

# RECORD OF PROCEEDINGS

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## MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF DANCING WILLOWS METROPOLITAN DISTRICT HELD THURSDAY, DECEMBER 13, 2018

A regular meeting of the Board of Directors of the Dancing Willows Metropolitan District was held on December 13, 2018, at 6:30 p.m., at the Dancing Willows Clubhouse, 11893 W Long Circle, Littleton, CO 80127.

**ATTENDANCE**            The regular meeting of the Board of Directors of the Dancing Willows Metropolitan District was called and held, as shown, in accordance with Colorado law. The following Directors were present:

### BOARD MEMBERS:

- Bobby Thomas, President
- Robert Faiks, Vice President
- Nancy Carson, Secretary
- Bob Wessels, Treasurer
- Lee Jennings, Director

### PUBLIC ATTENDANCE:

- Sue Blair, and Marcos Pacheco; CRS of Colorado; District Manager
- Jim Newell
- Judith Jennings
- Bob Carson
- Bill Bristol
- Linda Sterns
- Linda Davis
- Greg Root
- Susan Root
- Carol Swomley
- Bob Raguso
- Donna Thomas
- Joe Oed
- Ken Kaul
- Tami Miller
- Jo Wessels
- Gloria Steinmetz
- Cindy Groy
- Terry Smith
- Jan Smith
- Linda Rohlman
- Jim Wilson
- David Marker

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- Nora Ruppert
- Irene Weigel

## CALL TO ORDER DISCLOSURE OF CONFLICTS OF INTEREST

The meeting was called to order by Director Thomas at 6:30 p.m. There were no potential conflicts that were disclosed.

## AGENDA APPROVAL

Director Faiks moved to approve the agenda as amended. Upon a second by Director Thomas, a vote was taken and the motion carried unanimously.

## INITIAL PUBLIC COMMENT

Greg Root was looking for clarification on parking violations and who was responsible for issuing violations. Director Thomas noted that the Board of Directors was responsible for issuing such.

Kay Jackson expressed her concern with the options for potentially increasing the mill levy and voiced her concern that the mill levy will only continue to increase. Director Jennings informed the public that the mill levy options will be discussed later in the meeting.

Susan Root noted that if the website is going to be used as a means of communication then it should be properly updated on a timely basis. She also complimented the new Communications Task Force for the impressive work they have completed

Linda Davis asked if the Board could tell her who had ownership of the street lights and what responsibility the District had for them. She also asked if the Metro District would like to add any information to the neighborhood and welcome packet. She also noted that there is broken concrete at the building located at 11963 W. Long Circle, she would like the Metro District to consider having it removed.

Jim Newell addressed a swale concern he has that is causing water to gather and freeze. He believes the storm drain is placed on the wrong side of the street and would like for the District to consider evaluating this area.

Ardriith Philips was not present, but sent an e-mail voicing her support for the proposed swale fix by the District

## FINANCIALS

The Board ratified the claims represented by check nos. 2366 – 2402, totaling \$64,820.13. Director Carson moved that the Board approve as presented. Upon second by Director Thomas, vote was taken and motion carried unanimously.

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The Board reviewed the current claims represented by check nos. 2403 – 2417, totaling \$20,124.07. Director Jennings moved that the Board approve as presented. Upon second by Director Thomas, vote was taken and motion carried unanimously.

Director Thomas requested CRS to obtain an inventory list from the insurance agent and provide at the next meeting for review.

Finance Committee Report/Executive Summary – Director Wessels presented the Executive Summary as provided by the Finance Committee.

Public Hearing-Adoption of the 2019 Budget – Ms. Blair reported that the proper publication had been made to allow the Board to conduct the public hearing to adopt the 2019 budget. Director Thomas moved to open a public hearing regarding the adoption of the 2019 budget. Upon second by Director Carson, a vote was taken and the motion carried unanimously. Ms. Blair reviewed the budget with the Board in detail and public comment was received. Director Faiks moved to close the public hearing. Upon second by Director Carson, a vote was taken and the motion carried unanimously.

Director Jennings moved that the Board approve Option B for the Mill Levy that would set the General Fund Mill Levy at 60.700 and the Debt Service Fund Mill Levy at 14.300, totaling 75.000 mills. Upon a second by Director Wessels, a vote was taken and the motion did not pass. Directors Thomas, Faiks, and Carson voted no.

