

**SPECIAL MEETING OF THE POMPONIO TERRACE  
METROPOLITAN DISTRICT BOARD OF DIRECTORS  
MEETING MINUTES**

*Monday, November 27<sup>th</sup>, 2023 at 6:00pm  
Zoom video conference  
and  
Cardel Homes Sales Model  
2718 W. 68th Avenue  
Denver, CO 80221*

**Meeting Attendance:** The Special Meeting of the Board of Directors of Pomponio Terrace Metropolitan District was called and held in accordance with applicable laws of the State of Colorado, and the following members qualified to serve on the Board of Directors were in attendance:

Marc Volland (in person)  
Sara Dieringer (in person)  
Kadie Goodman (in person)  
Vacant  
Vacant

**Additional Attendees:** Tate Crosby, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law (via zoom); Angela Elliott, District Manager, Joe Saunders, Community Manager, and host Marlene Pappas, Teleos Management Group (via zoom); Georgia Harland, Simmons & Wheeler, PC (via zoom); and members of the public

District Manager Elliott confirmed a quorum of the Board of Directors was present and called the meeting to order at 6:08 p.m.

**Conflict of Interest  
Disclosures**

District Counsel Crosby advised the Board that pursuant to Colorado law, certain disclosures may be required prior to taking official action at the meeting. Ms. Crosby reported disclosures for Directors that provided White Bear Ankele Tanaka & Waldron notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting in accordance with Colorado law, and those disclosures were acknowledged by the Board.

Ms. Crosby inquired as to whether Board members had any additional disclosures of potential or existing conflicts of interest regarding any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of Board members present was necessary to obtain a quorum or to otherwise enable the Board to act.

**Approval of Agenda**

The Board reviewed and discussed the proposed agenda of the November 27, 2023 regular meeting.

Following discussion and upon motion made by Director Volland seconded by Director Dieringer, upon vote and unanimously carried, the Board approved the November 27, 2023 Meeting Agenda, as presented.

**Appointment to Board Of Directors**

The Board reviewed and hereby acknowledges, in accordance with § 32-1-902, C.R.S., the Officers for the District are as follows:

President/Chairman: Marc Volland, Term to May, 2027  
Treasurer/Secretary: Sara Dieringer, Term to May, 2025  
Assistant Secretary: Kadie Goodman, Term to May, 2025  
Recording Secretary: Angela Elliott, District Manager

Following discussion and upon motion made by Director Volland seconded by Director Dieringer, upon vote and unanimously carried, the Board appointed the Officers for the District as presented.

**Public Comment**

This is an opportunity for members of the public to address the Board regarding district-related matters, comments of which are limited to three (3) minutes per person.

Hearing no attendees wishing to speak, Public Comment was closed.

**Consent Agenda**

Items are considered routine and are collectively approved with one motion, a second and a vote. Items are not individually discussed unless requested, in which event, the item(s) will be relocated from the Consent Agenda to be considered with the Regular Agenda

- a. Approval of Meeting Minutes: September 28, 2023, Special Meeting
- b. Approval of 2024 Annual Administrative Resolution:
  1. Hold Regular Meetings in 2024 on the Fourth Monday of the following months:
    - A. March 25, 2024
    - B. August 26, 2024 (Possible Town Hall Meeting)
    - C. November 18, 2024
- c. Approval of Renewal of General Liability Schedule and Limits Approval and Authorization to Bind Coverage\_Renewal of Special District Association of Colorado Membership
- d. Payment of Agency Fee
- e. Inclusion of Workers' Compensation Coverage

Following review and upon motion made by Director Volland, seconded by Director Goodman, upon vote and unanimously carried, the Board approved the Consent Agenda and its contents therein as presented.



## **MANAGEMENT & OPERATIONS**

**Management Report** Ms. Elliott presented the Management Report to the Board for review prior to the meeting and discussed the Inspection Report reflecting results from the recent site visits on 10/10/2023 and 11/20/2023.

Following review, there were no questions regarding the Management Report.

**Consider Approval of  
2024 Landscape  
Maintenance Contract** Ms. Elliott presented the Schultz Industries, Inc., January 1, 2024 to December 31, 2024 Landscape Maintenance Contract.

