

**MINUTES OF A SPECIAL JOINT MEETING OF THE  
BOARDS OF DIRECTORS OF THE  
SERRATOGA FALLS METROPOLITAN DISTRICTS NOS. 1 AND 3  
HELD DECEMBER 3, 2020**

A Special Joint Meeting of the Boards of Directors of the Serratoga Falls Metropolitan Districts Nos. 1 and 3 was held on December 3, 2020, at 4:00 p.m. held exclusively via teleconference. The meeting was open to the public.

**ATTENDANCE:**

In attendance were Directors:

Jesse McDowell, President (via teleconference)  
Byron Levkulich, Treasurer (via teleconference)  
Kenneth Mitchell, Assistant Secretary (via teleconference)  
Anthony Vienna (via teleconference)  
Darren Morritz (via teleconference)

Absent and Excused were:

B. Joseph Leininger, Secretary

Also in attendance were:

Matt Dalton and Lisa Mayers Spencer Fane LLP (via teleconference)  
David Greher, Collins, Cockrel and Cole, P.C. (via teleconference)  
Alex Carlson and Andrea Weaver, Centennial Consulting Group, LLC (via teleconference)  
Andrew Hartsel, Mosaic Land Development Services, LLC (via teleconference)  
Kim Crawford and Dalton Kelley, Butler Snow LLP (via teleconference)  
Lee Lowrey, Arbor Capital Partners, LLC (via teleconference)

5 Members of the Community

**CALL TO ORDER:**

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

**DIRECTOR  
QUALIFICATIONS/  
DISCLOSURES:**

The Directors in attendance confirmed their qualification to serve. Mr. Dalton noted that Affidavits and Oaths of Office had been received and filed with the State of Colorado. Mr. Carlson confirmed Notice of the meeting had been posted on the District's website at least 24 hours in advance of the meeting.

**CONFLICT OF INTEREST:**

Mr. Dalton advised the Board that pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board reviewed the agenda for the meeting, following which each Board member confirmed the contents of written disclosures previously made, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting.

**AGENDA:**

Following review and discussion, upon motion duly made by Director Vienna, seconded by Director McDowell, and upon vote, unanimously carried, the Board approved the agenda as presented.

**PUBLIC COMMENT:**

No comments from the public in attendance were made.

**DESIGNATION OF OFFICERS**

Following discussion, and upon a motion made by Director McDowell, seconded by Director Levkulich, and upon vote, unanimously carried the Board approved the designation of officers as follows:

Jesse McDowell – President (District Nos. 1 and 3)  
Byron Levkulich – Treasurer (District No. 1)  
B. Joeseph Leininger – Secretary (District Nos. 1 and 3)  
Ken Mitchell – Assistant Secretary (District Nos. 1 and 3)  
Tony Vienna – Treasurer (District No. 3) Assistant Secretary (District No. 1)  
Darren Morritz – Assistant Secretary (District No. 3)

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

The Board reviewed the March 5, 2020 Meeting Minutes. Upon a motion made by Director McDowell, seconded by Director Levkulich, and upon vote, unanimously carried, the Board approved the March 5, 2020 Meeting Minutes as presented.

**FINANCIAL MATTERS**

**Payment of Claims.** Mr. Carlson presented the payment of claims for the period from March 1, 2020 to November 30, 2020. Upon a motion made by Director Vienna, seconded by Director McDowell, and upon vote, unanimously carried, the Board ratified the claims presented for payment for the period from March 1, 2020 to November 30, 2020.

**Financial Statements.** Mr. Carlson presented the unaudited financial statements for the period ending October 31, 2020. Upon a motion made by Director Vienna, seconded by Director Levkulich, and upon vote, unanimously carried, the Board

approved the unaudited financial statements for the period ending October 31, 2020.

**Resolution Authorizing the Issuance of Subordinate Limited Tax General Obligation Bonds in a Maximum Principal Amount of \$15,000,000.** Ms. Crawford explained the resolution to the Board. Following discussion, upon a motion made by Director McDowell and Seconded by Director Vienna, and upon vote, unanimously approved the Resolution Authorizing the Issuance of Subordinate Limited Tax General Obligation Bonds in the Maximum Principal Amount of \$15,000,000.

**Public Hearing on 2020 Budget Amendments.** Mr. Carlson reported that the required publications for the public hearing had been made. The Board discussed the 2020 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 McDowell opened the public hearing. Hearing no public comments, Director McDowell closed the public hearing.

**2020 Budget Amendment.** Mr. Carlson presented the 2020 amended Budget for District No. 1 and No. 3 to the Board. The Board discussed and considered approving the Resolutions to Amend the 2020 Budgets for District Nos. 1 and 3. Following discussion, upon a motion made by Director McDowell, seconded by Director Levkulich and unanimously carried, the Board approved the Resolutions to Amend the 2020 Budgets.

