

TAILHOLT METRO DISTRICTS

RECORD OF PROCEEDINGS

MINUTES OF THE COORDINATED SPECIAL MEETING OF THE BOARDS OF DIRECTORS OF TAILHOLT METROPOLITAN DISTRICT NOS. 1-3

HELD: Thursday, March 16, 2023 at 6:00 p.m. at Town of Severance Town Hall, 3 South Timber Ridge Parkway, Severance, Colorado 80546.

ATTENDANCE:

The coordinated special meeting of the Boards of Directors of the Tailholt Metropolitan District Nos. 1-3 (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:

Directors Present: Shelby Foland, Jim Donahue, Jim Umberger, Mike DiTullio, Dino DiTullio, Jennifer DiTullio via teleconference.

Also Present and in Attendance: David S. O'Leary of Spencer, Fane LLP, Guy Johnson, and Jackie Johnson from the District were also present, and several homeowners please see sign in sheet for attendees.

Directors absent and Excused:

Directors Jackie Gottschal and Daniel Meyers

CALL TO ORDER:

Mr. O'Leary called the meeting to order at 6:01 p.m.

QUALIFICATION OF BOARD MEMBERS/OATHS OF OFFICE COMBINES MEETING AND NOTICES:

Mr. Johnson 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 stated that all the Board members had been administered the Oaths of Office. The Districts are meeting in a combined board meeting. Unless otherwise noted, the matters set forth below shall be deemed to be the actions of the Tailholt Metro District No. 1, with concurrence by the Tailholt Metro District No. 2, & 3. Mr. Johnson stated that the notice of the meeting was properly posted in at least one public place in each District No. 1, 2, & 3 boundaries at least 72 hours prior to this meeting. Notice of meeting and agenda was posted in accordance with law.

DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST:

Mr. O'Leary 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.

CONSIDER APPROVAL OF AGENDA:

The Board reviewed the agenda,

Upon motion duly made by Director Jim Donahue and seconded by Director Jim Umberger and Director Dino DiTullio and Mike DiTullio and unanimously carried, it was resolved to approve the agenda.

CONSIDER APPROVAL OF OCTOBER 28, 2021 MEETING MINUTES:

The Board reviewed the Meeting Minutes of the October 27, 2022 meeting.

Upon motion duly made by Director Shelby Foland and seconded by Director Jim Umberger and Director Dino DiTullio and Mike DiTullio, and unanimously carried, it was resolved to approve the agenda.

CONSIDER APPROVAL OF THMD No. 2 AUDIT EXEMPTION RESOLUTION:

Mr. Johnson present to the board the Resolution to file the Audit Exemption for THMD Number 2 on-line, with no further discussion,

Upon motion duly made by Director Jim Donahue and seconded by Director Jim Umberger and Director Dino DiTullio and Mike DiTullio and, and unanimously carried, it was resolved to approve the Resolution of THMD Number 2 Audit Resolution.

FINANCAL REPORT

Mr. Johnson presented the Schedule of Payables for October 2022 through February 2022 with a total of \$355,766.13. After discussion with the Boards, upon motion duly made by Director Jim Donahue and seconded by Director Jim Umberger and Director Dino DiTullio and Mike DiTullio and unanimously carried, it was resolved to approve and ratify payables for October 2022 through February 2022 with a total of \$355,766.13.

LEGAL COUNSEL REPORT:

Mr. O' Leary stated the District would cancel the May 2023 Election, there were no more candidates than open seats.

Mr. O'Leary discuss the bill that was introduce to the House, in reference to board ethics, it has not passed at this time and is in discussions. Mr. O'Leary noted that any bills that are signed into law would be brought to the Boards attention.

MANAGERS REPORT:

1. General District items and site work:

- a. Does the board want another board meeting or work session in July? Or when? Mr. Johnson board members on hand did not want to schedule a meeting at this time.
- b. Overseeing Lake levels, opening head gates as needed.
- c. Chlorine not to be used in the pump house any more.
- d. New pump and filter to be installed in pump house. D R Horton will pay for. District to be reimbursed.
- e. Have set up bacteria program in Franklin Lake. Keep in mind of water turn over in lake.
- f. THMD to blow out whole non-potable system includes homes. Might change to second Saturday of Oct.?
- g. Fence stain set up for filing 2, to start in May pending stain availability
- h. Replaced dead trees this year, will walk this spring of (2023), will replace as budget allows.
- i. Pine trees seem to be dying off, most under warranty still.
- j. Driving site for covenants issues.
- k. Working with Builder and Town on park area and shelter. Should be complete, will check area in spring.
- l. Working with Builder on adding irrigation to Filing 4 native areas. Builder will pay for or District to be reimbursed.
- m. Working with Builder on trial by Franklin lake, from Filing 1 through file 4.
- n. It was note during the meeting the trail to the park was closed by the Town of Severance, due to construction at the park.
- o. Keeping up maintenance of all tracts.
- p. On site builder has been fixing any issues or giving money to the district to fix items as needed.

2. Web Site:

- a. Keeping web site up, placing new documents as needed.
- b. E-mails to the community come from the web site.

3. District Office:

- a. Will need to upgrade some programs on computer.
- b. May 2nd, Election will be canceled, but Oath for two members running will come via e-mail from election judge.
- c. If board wants to change positions after May 2, 2023, let us know.

OTHER MATTERS:

Mr. Johnson did ask the board if they would like to have another board meeting or work session in June or July. At this time the board did not want to set up-another meeting, or work session. Mr. Johnson noted with no other matters before the board this portion of the meeting was closed.

PUBLIC COMMENTS:

Velvet Arrivas on Harrow, stated she received a letter about her Christmas lights still being up, she stated there was a death in family and she was out of town a lot during January and February. They are down now but wanted to ask if the district gave any leniency on this violation. Mr. Johnson stated that in the future if there are circumstances, please contact the district so we can work with you.

Dillon on Lake Emerson asked if there were plans for a Rec Center, or pool. Mr. Johnson stated not plans in Tailholt District boundaries for any of the mentioned amenities.

Shelby Foland on Lake Emerson, and a board member will be handling the Social Committee for THMD, she has already been researching and planning neighborhood activities for this summer.

Jim Donahue on Haymaker, also a board member, stated there was a red small SUV that has been parked on the street across from his home for months, Mr. Johnson and him had been working with the Town of Severance however, it is licensed and the police nor the Town can do anything about it. It is owned by a resident's father who has gone to assisted living, the car has not move and appears to be abandoned, and needs to be moved to the resident's garage or driveway but the district cannot force that.

ADJOURNMENT:

With no other matters to bring before the Boards,

Upon motion duly made by Director Jim Donahue and seconded by Director Jim Umberger and Director Dino DiTullio and Mike DiTullio and unanimously carried, the Board resolved to adjourn the meeting of the Boards of Directors of the Tailholt Metropolitan District Nos. 1-3 at 6:47 p.m.

The foregoing minutes constitutes a true and correct copy of the directors meeting and discussions that went on during the meeting and are reflected in the meeting minutes of the above-referenced meeting and was approved by the Board of Directors of Tailholt Metropolitan District Nos. 1-3.



Guy D. Johnson, Secretary for the meeting