Following discussion and upon motion made by Director Dieringer, seconded by Director Goodman, upon vote and unanimously carried, the Board approved Schultz Industries, Inc. January 1, 2024 to December 31, 2024 Landscape Maintenance Contract, as presented.

**Consider Approval of  
Concrete  
Replacement** Ms. Elliott presented the Reich Contracting proposal to replace 1400 square feet of crumbling concrete in 2 alley areas.

Following discussion and upon motion made by Director Volland, seconded by Director Dieringer, upon vote and unanimously carried, the Board voted to table the Reich Contracting proposal to replace 1400 square feet of concrete in 2 alley areas, until March, 2024.

**Consider Ratification  
of Winter Watering  
Services** Ms. Elliott discussed and updated the Board on the winter watering and tree wrapping proposals from Schultz Industries, Inc. The winter watering proposal for \$2,307.14 and tree wrapping bid for \$2,195.24 were approved on September 29, 2023.

**Consider Approval of  
Plant Health Care  
Program for 2024** Ms. Elliott discussed the Schultz Industries, Inc., proposal for the community's plant health care program for 2024.

Following discussion and upon motion made by Director Goodman seconded by Director Dieringer upon vote and unanimously carried, the Board approved Schultz Industries, Inc., proposal for the community's plant health care program for 2024, as presented.

**Discussion and Consider Action on Delinquency Accounts**

Ms. Elliott presented to the Board of Directors the delinquency report as of September 30, 2023 and discussed the potential action needed to collect on all delinquent accounts. Notices and demands were sent to 4 homeowners with delinquent accounts. The Board asked for Teleos Management to gather information on a couple of collection agencies and have them provide proposals. The proposals will be reviewed at the next meeting on March 25, 2024.

**Update on Community Garden**

Ms. Elliott discussed and updated the Board of Directors on the progress with the construction plans of the community garden. The planners are trying to get the application completed, but still missing the deed to the district. LAI Design Group' design has been submitted to the County and waiting approval. Teleos Management will be following up with Schultz on installing irrigation to garden and collecting proposals from contractors on building planters and dog park.

**FINANCIAL MATTERS**

**Approval of September 30, 2023 Financial Statement**

Ms. Harland presented the financial statements through October 31, 2023, to the Board and discussed the General Fund, Capital Fund and Debt Service Fund as of October 31, 2023.

Following discussion and upon motion made by Director Volland, seconded by Director Dieringer, upon vote and unanimously carried, the Board accepted the Financial Statements as of October 31, 2023, and General Fund, Capital Fund and Debt Service as of October 31, 2023, as presented.

**Approval of Payables/Claims**

Ms. Harland presented the payables and claims, from check numbers 2120 to 2131, to the Board of Directors in the amount of \$26,850.08.

Following discussion and upon motion made by Director Goodman, seconded by Director Dieringer, upon vote and unanimously carried, the Board approved the payables and claims as presented.

**Conduct Public Hearing on the Proposed 2024 Budget and Consider Adopting the 204 Budget. Set Mill Levies and**

Conduct Public Hearing on the proposed 2024 Budget and consider adoption of Resolution to adopt the 2024 Budget, Set Mill Levies and Appropriate Sums of Money.

Ms. Harland reviewed the 2024 Budget Resolution with the Board.

**Appropriate Sums of Money**

Following discussion, upon a motion duly made by Director Volland and seconded by Director Goodman, the Board unanimously adopted the Resolution adopting the 2024 Budget, appropriating funds therefore and certifying 4.573 Mills for the General Fund, 51.297 Mills for the Debt Service Fund, and 0.000 Mills for the Capital Projects Fund, as shown in the 2024 Budget, as revised, and subject to receipt of final assessed valuation.

**LEGAL MATTERS**

Ms. Crosby discussed the implementation of accessibility standards for individuals with a disability for information technology systems employed by the District.

**DIRECTOR MATTERS**


**Other Business**

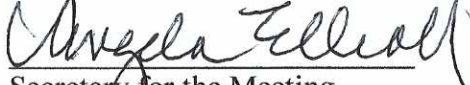
No other business was presented to Board.

