as presented.

OTHER BUSINESS

Community Comments: There were no comments made by members of the community.

ADJOURNMENT

There being no further business to come before the Board the regular meeting of the Timbers Estates Metropolitan District adjourned at 8:45 p.m.

Respectfully submitted,

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By: _____
Secretary for the Meeting

THESE MINUTES APPROVED AS THE OFFICIAL NOVEMBER 9, 2020
MINUTES OF THE TIMBERS ESTATES METROPOLITAN DISTRICT BY
THE BOARD OF DIRECTORS SIGNING BELOW:

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Dave Hartvigsen

Dave Hartvigsen
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Robert Latham

Bob Latham
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Rob Giniuszki

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Kurt Schwartz

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