

# RECORD OF PROCEEDINGS

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## MINUTES OF A SPECIAL JOINT MEETING OF THE BOARDS OF DIRECTORS OF THE SERRATOGA FALLS METROPOLITAN DISTRICTS NOS. 1 AND 3 HELD DECEMBER 11, 2019

A Special Joint Meeting of the Boards of Directors of the Serratoga Falls Metropolitan Districts Nos. 1 and 3 was held on December 11, 2019, at 5:00 p.m. at Timnath Fire Station located at 4800 Signal Tree Drive, Timnath, CO 80547 and via teleconference. The meeting was open to the public.

### ATTENDANCE:

In attendance were Directors:

Jesse McDowell (via teleconference)  
Byron Levkulich (via teleconference)  
Kenneth Mitchell

Absent and Excused were Directors:

B. Joseph Leininger  
Tony Vienna

Also in attendance were:

Matt Dalton, Spencer Fane LLP (via teleconference)  
Bill Stopperan, Danaly Howe, and Alex Carlson, Centennial Consulting Group, LLC  
Andrew Hartsel, Mosaic Development

### CALL TO ORDER:

Ms. Howe noted that a quorum of each Board was present or participating and called the meeting to order.

### DIRECTOR QUALIFICATIONS/ DISCLOSURES:

Mr. Dalton informed the Boards that the disclosure statements were filed with the office of the Secretary of State and are on record.

### AGENDA:

Following review and discussion, Director Mitchell moved that the Boards approve the Agenda as presented, Director McDowell seconded, and the motion was unanimously approved.

### PUBLIC COMMENTS:

There were no public comments

### APPOINTMENT OF OFFICERS

The Board discussed the appointment of officers. Director Mitchell made a motion to appoint Director McDowell as

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President. Director Levkulich seconded, and the motion was unanimously approved.

Director McDowell made a motion to appoint Director Leininger as Secretary and Director Mitchell as Assistant Secretary. Director Mitchell seconded, and the motion was unanimously approved.

## **REVIEW OF PRIOR MEETING'S MINUTES:**

Director Mitchell moved that the Boards approve the minutes from the meetings held on June 19, 2019 and June 25, 2019. Upon second by Director McDowell, a vote was taken, and the motion was unanimously approved.

## **FINANCIAL ITEMS:**

**Payment of Claims.** Mr. Stopperan presented the payment of claims in the amount of \$384,105.09 through November 26, 2019. Following review and discussion, Director Mitchell made a motion to approve the payment of claims. Director McDowell seconded, and the motion was unanimously approved.

**Financial Statements.** Mr. Stopperan presented the unaudited financial statements for the period ending October 31, 2019. Director Mitchell made a motion to accept the unaudited financial statements. Director McDowell seconded, and the motion was unanimously approved.

**Engagement of Crady, Puca and Associates.** The Board discussed and considered approving engagement of Crady, Puca and Associates to file the 2019 Audit Exemptions for both District No. 1 and No. 3. Upon a motion by Director Mitchell, seconded by Director McDowell and unanimously carried, the Board approved the engagement of Crady, Puca and Associates to file the 2019 Audit Exemption for Serratoga Falls Metropolitan District No. 1 and No. 3.

**Public Hearing on 2019 Budget Amendments.** The Board discussed the 2019 Budgets for Districts Nos. 1 and 3. It was determined that a budget amendment was necessary for both District Nos. 1 and No. 3. Director Mitchell opened the public hearing. Hearing no public comments, Director Mitchell closed the public hearing.

**2019 Budget Amendment.** Mr. Stopperan presented the 2019 amended Budget for District No. 1 and No. 3 to the Board. The Board discussed and considered approving the Resolution to Amend the 2019 Budget. Following discussion, upon a motion made by Director Mitchell, seconded by Director McDowell and

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unanimously carried, the Board approved the Resolution to Amend the 2019 Budget.

**Public Hearing on Proposed 2020 Budgets.** Ms. Howe reported that the required publication for the public hearing had been made. Director Mitchell opened the public hearing. There being no public comment, Director Mitchell closed the public hearing.

**2020 Budget Adoptions.** Mr. Stopperan presented the 2020 Budgets to the Board. The Board discussed and considered approving the Resolutions Adopting the 2020 Budget, Approving the Appropriation of Funds, and Authorizing Tax Levies to be certified by the District for collection in fiscal year 2020. Following discussion, upon a motion made by Director Mitchell, seconded by Director McDowell and unanimously carried, the Board approved the Resolutions subject to execution of the Kitchel Lake recreational lease, gallagerization of the debt service mill levy and landscaping contract with Bath Landscaping to be approved by Director Mitchell and Director Vienna.

