

**MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE
WINDSHIRE PARK METROPOLITAN DISTRICT NO. 2
HELD AUGUST 12, 2024**

A special meeting of the Board of Directors of the Windshire Park Metropolitan District No. 2 was held on Monday, August 12, 2024, at 6:00 p.m. at the South Timnath Community Center at 6000 Summerfields Parkway, Timnath, Colorado 80547 and via Zoom. The meeting was open to the public.

Attendance

In attendance were the following Directors:

Tim Hoops

James Wertz

Cory Andrews

Todd Yancy

Also, in attendance were:

Shannon Torgerson, Goodwin & Company

David O’Leary, Spencer Fane

Several constituents were also in attendance.

Administrative Matters

Call to Order/Declaration of Quorum – Director Hoops called the meeting to order at 6:03 p.m. Quorum was declared with 4 of 5 Board members in attendance. There were no conflicts of interests disclosed.

Approval of Agenda, Meeting Location and Posting Location – Following discussion, upon a motion made by Director Hoops, seconded by Director Wertz and, upon vote, unanimously carried, the Board approved the agenda as presented. Ms. Torgerson noted the agenda and notice of meeting was posted to the District’s website on Friday, August 9, 2024.

Public Comment – Questions were asked about fence repair and maintenance and education of residents regarding HOA vs. District.

Consider Approval of Prior Meeting Minutes – May 29, 2024

Special Meeting Minutes – Following discussion, upon a motion made by Director Hoops, seconded by Director Yancy and, upon vote, unanimously carried, the Board approved the May 29, 2024 Special Meeting Minutes as presented.

Legal Matters

Consolidation of Districts 1 & 2 –

Mr. O’Leary reviewed the Consolidation Memo, Assignment & Assumption of Service Agreements and Conveyance and Acceptance of Public Improvements and the Non-Potable Water Lease Agreement with the Board. There were several questions regarding liability and costs associated with the Consolidation. Mr. O’Leary estimated the cost of the Consolidation would be between \$3,000 and \$10,000 if there were no concerns or issues from the Districts’ constituents and that approval would need to be granted by the Town of Windsor.

The Board requested Mr. O’Leary review all common area property records as there was concern that a few tracts were in Mr. DiTullio’s name and asked if there were any mineral rights left on common area tracts. Finally, what is owed or is owned by/to District 1 that would be taken on by District 2 if the consolidation moves forward?

The Board noted past consolidation efforts have been hung up by bond issuance and requested Mr. O’Leary obtain answers to the questions asked during the discussion.

2024 Legislative Update – Mr. O’Leary provided the Board with an overview of the 2024 legislative session and impacts to the District. Ms. Torgerson requested information regarding updated Collection and Covenant Enforcement Policies as required by January 1 due to the passage of HB24-1267.

Financial Matters

Review of July 31, 2024 Financial Statements – Ms. Torgerson reviewed the financial statements for the period ended July 31, 2024 with the Board. The Board requested Ms. Torgerson check Strongroom access for the Board to view invoices.

Payment Plan for Account 651182 & Waiver of Late Fees – The Board approved a waiver of late fees once the balance was paid in full.

Landscape Matters

Irrigation System Concerns – The Board discussed their concerns with the Irrigation system and will set up a meeting the Foothills Landscape Maintenance to discuss.

2024/2025 Snow Removal Proposal – Following discussion, upon a motion made by Director Hoops, seconded by Director Andrews and, upon vote, unanimously carried, the Board approved the 2024/2025 Snow Removal proposal from Foothills Landscape Maintenance on a time and material basis.

2025 Landscape Maintenance – Ms. Torgerson asked if the Board would like to go out to bid for landscape maintenance services for 2025.

Tree Maintenance – It was noted that no tree maintenance has been completed per the maintenance agreement with Foothills Landscape Maintenance. This will be discussed during an on-site meeting with FLM.

Manager's Report

Architectural Design Application Summary - The Board reviewed the summary.

Covenant Enforcement Report – The Board reviewed the Covenant Enforcement Report, noting minor issues such as unsightly storage, water use outside the approved time periods and weeds need to be addressed. Discussion ensued regarding watering, with constituents noting some people are watering daily whereas others aren't watering at all. It was requested that Ms. Torgerson be notified of those residences where watering is occurring outside of the approved time periods.

Other Business

2023 Audit – Following discussion, upon a motion made by Director Hoops, seconded by Director Wertz and, upon vote, unanimously carried, the Board approved John Cutler & Associates, LLC to complete the audit for District 2 at a cost not to exceed \$6500.

Fence Power Washing and Repair Proposals – The Board reviewed the proposals for Fence Power Washing in detail. Following discussion, upon a motion made by Director Hoops, seconded by Director Wertz and, upon vote, unanimously carried, the Board approved Century Site Services to power wash the fence in Phase 1 at a cost of \$10,750. A proposal for the repair of any damaged areas will be sent upon completion of the power washing. The Board noted if the cost per linear foot remains the same, they will approve the work for Phase 2 to be completed in April/May, depending on water availability.

Reserve Study Proposal – Following discussion, upon a motion made by Director Hoops, seconded by Director Andrews and, upon vote, unanimously carried, the Board approved Global Solution Partners to conduct a reserve study at the cost of \$3850.

2025 Draft Budget Considerations – The Board discussed the 2025 regular election, landscape maintenance and the reserve study in relation to the 2025 draft budget.

2024 Pool Season Review – The Board requested proposals for pool maintenance and lifeguarding services be obtained for 2025. The Board also requested a thorough review of access and pool use policies by Management.

Schedule Remaining 2024 Board Meetings & Budget Hearing – The Board determined the Budget Hearing will be scheduled for October 28, if the draft Budget is ready for approval in time for publication of the Hearing Notice.

Board Member Comments There were no Board Member Comments.

Adjournment With no further business to discuss, upon a motion made by Director Hoops, seconded by Director Wertz and, upon vote, unanimously carried, the meeting adjourned at 7:57 p.m.

Respectfully submitted,

Shannon Jorgerson

Secretary for the Meeting