

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

Held: Monday, November 22, 2021, at 3:00 p.m.

Attendance The special meeting of the Board of Directors of Pomponio Terrace Metropolitan District was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, have confirmed their qualifications to serve, were in attendance:

Rod Mickelberry
Sara Dieringer
Marc Volland
Jen Newman
Christina Perry

Also present was Zachary P. White, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law; Angela Elliott, Don Cullen, Teleos Management Group; and Diane Wheeler, Simons & Wheeler PC.

Call to Order/Declaration of Quorum It was noted that a quorum of the Board was present, and the meeting was called to order at 3:00PM.

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 Mr. White presented the proposed agenda to the Board for consideration. Items 7A Consider Approval of September 2021 financials and 8E Consider Approval of First Amendment to IGA W/Crestview Water and Sanitation will be removed from Agenda, Items have not yet been distributed to board for review in time for meeting. Following discussion, upon a motion duly made by Director Sara Dieringer and seconded by

Director Marc Volland, the Board unanimously approved the revised agenda.

**Approval of Minutes
from June 14, 2021
Special Meeting**

The Board reviewed the Minutes from the June 21, 2021, Special meeting. Following a review, upon a motion duly made by Director Marc Volland and seconded by Director Christina Perry, the Board unanimously approved the Minutes as presented.

Public Comment

NO PUBLIC COMMENT

**Operations/Manager
Matters**

Manager's Report

Ms. Elliott / Mr. Cullen have provided the managers' report in advance for review

- Artificial turf front yard. Homeowner located @6900 Canosa St. requested additional time to seek county approval. Board will revisit issue at next meeting.
- Sump pump water into alley way. Board supports a communication be sent to homeowners/residents (via email, community e-blast, and post on District Website) recommended that homeowners redirect water from sump pump away from alley way into rear yard landscape and or to front yard landscape.
- Weed mitigation – Board supports a communication (via email, e-blast, and District Website) that alternative weed mitigation chemicals have been researched
 - Lack of contractors to provide service
 - Cost prohibitive
 - Not enough information regarding any possible side effects from alternative products available to safely apply.
- DRC Reviews
- Covenant violations

Consider Ratification of Independent Contractor Agreement with Schultz Landscape, LLC for Snow Removal Services

Ms. Elliott presented the Independent Contractor Agreement with Schultz Landscape, LLC for Snow Removal Services to the Board. Ms. Elliott advised the Board that the agreement has been secured, and the agreement includes common area sidewalks, alley ways 68th, 69th and Clay Street, with a 4” trigger. Pending board review to verify and approve slight Following a review, upon a motion duly made by Director Christina Perry and seconded by Director Marc Volland, the Board unanimously ratified the agreement.

Review Proposals for 2022 Landscape Services

Ms. Elliott presented and discussed Proposals for 2022 Landscape Services to the Board. Following a review, upon a motion duly made by Director Jennifer Newman and seconded by Director Christina Perry, the Board unanimously ratified the agreement.

Consider Approval for Winter Watering Services

Following review and discussion regarding the Winter Watering Services proposals, upon a motion duly made By Director Marc Volland and seconded By Director Christina Perry, the Board unanimously awarded the 2021/22 Winter Water services contract to Davey Tree and directed legal counsel to prepare the agreement for execution.

Financial Matters

Consider Approval of September 30, 2021, Financials

THIS ITEM REMOVED FROM AGENDA

Approval of Payables and Claims

Ms. Wheeler presented the Payables and Claims to the Board. Following discussion, upon a motion duly made, by Director Marc Volland and seconded by Director Jennifer Newman, the Board unanimously approved the payables and claims.

Conduct Public Hearing on 2021 Budget Amendment

Following discussion, the 2021 Budget did not need to be amended.

Consider Adoption of Resolution Amending 2022 Budget

Conduct Public Hearing on the proposed 2022 Budget and consider adoption of Resolution to adopt the 2022 Budget, Set Mill Levies and Appropriate Sums of Money (enclosed).

**Consider Adoption of
2022 Budget Resolution**

Mr. White reviewed the 2022 Budget Resolution with the Board. Following discussion, upon a motion duly made by Marc Volland and seconded by Director Jennifer Perry, the Board unanimously adopted the Resolution adopting the 2022 Budget, appropriating funds therefor and certifying 7.522 Mills for the General fund, 47.047 Mills for the Debt Service fund, and 0.000 Mills for the Capital Projects fund.

Legal Matters

**Consideration to take
Action on delinquent fees**

Mr. White Presented the options to take action against homeowner and begin foreclosure process. Following discussion, upon a motion duly made by Director Marc Volland and seconded by Director Rod Mickelberry, the Board agreed to send legal notice to Homeowner and Lender that foreclosure process would begin for property immediately. Director Christina Perry abstained from vote.

**Consider Approval of
Insurance Policy Renewal
for 2022.**

Mr. White Presented the Insurance Policy Renewal for 2022. Following review and discussion, upon a motion duly made by Director Christina Perry and seconded by Director Marc Volland, the Board unanimously approved the 2022 Insurance Renewal.

**Consider Adoption of
Resolution Calling for
2022 Election**

Mr. White Presented Resolution for 2022 Election. Following review and discussion, upon a motion duly made by Director Marc Volland and seconded by Director Rod Mickelberry, the Board unanimously approved the Adoption of Resolution Calling for 2022 Elections.

**Consider Adoption of
Resolution Designating
the Location of Meetings**

Mr. White Presented Resolution for 2022 Meeting Locations. Following review and discussion, upon a motion duly made by Director Marc Volland and seconded by Director Christina Perry, the Board unanimously approved the Adoption of Locations and Meeting Dates for 2022.

**Consider Approval of
First Amendment to IGA
with Crestview Water
and Sanitation District
for Ownership,**

THIS ITEM REMOVED FROM AGENDA

Director's Matters

Discussion and Consider Action re: Periodic Newsletter – Director Jennifer Newman would like to implement a quarterly newsletter. Director Newman to work with Management to identify costs, tools, and topics to be added for homeowners/residents (seasonal events, community notifications, etc.). Following discussion, the Board unanimously approved the plan to move forward.

Discussion and Consider Action re: Action on Little Free Library – Board requests that management obtain estimates for physical library container as well as costs to install (concrete footer, metal post, and location). Following discussion, the Board unanimously approved the plan to move forward.

Other Business

Director Marc Volland seeking board approval to install another Dog Waste Station. Management will seek quotes for both dog waste station as well as a handyman to install (concrete footer, post, cost for container, bags, etc.).

Director Rod Mickelberry announced his retirement at year end and discussed his pleasure in working with the Board and a well-maintained healthy community.

Adjourn

There being no further business to come before the Board and following discussion and upon a motion duly made By Director Rod Mickelberry, seconded By Director Marc Volland, and unanimously carried, the Board determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Secretary for the Meeting