

# SOUTHWEST TIMNATH METRO DISTRICT'S

## RECORD OF PROCEEDINGS MINUTES OF THE JOINT SPECIAL MEETING OF THE BOARDS OF DIRECTORS OF SOUTHWEST METROPOLITAN DISTRICT NOS. 1- 4

**HELD:** Monday, April 22, 2024, at 5:30 p.m.

### **ATTENDANCE:**

The joint special meeting of the Boards of Directors of the Southwest Timnath Metropolitan District Nos. 1 -4 (collectively, the "Board") was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Ron Mullenbach	Mike DiTullio
Dino A. DiTullio	Ty Drage

### **Director Absent and Excused:**

Jennifer DiTullio

Irv Christy

David O'Leary of Spencer Fane, Guy Johnson and Jackie Johnson from the District were present. One homeowner was present please see sign in sheet in the Master Meeting Notebook.

### **CALL TO ORDER:**

Dino DiTullio called the meeting to order at 5:34 p.m.

### **QUALIFICATION OF BOARD MEMBERS/OATHS OF OFFICE:**

Mr. O'Leary reported that all the Board members are registered to vote in Colorado and are residents and/or owners of taxable real or personal property within the Districts. Mr. O'Leary informed the Board that official bond and/or insurance had been obtained and that all the Board members had been administered the Oaths of Office. Thereupon, the directors assumed their duties as members of the Board of Directors.

### **DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST:**

Guy Johnson discussed the state law requirements for disclosure of potential conflicts of interest with the directors, noting that completed disclosure statements must be filed for each of the Directors with the Secretary of State and the Secretary of the District at least 72 hours prior to a meeting in which a potential conflict may arise. In addition, each director is to verbally reveal his potential conflicts of interest to the Board at the start of the meeting in which the conflict may arise.

### **DISCUSSION OF OPEN MEETING REQUIREMENTS/POSTING REQUIREMENTS:**

Guy Johnson discussed the open meeting requirements and the posting requirements for the Districts, noting that any non-social meeting of three or more of the directors constituted an official meeting, and that notice of a meeting for the Districts is to be (1) provided to each Board member, and (2) posted in at least one public places within the Districts at least 72 hours in advance of the meeting, and on SWTMD web site and (3) at the same time, a copy of such notice is to be posted at the office of the County Clerk and Recorder. If possible, the posting should include specific agenda information. Mr. Johnson further noted that notice of this joint organizational meeting had been so posted.

### **APPROVAL OF AGENDA:**

The Board reviewed the agenda, Guy Johnson

Upon motion made by Director Dino DiTullio and seconded by Director Mike DiTullio, and unanimously carried to approve the agenda.

**APPROVAL OF MINUTES:**

The meeting minutes of November 29, 2023, meeting was presented and discussed,

Upon motion made by Director Dino DiTullio and seconded by Director Ty Drage, and Director Ron Mullenbach and unanimously carried to approve the meeting minutes of November 29, 2023.

**APPROVAL OF RESOLUTION TO FILE EXEMPTION ON-LINE:**

Mr. Johnson present to the board the Resolution of On-line filing of the Audit Exemptions of District #2 & #3, with no further discussion,

Upon motion made by Director Dino DiTullio and seconded by Director Michael DiTullio, and Director Ron Mullenbach and unanimously carried to approve the Resolution of On-line Filing of the SWTMD #2 & #3 Exemptions.

**Discussion on SWTMD IGA with STMD, and Out of District Memberships/Cost:**

Mr. Johnson opened the discussion in reference to selling of Out District Memberships for the Pool with the limit being 10 and the cost of \$600.00 as it was in the 2023 Pool season, with no further discussion,

Upon motion made by Director Ty Drage and seconded by Director Michael DiTullio, and Director Ron Mullenbach and unanimously carried to approve the limit of Out of District Pool Memberships at 10 and the Cost of \$600 for the 2024 pool season pending review by the board of the Resolution draft from Legal Counsel, and STMD agreement of the Resolution.

**FINANCIALS:**

Mr. Guy Johnson reviewed with the Board the expenditures for November 2023 through March 2024 totaling \$294,900.17.

Upon motion duly made by Director Mike DiTullio, seconded by Director Dino DiTullio and Ty Drage, and unanimously carried; the Board approved the payable for November 2023 through March 2024 totaling \$294,900.17

**DISTRICT LEGAL COUNSEL REPORT:**

MR. O'Leary stated he had nothing to add at this time.

**DISTRICT MANAGERS REPORT:** Mr. Guy Johnson stated:

**1. General District items:**

- a. Check fencing.
- b. Check detention areas.
- c. Check drainage areas. A new area to the north will bring more water through SWTMD.
- d. Checking playgrounds.

**2. Site Work:**

- a. Fence stain project, as budget allows.

**3. Web Site:**

- a. Up-dating as needed.

**4. Community Center & Pool: With STMD.**

- a. Low on funds, work with STMD and doing some maintenance and replacements.
- b. Resurface parking lot.
- c. Restripe Parking lot.
- d. Paint/Stain exterior of Community Center
- e. Paint interior of Community Center
- f. Replace carpet in Community Center
- g. Replacement of Front Door to handicap accessible
- h. Upgrade other doors around the Community Center

- i. Add Additional Security Cameras and up-date system.
- j. Upgrade Security System, over 10 years old.
- k. Gate lock systems are getting old, need replacement.
- l. Replacing zero entry drain covers, Est cost \$3,300.00.
- m. Pool Heaters/Pumps. Replacement of heater complete cannot evaluate until we have water in the pool.
- n. Pumps to slides
- o. Possible removing sod in the pool area, replace with concrete or artificial turf.
- p. Upgrade play structures/amenities in pool play area and park.
- q. Keep in mind fitness center up-grades in 3 more years, Est cost \$66,000.00.

**PUBLIC COMMENT:**

This portion of the meeting was closed with no Public comment from the Homeowner.

**OTHER MATTERS:**

The Board noted there were no other matters at this time.

**ADJOURNMENT:**

Following no further discussion,

Upon motion duly made by Director Dino DiTullio, seconded Director Ty Drage, and Director Mike DiTullio and unanimously carried, the Board adjourned the joint organizational meeting of the Board of Directors of the Southwest Timnath Metropolitan District Nos. 1 – 4 at 5:48 p.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and were approved by the Board of Directors of Southwest Timnath Metropolitan District Nos. 1 – 4.

  
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Guy D. Johnson, Secretary for the Meeting