**Adjournment**

There being no further business to come before the Board, following discussion and upon motion made by Director Goodman, seconded by Director Volland, upon vote and unanimously carried, the Board resolved to adjourn the meeting at 6:57 p.m.

The following signature(s) constitute the foregoing as a true and correct copy of the Minutes of the above-referenced meeting of the Pomponio Terrace Metropolitan District Board of Directors.

DocuSigned by:  
  
Signature of Michael Volland  
\_\_\_\_\_  
Board of Directors President

  
\_\_\_\_\_  
Secretary for the Meeting



**SPECIAL MEETING OF THE POMPONIO TERRACE  
METROPOLITAN DISTRICT BOARD OF DIRECTORS  
MEETING MINUTES**

*Thursday, September 28<sup>th</sup>, at 6:00pm, Zoom video conference*

**Meeting Attendance:** The Special Meeting of the Board of Directors of Pomponio Terrace Metropolitan District was called and held in accordance with applicable laws of the State of Colorado, and the following members qualified to serve on the Board of Directors were in attendance:

Marc Volland  
Sara Dieringer  
Vacant  
Vacant  
Vacant

**Additional Attendees:** Tate Crosby, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law; Angela Elliott, District Manager, Joe Saunders, Community Manager, and host Marlene Pappas, Teleos Management Group; Georgia Harland, Simmons & Wheeler PC; Members of the public- Kadie Goodman

Ms. Elliott confirmed a quorum of the Board of Directors was present and called the meeting to order at 6:04 pm.

**Conflict of Interest  
Disclosures**

Ms. Crosby advised the Board that pursuant to Colorado law, certain disclosures may be required prior to taking official action at the meeting. Ms. Crosby reported disclosures for Directors that provided White Bear Ankele Tanaka & Waldron notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting in accordance with Colorado law, and those disclosures were acknowledged by the Board.

Ms. Crosby inquired as to whether Board members had any additional disclosures of potential or existing conflicts of interest regarding any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of Board members present was necessary to obtain a quorum or to otherwise enable the Board to act.

**Accept and  
acknowledge  
Resignations**

Ms. Elliott presented to the Board of Directors the resignations of Christina Perry and Yen-Chen Chang. Following discussion and upon motion made by Director Volland seconded by Director Dieringer, upon vote and unanimously carried, the Board accepted and acknowledged the resignations of Christina Perry and Yen-Chen Chang.

**Appointment to  
Board Of Directors**

Ms. Elliott presented to the Board of Directors the resume of Kadie Goodman to the Board of Directors.

Following discussion and upon motion made by Director Volland seconded by Director Dieringer, upon vote and unanimously carried, the Board appointed Kadie Goodman to the Board of Directors, subject to favorable background check by legal counsel. Ms. Goodman will hold a term expiring 2027.

**Approval of Agenda**

Ms. Elliott presented the meeting agenda to the Board of Directors.

Ms. Harland asked the Board to amend the agenda to table presenting the 2024 Preliminary budget until November's meeting.

Following discussion and upon motion made by Director Volland seconded by Director Dieringer, upon vote and unanimously carried, the Board approved the meeting Agenda with amending the 2024 Preliminary Budget review until November's meeting.

**Public Comment**

This is an opportunity for members of the public to address the Board regarding district-related matters, comments of which are limited to three (3) minutes per person.

Hearing no attendees wishing to speak, Public Comment was closed.

**Consent Agenda**

Items are considered routine and are collectively approved with one motion, a second and a vote. Items are not individually discussed unless requested, in which event, the item(s) will be relocated from the Consent Agenda to be considered with the Regular Agenda

- a. Approval of Meeting Minutes: July 11, 2023

Following review and upon motion made by Director Volland, seconded by Director Dieringer, upon vote and unanimously carried, the Board approved the Consent Agenda and its contents therein as presented.

## **MANAGEMENT & OPERATIONS**

### **Management Report**

Ms. Elliott presented the Management Report to the Board for review prior to the meeting and discussed the Inspection Report reflecting results from the recent site visits on 8/22/2023 and 9/6/2023 inspections.

