

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE GREENSPIRE METROPOLITAN DISTRICT NO. 2

Held: Wednesday, July 28, 2021, at 6:30 p.m., via electronic meeting held through Zoom platform.

Attendance

A special meeting of the Board of Directors of the Greenspire Metropolitan District No. 2 was held and the following Directors, having confirmed their continued qualification to serve on the Board, were in attendance:

James Hogue
Phil Myers
Doug Hoffman

Absent: Rachel Theobald and Bret Hall.

Also, in attendance were Colin B. Mielke, Seter & Vander Wall, P.C.; Nikolas Wagner, Centennial Consulting Group; Ann Eldridge, Eldridge CPA; and members of the public including but not limited to: Maurice Brown, Andra Cecil, John Hall, Shelly Trierweiler, and Jake Martin. Some of the members of the public may not have been on the Zoom meeting for its entirety.

Call to Order and Declaration of Quorum

The meeting was opened, and it was noted that a quorum of the Board was present.

Disclosure Matters

The Board had been previously advised that pursuant to Colorado law, certain disclosures by the Board members might be required prior to taking official action at the meeting. The Board then reviewed the agenda for the meeting, following which each Board member affirmed their conflicts of interest, which had been disclosed and filed with the Colorado Secretary of State, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting. The Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

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Recordation of Meetings	The Board discussed recording the meeting being held via Zoom and upon motion made, seconded and unanimously carried, approved the recordation of the meeting. The Board requested District Nos. 1 and 3 record meetings as well and acknowledged that each Board is authorized to make its own decision regarding meeting recordings.
Discussion regarding Prior Minutes	The Board discussed the minutes for District Nos. 1 and 3 from September 8, 2020 and April 13, 2021. Director Myers stated his belief that conflict of interest disclosures in those minutes erroneously referenced Windmill Homes LLC instead of Windmill Homes Company. The Board further discussed the minutes of District No. 2 from September 23, 2020 and October 28, 2020. Mr. Mielke noted that previously adopted minutes cannot be changed, but additional comments regarding those minutes can be discussed at later meetings and incorporated into those subsequent meetings' minutes.
Director Matters - Welcome New Board Member	The Board welcomed Director Hoffman as the newest member to the Board.
- Discussion regarding District Nos. 1 and 3 Board	The Board discussed its desire for District Nos. 1 and 3 to try and add additional directors to those boards and Director Myers confirmed he will reach out to those boards with that request. Director Myers also expressed his desire for the treasurers of each board to meet regularly with the District accountant. Director Hogue expressed his desire for all three boards to coordinate more together. The Board also discussed the sharing of financial records, and upon motion made, seconded and unanimously carried, requested the District consultants to make financial records readily available to the treasurers for all boards. Director Myers further noted his desire to review the director qualification documents for Board members for District Nos. 1 and 3.
Approval of Minutes	The Board reviewed the minutes from June 23, 2021 and April 28, 2021 meetings of District No. 2. Upon motion made, seconded and unanimously carried, the Board approved the minutes for the two meetings as presented. The Board discussed establishing a committee to draft and review minutes shortly after future meetings so draft minutes can be available to the public after those meetings. Upon motion made, seconded and unanimously carried, the Board established a committee of board members to include Director Hogue and Director Myers. The Board will request a similar committee to be implemented by District Nos. 1 and 3.

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Public Comment

The meeting was opened for public comment.

Mr. Brown, at 165 Turnberry Lane, informed the Board he is coordinating with the warranty department of Windmill Homes regarding runoff of water onto the sidewalk and commended Scott and Juan from Windmill Homes on their assistance regarding the matter. Mr. Mielke confirmed District No. 1 completed testing of the irrigation system. A valve was repaired, but the mostly likely cause of runoff is topography of the neighborhood, which is outside the Districts' jurisdiction to modify. Mr. Wagner informed the Board that the owner of 223 Turnberry Lane sent him a photograph of runoff today and he will research the matter further.

Mr. Martin requested that the Districts consider installing a playground at the main park in the community. Mr. Brown suggested a pool or similar improvement be installed as well. Mr. Brown also informed the Board of excessive speeding in the neighborhood; Director Myers noted that he has discussed speeding with the Town, but the Town has refused to address the issue.

There being no further public comment, the public comment period was closed.

Update: Non-potable water fees

Director Myers stated his preference that properties not be charged the annual non-potable water fee for the connection year if no water is used during that year. Upon discussion by the Board and upon motion made, seconded and unanimously carried, the Board approved contacting District No. 1 to state its position that water should not be charged to properties that are connected after the irrigation system is turned off for the year, that 2021 water rates should be prorated, and that refunds or credits should be provided if such charges were invoiced to properties. Director Hogue stated his belief that there will not be issues next season because District No. 1 expects to install meters that will be read by District No. 1 and that a flat rate billing system is the only option for 2021. Director Myers stated he still has concerns with how meter reading will be implemented and that he disagrees with the current billing methodology.

Manager Report

Mr. Wagner updated the Board regarding excess water on Saratoga Drive. He confirmed that the irrigation was tested and

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held pressure continuously for thirty minutes, showing there were no leaks in the irrigation system. Mr. Wagner discussed a request from Mr. Lopatowski to replace grass with rock landscaping in certain parts of the community. Mr. Wagner also confirmed a plan to replace a broken area of sidewalk in the autumn because the ground is currently too wet from watering by neighboring properties to replace the sidewalk at this time.

Mr. Wagner discussed a plan to upgrade existing meters to allow for remote meter reading, and stated that new meters are backordered due to a shortage of microchips.

Mr. Wagner confirmed that some of the dead trees identified in the community have been replaced, and that he is seeking quotes for the replacement of additional trees.

Financial Matters

Director Myers stated his position that additional information is required to be provided pursuant to his Open Records Act requests. It was confirmed that a meeting has been set up for the following day with Director Myers and representatives of Districts Nos. 1 and 3 to discuss Director Myers requests.

Developer's / Builders' Reports

Director Myers stated his preference for information to be distributed when building permits are issued and when tap fees are collected and his belief that tap fees are not being collected soon enough in the development process. The Board noted that it would further discuss this matter with District No. 1.

Secretary/Treasurer Report

The Board tabled discussion regarding internal control testing. Director Myers noted his concerns with fencing in the community and requested that the community's HOA contact information be placed on the District's website.

Legal Matters

The Board discussed the status of the Advance and Reimbursement Agreement, noting that he is awaiting comments from Lot Holding Investments, LLC. Director Myers discussed his desire for additional backup related to the amounts advanced to the District and that the District should be able to request an accounting from Lot Holding Investments, LLC.

Other Business

The Board discussed its desire to hold future meetings at the Rec Center. The Board further discussed its desire to have the

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accountant report the amount of tax revenues received to date. Director Myers stated his desire for open space tracts to be conveyed to the District once they are developed, including a walkway parcel that appeared to be recently completed.

Adjournment

There being no other business to come before the Board, the meeting was adjourned at approximately 8:30 p.m.

 10-27-2021
Secretary for the Meeting