**2018 Audit Exemption Ratification.** Following discussion, Director Mitchell made a motion to ratify the 2018 Audit Exemptions. Director McDowell seconded, and the motion was unanimously approved.

## **LEGAL MATTERS**

**Engagement of Centennial Consulting Group, LLC.** Following discussion Director Mitchell made a motion to approve engagement of Centennial Consulting Group, LLC as District Manager for Serratoga Falls Metropolitan District No. 1. Director McDowell seconded, and the motion was unanimously approved.

**Consider Approval of Resolution Concerning the Online Notice of Public Meetings.** The Board reviewed and considered the Resolution Concerning the Online Notice of Public Meetings for Serratoga Falls Metropolitan District Nos. 1 and 3. Following a motion by Director Mitchell, seconded by Director McDowell and unanimously carried, the Board approved the Resolution Concerning the Online Notice of Public Meetings making the District Website the location of public meeting notices.

**Updates to District Transparency Notices.** The Board reviewed and considered approving updates to the District Nos. 1 and 3 Transparency Notices. Upon a motion by Director Mitchell, seconded by Director McDowell and unanimously carried, the Board approved the updates to the District Transparency Notices.

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**2020 Annual Administrative Matters Resolutions.** The Board reviewed and considered approving the Administrative Matters Resolution for Serratoga Falls Metropolitan District Nos. 1 and 3. Upon a motion by Director Mitchell, seconded by Director McDowell and unanimously carried, the Board approved the updates to the 2020 Annual Administrative Matters Resolution.

**2020 Election Resolutions.** The Board reviewed and considered approving the 2020 Election Resolution for Serratoga Falls Metropolitan District Nos. 1 and 3. Upon a motion by Director Mitchell, seconded by Director McDowell and unanimously carried, the Board approved the 2020 Election Resolution.

**CORA Resolution.** The Board reviewed and considered approving the CORA Resolution for Serratoga Falls Metropolitan District Nos. 1 and 3. Upon a motion by Director Mitchell, seconded by Director McDowell and unanimously carried, the Board approved the CORA Resolution.

**Resolution Regarding Data Privacy Policy.** The Board reviewed and considered approving the Resolution Regarding Data Privacy Policy for Serratoga Falls Metropolitan District Nos. 1 and 3. Upon a motion by Director Mitchell, seconded by Director McDowell and unanimously carried, the Board approved the Resolution Regarding Data Privacy Policy.

**Worker's Compensation Exclusion Resolution.** The Board reviewed and considered approving the Worker's Compensation Exclusion Resolution for Serratoga Falls Metropolitan District Nos. 1 and 3. Upon a motion by Director Mitchell, seconded by Director McDowell and unanimously carried, the Board approved the Worker's Compensation Exclusion Resolution.

## **DISTRICT MATTERS**

**Architectural Control Committee Updates / Changes.** The Board discussed the composition of the Architectural Control Committee and considered making changes. Director Mitchell made a motion to remove Jim Righeimer from the Committee and add Andrew Hartsel to the Committee. Director McDowell seconded, and the motion was unanimously approved.

**Minor Amendment to Kitchel Lake Lease Agreement.** The Board discussed and considered approving a minor amendment to the Kitchel Lake Lease Agreement characterizing the lease payment as a special assessment. Director Mitchell made a motion to approve the minor amendment to the Kitchel Lake Lease

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Agreement subject to legal review. Director McDowell seconded, and the motion unanimously approved.

**2019-2020 Snow Removal Contract with Zac George Landscaping.** The Board reviewed and considered ratifying the snow removal contract with Zac George Landscaping. Upon a motion by Director Mitchell, seconded by Director McDowell and unanimously carried, the Board ratified the snow removal contract with Zac George Landscaping.

**Proration of Water Usage Fee.** The Board discussed prorating the water usage fee over 12 months for 2019. Upon a motion by Director Mitchell, seconded by Director McDowell and unanimously carried, the Board ratified the Board decision to prorate the water usage fee over 12 months for 2019.

**Timnath Snow Removal Policy.** The Board pointed out that the snow removal on the Streets of Kitchel Lake will be done by the Town of Timnath in accordance with the Town's existing snow removal policies as posted on their Town website.

**Non-Potable Water Rate Feasibility Study.** The Board discussed the Non-Potable Water Rate Feasibility Study moving into 2020 and proposed a meeting time to take Board action on the matter to a date in early March.

## **DEVELOPMENT AND CONSTRUCTION UPDATES**

Director Mitchell presented the Development and Construction Updates.

## **ADJOURNMENT**

There being no further business to come before the Boards, upon motion duly made by Director Mitchell, seconded by Director McDowell, and unanimously carried, the meeting was adjourned.

Respectfully submitted,



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Secretary of the Boards