Following review, there were no questions regarding the Management Report.

### **Consider Approval of LAI Design for Community Garden**

Ms. Elliott presented the LAI Design Proposal for the potential community garden area.

Following discussion and upon motion made by Director Volland, seconded by Director Dieringer, upon vote and unanimously carried, the Board approved Design Bid for the community garden area in the amount of \$6,000.00.

### **Ratify Schultz Industries Snow Removal Contract**

Following discussion and upon motion made by Director Volland, seconded by Director Dieringer, upon vote and unanimously carried, the Board approved snow removal contract for 2023-2024.

### **Discuss Crumbling Concrete at W 69<sup>th</sup> Ave. Townhomes**

Ms. Elliott discussed and updated the crumbling concrete near the townhomes at W. 69<sup>th</sup> Ave. Joe Saunders and contractor drove the property for concrete and found 3 areas in need of replacement. Contractor has not submitted proposal and will be tabled until next meeting.

### **November's Meeting and Town Hall Meeting**

Ms. Elliott presented to the Board of Directors the potential agenda of November's Meeting and Town Hall Meetings.

Following discussion and upon motion made by Director Volland seconded by Director Dieringer upon vote and unanimously carried, the Board accepted and acknowledged, November's Budget and Town Hall Meetings will be held on November 27<sup>th</sup>, 2023. The Town Hall Meeting will begin at 5:30 PM and the Annual Meeting will begin at 6:00 PM.

The Board further discussed holding the Town Hall and Budget Meetings at the Cardel Model. Ms. Crosby will with confer with Mr. White and report back on possibility of a hybrid meeting.

## **FINANCIAL MATTERS**

**Acceptance of July 31,  
2023**



**Financial Statement**

Ms. Harland presented the financial statement through July 31, 2023, to the Board and discussed the General Fund, Capital Fund and Debt Service Fund as of July 31, 2023.

**Approval of  
Payables/Claims**

Following discussion and upon motion made by Director Volland, seconded by Director Dieringer, upon vote and unanimously carried, the Board accepted the Financial Statement of July 31, 2023, as presented.

Ms. Harland presented the payables and claims to the Board of Directors.

Following discussion and upon motion made by Director Volland, seconded by Director Dieringer, upon vote and unanimously carried, the Board approved the payables and claims as presented.

**LEGAL MATTERS  
2023 Legislative  
Updates**

Ms. Crosby discussed 2023 legislation updates affecting special districts. Colorado Proposition HH, Property Tax Changes and Revenue Change Measure. The vote for the proposition reduces property tax rates, allows the state to retain and spend revenues that otherwise be returned to residents, creates cap on state revenues and limits property tax revenue.

**DIRECTOR  
MATTERS**

**Discussion on  
Cardel's Participation  
On Community  
Garden**

The Board thanked Cardel for their contribution of \$15,000 and bringing water to the community garden/open space tract at no cost to the District.

**Other Business**

None

**Adjournment**

There being no further business to come before the Board, following discussion and upon motion made by Director Volland, seconded By Director Dieringer, upon vote and unanimously carried, the Board resolved to adjourn the meeting at 7:10 pm.

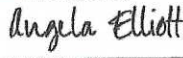
The following signature(s) constitute the foregoing as a true and correct copy of the Minutes of the above-referenced meeting of the Pomponio Terrace Metropolitan District Board of Directors.

DocuSigned by:



DocuSigned by: M. Volland  
Board of Directors President

DocuSigned by:



DocuSigned by: Angela Elliott  
Secretary for the Meeting

**SPECIAL MEETING OF THE POMPONIO TERRACE  
METROPOLITAN DISTRICT BOARD OF DIRECTORS**

**MEETING MINUTES**

*Tuesday, July 11, 2023, at 5:00pm, Zoom video conference*

**Meeting Attendance:** The Special Meeting of the Board of Directors of Pomponio Terrace Metropolitan District was called and held in accordance with applicable laws of the State of Colorado, and the following members qualified to serve on the Board of Directors were in attendance:

Marc Volland  
Sara Dieringer  
Christina Perry  
Yen-chen Chang (excused)  
Vacant

**Additional Attendees:** Zachary P. White, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law; Angela Elliott, District Manager. Joe Saunders, and Fallon Redmond, Community Managers, Marlene Pappas, Teleos Management Group; Georgia Harland, Simmons & Wheeler PC; Members of the public.