**Public Hearing on Proposed 2021 Budgets.** Mr. Carlson reported that the required publications for the public hearing had been made. Director McDowell opened the public hearing. There being no public comment, Director McDowell closed the public hearing.

**2021 Budget Adoptions.** Mr. Carlson presented the 2021 Budgets to the Board. The Board discussed and considered approving the Resolutions Adopting the 2020 Budgets, Approving the Appropriation of Funds, and Authorizing Tax Levies to be certified by the Districts for collection in fiscal year 2021. Following discussion, upon a motion made by Director Vienna, seconded by Director McDowell, and unanimously carried, the Board approved the Resolutions subject to updating the general fund budget to include the full contract price of Bath Landscaping of \$167,112.00.

**Audit Exemptions.** The Board reviewed the audit exemptions for the year 2019 for Districts Nos. 1 and 3. Upon a motion by Director McDowell seconded by Director Vienna, and upon vote, unanimously carried, the Board ratified the exemptions from audit for the year 2019 for District Nos. 1 and 3.

## **LEGAL MATTERS**

**Centennial Consulting Group 2021 Service Contract.** The Board reviewed and discussed the service contract with Centennial Consulting Group for 2021. Upon a motion made by Director Vienna, seconded by Director McDowell, and unanimously carried, the Board approved the 2021 service contract with Centennial Consulting Group, LLC.

**Consider Updates to District Transparency Notices.** The Board discussed the need to update the District's transparency notices prior to the January 15<sup>th</sup> deadline. The Board directed the District manager to file the updated notice prior to the deadline.

**Consider Approval of 2021 Administrative Matters Resolution District Nos. 1 and 3.** Following review and discussion, upon a motion made by Director McDowell, seconded by Director Vienna, and upon vote, unanimously carried the Board approved the 2021 Administrative Matters Resolution as presented.

**Consider Approval of Exclusion from Worker's Compensation Resolution.** Mr. Carlson explained the insurance requirements for the District. Following discussion, upon a motion made by Director Vienna, seconded by Director McDowell, and upon vote, unanimously carried, the Board approved the Resolution for Exclusion from Worker's Compensation Coverage as presented.

## **Board Member Arrival**

Director Mitchell joined the meeting.

## **DISTRICT MATTERS**

**Consider 2021 Landscape Maintenance Contract with Bath Landscaping.** The board reviewed the 2021 landscape maintenance agreement with Bath Landscaping. The Board noted that it is in the best interest of the community to allow Bath to continue maintaining the landscaping they are also actively installing to ensure the warranty is honored moving forward. Following discussion, upon a motion made by Director Vienna, seconded by Director McDowell, and upon vote, unanimously carried the Board approved the 2021 landscape maintenance contract with Bath Landscaping.

**Discuss Future Increase in Non-Potable Water Use Fee.** The Board discussed the possibility of raising the non-potable water use fee for 2021. The Board is currently awaiting the current pricing structure from ELCO Water District. The Board tabled action on this item to a future meeting following the publication of the 2021 rates from ELCO.

**Review and Adoption of Kitchel Lake Rules and Regulations for Phase 3 and Phase 4.** The Board reviewed and discussed the Kitchel Lake Rules and Regulations for Phase 3 and Phase 4. Following discussion upon motion made by Director McDowell, seconded by Director Levkulich, and unanimously carried, the Board approved the Rules and Regulations for Phase 3 and 4 as presented.

## **Board Member Departure**

Director McDowell left the meeting.

**Street Parking Enforcement.** Mr. Carlson explained to the Board that residents continue to park on the street despite that it is prohibited by the governing documents. The Board requested that Mr. Carlson continue enforcement by sending and placing notices on vehicles. Mr. Dalton noted that the governing documents of the District grant the authority to boot and tow vehicles that are in violation of the communities recorded covenants. Mr. Carlson will report ongoing violations to the Board to discuss and consider further action on a case by case basis.

**Discussion of City Ordinance No. 16.3.13 section B Article 3 Regarding Number of Unrelated Parties in a Household.** Mr. Carlson explained that it has come to his attention that properties within the community are in violation of this Town Ordinance partially contributing to the street parking issue. The Board recommended the District Manager reach out to the Town of Timnath to assist in enforcement and encouraged residents to do

the same.

**Planting of Trees in Open Space Behind Lot 1 on Finian Ct.**

Mr. Carlson informed the Board that he had received a request from a resident to add trees to the open space behind his home. The Board reviewed the request and approved the addition of the trees subject to the acquisition, planting, and maintenance of the trees would be the responsibility of the homeowner.

**DEVELOPMENT  
UPDATES**

Director Vienna presented development and construction updates to those present.

**OTHER BUSINESS**

There was no other business brought to the attention of the Board.

**ADJOURNMENT**

There being no further business to come before the Board, upon a motion duly made by Director Vienna, seconded by Director Levkulich, and unanimously carried, the Board adjourned the meeting.

Respectfully submitted,

  
\_\_\_\_\_  
Secretary of the Boards