

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 27, 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 27th day of September, 2021, 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:

Dave Hartvigsen, President (ia Teleconference)
Kurt Schwartau, Vice President
Bob Latham, Treasurer
Bob Gress, Secretary
Rob Ginieczki, Assistant Secretary (ia Teleconference)

Also In Attendance Were:

Geol Scheirman, Kammy Tinney (at 6:45 p.m. via Teleconference) and Molly Janzen (ia Teleconference) ; Pinnacle Consulting Group, Inc. Amanda Castle and Luis Garcia
Evan Ela via teleconference; Collins Cockrel and Cole P.C.
Gary Elliott, Mary Ann Thaxton Via Teleconference, Linda Gress Via Teleconference, Cindy Latham via teleconference; Timbers Estates Community Members

ADMINISTRATIVE/
MANAGEMENT
MATTERS

Call to Order/Declaration of Quorum: Director Schwartau called the meeting to order at 6:30 p.m., noting that a quorum was present, with five of five directors in attendance.

Agenda: Mr. Sccheirman 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 Latham and, upon vote, unanimously carried, the agenda was approved, with updates to the agenda to include an executive session.

Minutes: The Board reviewed the minutes of the August 16, 2021 Special 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 August 16, 2021 Regular meeting were approved with minor corrections.

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FINANCIAL MATTERS

Claims: Ms. Castle reviewed with the Board 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 August 10 through September 20, 2021 totaling \$11,308.56.

EXECUTIVE SESSION

Upon motions duly made and seconded and upon votes unanimously carried, the Timber Estates Board of Directors convened in executive session at 6:48 p.m. for the purpose of receiving legal advice pursuant to Section 24-6-402(4)(b), Colorado Revised Statutes, and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiations pursuant to Section 24-6-402(4)(e), Colorado Revised Statutes, as related to Lot 20 and Lot 15.

Pursuant to § 24-6-402(2)(d.5)(II)(B), C.R.S., no record is to be kept of the portion of this executive session that, in the opinion of the Districts' attorney, constitutes privileged attorney-client communication pursuant to § 24-6-402(4)(b), C.R.S. Also pursuant to § 24-6-402(4), C.R.S., the Board did not adopt any proposed policy, position, resolution, rule, regulation or take formal action during execution session.

The Boards reconvened in regular session at 7:14 p.m.

OPERATIONS MATTERS

Board Member Status Reports and Comments:

1. **Gatehouse.** Director Latham reported that he is working with vendors to get additional information for safety improvements for the gate house. To report back to Board for next meeting.
2. **Perimeter Fence.** Director Ginieczki presented the proposal fence work along North Turkey Creek Canyon Road from Seth Rieck. Following review and discussion, upon motion duly made by Director Hartvigsen, seconded by Director Gress and, upon vote, unanimously carried, the proposal for \$4,896.95 was approved. Work could begin as soon as October 4th, 2021. The Board request that Mr. Rieck also review repair work for the mailbox in the community. Director Ginieczki to present at next meeting.

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3. **Roadway Maintenance.** Director Schwartau provided an update regarding Roadway Maintenance throughout the District. Ryan Paving to provide proposal for crack seal and pothole repair – proposal pending. Director Schwartau will request that Acres Services clear out the culvert.
4. **Tree Maintenance.** Cindy Latham provided an update regarding Tree Maintenance throughout the District. White ribbons are being used to mark trees to be saved. Grant funding for the project was received, and the District budgeted \$17,000 for the project in 2021. Evergreen Fire Protection District was to address Tracts D, E, H, and portions of Lot 7, however they are unable to provide the service this year. Ms. Latham is looking at alternate vendors to provide proposal for 2021.
5. **Landscape Maintenance.** Director Schwartau provided an update regarding Landscape Maintenance throughout the District. Director Schwartau discussed an updated measurement of the irrigated areas for the common area and review the water rights.
6. **Street Number Signage Replacements.** Comments were brought up under Fire Mitigation.
7. **Fire Mitigation.** Cindy Latham provided an update to the Board regarding findings from the Timbers Wildfire Committee. After discussion, upon motion duly made by Director Latham, seconded by Director Hartvigsen and, upon vote, unanimously carried, the Board approved to purchase the posts and reflective fire resistant sign markers for all properties in the community. This was brought a safety concern for emergency responders to locate the individual addresses.
8. **Reservoir & Pond Matters.**
 - a. **Fall Pumping Coordination.** Director Hartvigsen discussed having the pond released by November 1, 2021. Gina with Jenn Waters said there would be 2.2-2.5 acre/feet would be released
 - b. **Pond Usage Policy.** The 45-Day Notice regarding amendment to the District's Service Plan has been completed by legal counsel, and Will report if there are comments back to the Board. Director Gress will be putting up signage for pond usage in the month of October. the Board determined to provide a copy of the policy, including a map, to all property owners within the community.
 - c. **Solitude 2022 Seasonal Pond Maintenance.** Mr. Scheirman briefly discussed updated proposal for Board review. Will look to approve at the next meeting.
 - d. **Water Complaint.** After discussion, upon motion duly made by Director Gress, seconded by Director Latham and, upon vote,

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unanimously carried, the Board ratified the District decision to report improper water usage to the state water commission. The owner has 30 days to respond.

- 9. **Insurance – Inclusion of Stone Bridges.** Mr. Scheirman discussed with the Board that currently the stone culverts within Timbers Drive are not included on the District’s insurance property schedule. Mr. Scheirman will reach out to the District’s insurance carrier to obtain a quote for including the structures on the District’s property schedule.and the cost debate for
- 10. **Potential Property Sale.** Director Hartvigsen finalizing proposal for the sale of certain property owned by the District. Director Hartvigsen will coordinate the effort with Legal Counsel for presentation to the Jefferson County Planning Department.
- 11. **2022 Draft Budget Discussion.** Ms. Castle presented the 2022 draft budget. Mr. Scheirman discussed potential website requirement for the district.

MANAGEMENT MATTERS

Manager’s Report: Mr. Scheirman presented the Manager’s Report to the Board.

OTHER BUSINESS

Community Comments: Board verified the fire resistant address signage and post expense. Installation of the posts will be discuss on an individual basis.

Director Comments: None

ADJOURNMENT

There being no further business to come before the Board the regular meeting of the Timbers Estates Metropolitan District adjourned at 8:22 p.m.

Respectfully submitted,

DocuSigned by:

By: Geol Scheirman
Secretary for the Meeting

THESE MINUTES APPROVED AS THE OFFICIAL SEPTEMBER 27th, 2021 MINUTES OF THE TIMBERS ESTATES METROPOLITAN DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:


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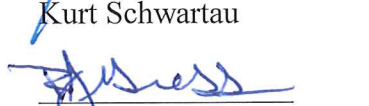
Bob Latham



Rob Ginieczki



Kurt Schwartau



Bob Gress