Ms. Elliott confirmed a quorum of the Board of Directors was present and called the meeting to order at 5:08 pm.

**Conflict of Interest  
Disclosures**

Mr. White advised the Board that pursuant to Colorado law, certain disclosures may be required prior to taking official action at the meeting. Mr. White reported disclosures for Directors that provided White Bear Ankele Tanaka & Waldron notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting in accordance with Colorado law, and those disclosures were acknowledged by the Board.

Mr. White inquired as to whether Board members had any additional disclosures of potential or existing conflicts of interest regarding any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of Board members present was necessary to obtain a quorum or to otherwise enable the Board to act.

**Approval of Agenda**

Ms. Elliott presented the meeting Agenda to the Board of Directors. Following discussion and upon motion made by Ms. Perry, seconded by Mr. Volland, upon vote and unanimously carried, the Board approved the



meeting Agenda with amending the addition of item 8d under the **Financial Matters** section regarding extension of Audit to file if necessary.

**Public Comment**

This is an opportunity for members of the public to address the Board regarding district-related matters, comments of which are limited to three (3) minutes per person.

Hearing no attendees wishing to speak, Public Comment was closed.

**Consent Agenda**

Items are considered routine and are collectively approved with one motion, a second and a vote. Items are not individually discussed unless requested, in which event, the item(s) will be relocated from the Consent Agenda to be considered with the Regular Agenda

- a. Approval of Meeting Minutes: February 28, 2023

Following review and upon motion made by Mr. Volland, seconded by Ms. Perry, upon vote and unanimously carried, the Board approved the Consent Agenda and its contents therein as presented.

**MANAGEMENT & OPERATIONS**

**Management Report**

Ms. Elliott presented the Management Report to the Board for review prior to the meeting and discussed the Inspection Report reflecting results from the recent site visits on 5/22/23 and 7/11/23 inspections.

Following review and hearing no questions, the Board unanimously accepted the Management and Inspection Reports as presented.

**Consider LAI Design for Community Garden**

Ms. Elliott presented the LAI Design Proposal for the potential community garden area.

Following discussion and upon motion made by Mr. Volland, seconded by Ms. Perry, upon vote and unanimously carried, the Board approved Design Bid for the community garden area in the amount of \$6000.00

**Consider Schultz Industries for Tree/Shrub Replacement**

Following discussion and upon motion made by Ms. Perry, seconded by Mr. Volland, upon vote and unanimously carried, the Board approved the tree and shrub replacement by Schultz Industries in the amount of \$5,312.

**Discuss Crumbling  
Concrete at W 69<sup>th</sup>  
Ave. Townhomes**

Ms. Elliott discussed the crumbling concrete near the townhomes at W. 69<sup>th</sup> Ave. Ms. Deringer and Mr. Volland volunteered to go to the site, take photos and report back with any warranty information, agreeing that the district would take care of anything that falls within their maintenance responsibility.

**FINANCIAL  
MATTERS**

**D.A. Davidson & Co.  
Presentation RE:  
Potential Bond  
Refunding**

Andrew Wheeler and Laci Knowles, D.A. Davidson, provided an overview of existing debt with 2 options for Board to review as follows:

- Bank loan of 6.93M, reducing mill levy to 40.9 in Sept. 2023
- Refinancing the bonds of \$6.80M at a rate of 4.65% and bringing the mills down to 39.6 with a potential close in 2024

Following discussion, the Board unanimously agreed to not take action at this time regarding bond refunding.

**Acceptance of April  
31, 2023  
Financial Statement**

Ms. Harland presented the financial statement through April 30, 2023, to the Board and discussed the General Fund, Capital Fund and Debt Service Fund as of April 30, 2023.

Following discussion and upon motion made by Mr. Volland, seconded by Ms. Perry, upon vote and unanimously carried, the Board accepted the Financial Statement of April 30, 2023, as presented.

**Approval of  
Payables/Claims**

Ms. Harland presented the payables and claims to the Board of Directors.

Following discussion and upon motion made by Mr. Volland, seconded by Ms. Perry, upon vote and unanimously carried, the Board approved the payables and claims as presented.

**Consider Approval of  
2022 Audit**

Ms. Harland presented the 2022 draft audit financials.

Following discussion, upon motion duly made by Mr. Volland, seconded by Ms. Perry, upon vote and unanimously carried, the Board accepted the 2022 audited financial statements as presented. The audit report will be next subject to Board and Legal review and clean opinion from auditor.

**Approval of 2022  
Audit Extension**

The Board directed Ms. Harland to file the extension for the 2022 audit, if necessary.

## **LEGAL MATTERS**

### **2023 Legislative Updates**

Mr. White discussed 2023 legislation updates effecting special districts such as SB 110 regarding transparency for Metro Districts, required transparencies to file per county and the requirement to hold an Annual Town Hall meeting for the purpose of providing resident opportunity to address district Boards with district-related concerns since Public Forum is limited during regular district Board meetings and noted that no action is to be taken at the Town Hall meetings. SB 178 regarding Waterwise Landscaping, creating limitations on what HOA and Metro District guidelines can require/stipulate/restrict as it relates to residence use of xeriscape and drought-resistant plant material, turf and vegetable gardens in front and side yards.

Mr. White also spoke about potential ways to reduce property taxes over the course of several years to allow the state to keep revenues rather than issuing refunds and rather reallocate those funds to other state programs.

## **DIRECTOR MATTERS**

### **Discussion on amending Covenants to mirror Adams County regarding Animal issues**

Discussion followed on dog attacks in neighborhood and processes for fining dogs who are not on leashes.

### **Open Space Fencing Privacy Fencing Request from Owners**

Mr. White discussed a district policy and open space use policy had been drafted regarding violations and fine and will send to the board.

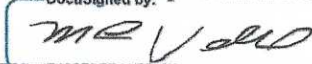
Ms. Perry requested that Mr. White perform county research and report back to the Board regarding legalities and any potential authority of the district to install privacy fencing along open space areas at the request of multiple community owners.



## Adjournment

There being no further business to come before the Board, following discussion and upon motion made by Mr. Volland, seconded By Ms. Perry, upon vote and unanimously carried, the Board resolved to adjourn the meeting at 6:29 pm.

The following signature(s) constitute the foregoing as a true and correct copy of the Minutes of the above-referenced meeting of the Pomponio Terrace Metropolitan District Board of Directors.

DocuSigned by:  


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\_\_\_\_\_  
Board of Directors President

  
\_\_\_\_\_  
Secretary for the Meeting

**MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS  
OF  
POMPONIO TERRACE METROPOLITAN DISTRICT**

**Held** Tuesday, February 28, 2023, at 6:00pm, Zoom video conference

**Attendance** The Special Meeting of the Board of Directors of Pomponio Terrace Metropolitan District was called and held in accordance with applicable laws of the State of Colorado, and the following members qualified to serve on the Board of Directors were in attendance:

Marc Volland  
Sara Dieringer  
Christina Perry

Also present was Zachary P. White and Tate Crosby, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law; Angela Elliott, District Manager. Fallon Redmond, Community Manager, and Marlene Pappas, Teleos Management Group; Diane Wheeler, Simmons & Wheeler PC; and members of the public.

**Call to Order/Establish Quorum** District Manager Elliott noted that a quorum of the Board of Directors was present, and the meeting was called to order at 6:01pm.

**Conflict of Interest Disclosures** Mr. White advised the Board that pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. White reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board.

Mr. White inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest regarding any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

**Approval of Agenda** Ms. Elliott presented the meeting Agenda to the Board of Directors. Following discussion and upon motion made by Director Volland, seconded by Director Deringer and upon vote, the Board unanimously approved meeting Agenda.

**Public Comment**

This is an opportunity for members of the public to address the Board regarding district related matters, comments of which are limited to three (3) minutes per person.

Hearing no attendees wishing to speak, Public Comment was closed.

**Consent Agenda**

Items are considered routine and are collectively approved with one motion, a second and a vote. Items are not individually discussed unless requested, in which event, the item(s) will be relocated from the Consent Agenda to be considered with the Regular Agenda

- a. Special Meeting Minutes - November 30, 2022
- b. Resolution - Designated Meeting Notice Posting Location

Upon motion made by Director Volland, seconded by Director Deringer, upon vote and unanimously carried, the Board approved the Consent Agenda as presented.

**Management &  
Operations Matters**

**Management Report**

Ms. Elliott and Ms. Redmond provided the Management Report to the Board for review prior to the meeting.

Following review and hearing no questions, the Board unanimously accepted the Management Report as presented.

**Consider Approval of  
DRC Completion Form:**

Ms. Elliott presented the Completion Form found to be used in similar communities.

Following discussion and upon motion made by Director Volland, seconded by Director Deringer, upon vote and unanimously carried, the Board approved utilizing the presented Completion Form template to be tailored to the district reflecting a 90-day window for completion following approval, and to be included with Design Review approvals.

Following discussion regarding current outstanding scope completions of residences with Design Review applications previously approved by the Design Review Committee, the Board unanimously agreed to



provide notice to applicable residences stating that all approved Design Review improvements must be completed within 90 days.

**Community Newsletter**

Ms. Elliott discussed the recently distributed community Newsletter, and the Board had no questions/concerns in regards. The next Newsletter is scheduled to be distributed mid-May 2023.

**Financial Matters**

**Financial Statement -  
December 31, 2022**

Ms. Wheeler presented the December 31, 2022, financial statement to the Board for consideration and answered questions asked by Board members including the Cash Fund balance, payment of bills out of various accounts, the current standing and overall purpose of the Capital Fund as it relates to Capital Projects/Improvements, and Mr. White briefly spoke to the Board about debt refinancing.

Following discussion and upon motion made by Director Volland, seconded by Director Perry, upon vote and unanimously carried, the Board accepted the Financial Statement of December 31, 2022, as presented.

**Ratify Financials -  
September 31, 2022**

Following discussion and upon motion made by Director Volland, seconded by Director Perry, upon vote and unanimously carried, the Board ratified acceptance of the financial statement of September 31, 2022, as previously presented.

**Approval of  
Payables/Claims**

Ms. Wheeler presented the Payables and Claims to the Board of Directors.

Following discussion and upon motion made by Director Volland, seconded by Director Deringer, upon vote and unanimously carried the Board approved the payables and claims.

**Consider Approval of  
Audit Engagement Fee**

Ms. Wheeler has not yet received Engagement Letter for the 2022 audit and indicated her intent to send it to the Board once received.

Upon motion made by Director Perry, seconded by Director Volland, upon vote and unanimously carried, the Board approved the audit engagement fee in an amount not to exceed \$5,400.00.

**Legal Matters**

**Election Update**

Mr. White discussed results of Election forms received and reported that only one homeowner submitted a form expressing interest in running for the Board of Directors and noted that with the deadline having passed to submit election forms, the interested party will be elected to the Board by acclamation.

**Director's Matters**

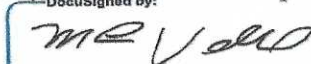
**Community Garden  
Discussion**

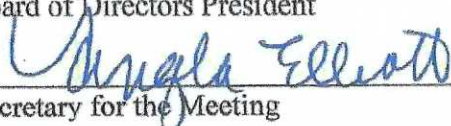
Following discussion and upon motion made by Director Volland, seconded by Director Deringer, upon vote and unanimously carried, the Board unanimously voted to table implementation of a community garden for additional Capital Improvement funding and until confirmation of Tract ownership is confirmed.

**Adjourn**

There being no further business to come before the Board, following discussion and upon motion made By Director Volland, seconded By Director Perry, upon vote and unanimously carried, the Board resolved to adjourn the meeting at 6:43pm.

The following signature(s) constitute the foregoing as a true and correct copy of the Minutes of the above-referenced meeting of the Pomponio Terrace Metropolitan District Board of Directors.

DocuSigned by:  
  
\_\_\_\_\_  
Board of Directors President

  
\_\_\_\_\_  
Secretary for the Meeting