Director Thomas moved that the Board set the Mill Levy at 11.800 for the Debt Service Fund and 58.200 for the General Fund. Upon second by Director Carson, a vote was taken and the motion carried with a majority vote with Directors Jennings and Wessels voting no.

Director Wessels moved that the Board adopt the budget as presented. Upon second by Director Thomas, vote was taken and motion carried unanimously.

2018 Audit Engagement Letter – Director Jennings moved that the Board approve the 2019 Audit Engagement letter as presented. Upon second by Director Thomas, vote was taken and motion carried unanimously.

### COMMITTEE REPORTS

Engineering Committee - Director Wessels reviewed the enclosed proposals and recommended that the Board accept the proposal from

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L.T. Environmental, Inc. The proposal would cover swale designs for 60 homes; the estimated cost to the District would \$10,942.00. The company will do bid reviews as requested. Director Faiks voiced that the issues presented were caused by the developer and not the District and proposes homeowners should be responsible. After discussion, Director Wessels moved that the Board approve the L.T. Environmental, Inc., proposal in an amount not to exceed \$11K for design study only. Upon second by Director Jennings, a vote was taken and the motion passed by a majority vote with Director Faiks voting no. Director Wessels moved that \$39,000 be designated as a placeholder for curb and gutter construction. Upon second by Director Jennings, vote was taken and motion carried, with Directors Faiks and Carson voting against the motion.

Pool Committee – Director Faiks discussed access issues with the pool and different ideas for fixing this. Ideas were discussed amongst the Board for either re-keying the pool or somehow identifying which key belongs to which resident. This will be discussed further at future Board meetings. Ms. Blair also reported that Perfect Pools will be performing the remodel of the spa area.

Communications Committee - Dancing Willows United is no longer part of the committee. The Communication Committee needs to address surveys, cost and the integrity of the e-mail system. Director Wessels noted that the committee will be used as a means of sending surveys to the community for input on various items. He will report back with more information.

### DIRECTOR'S ITEMS

2019 Annual Administrative Resolution – Ms. Blair presented the 2019 Annual Administrative Resolution to the Board for consideration. Director Jennings motioned that the Officer Positions of the Board remain the same. Upon second by Director Wessels, a vote was taken and the motion did not pass. Directors Thomas, Carson, and Faiks voted no.

- Director Faiks moved that Director Thomas remain the President of the Board. Upon second by Director Carson, a vote was taken and the motion carried unanimously.
- Director Thomas moved that Director Faiks remain the Vice President of the Board. Upon second by Director Jennings, a vote was taken and the motion carried unanimously.
- Director Jennings moved that Director Wessels remain the Treasurer of the Board. Upon second by Director Wessels, a vote was taken and the motion did not pass. Directors Thomas, Carson, and Faiks voted no.
- Director Faiks moved that Director Carson be appointed to the position of Treasurer of the Board. Upon second by Director

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Thomas, a vote was taken and the motion carried unanimously with a majority vote. Director's Jennings and Wessels voted no.

- Director Faiks moved that Director Jennings be appointed to the position of Secretary of the Board. Upon second by Director Carson, a vote was taken and the motion carried unanimously.
- Director Faiks moved that Director Wessels be appointed to the position of Director. Upon second by Director Thomas, a vote was taken and the motion carried by a majority vote with Directors Jennings and Wessels voting no.

Director Carson moved that the Board adopt the 2019 Administrative Resolution as amended. Upon second by Director Thomas, a vote was taken and the motion carried by a majority vote with Directors Jennings and Wessels voting no.

Security Central Fire Monitoring Proposal – Ms. Blair presented the proposal to the Board. After discussion, the Board decided not to move forward with a new monitoring company in an effort to save the District money.

Revised Clubhouse Rental Agreement – Director Carson presented the Board with a revised rental agreement. After discussion of the details, Director Faiks moved that the Board approve the revised clubhouse rental agreement as amended. Upon second by Director Thomas, a vote was taken and the motion carried unanimously.

Icenogle, Seaver, and Pogue Proposal – Ms. Blair presented the proposal from Tamara Seaver of Icenogle, Seaver, and Pogue Law Firm for a legal opinion. After discussion, the Board decided not to move forward.

### MANAGER'S REPORT

Review and Approve Past Minutes – Director Thomas moved that the Board approve the minutes of the August 30, 2018 and October 2, 2018 Special Meetings with the only revision being that the spelling of Susan Roots name was misspelled in the October 2, 2018 minutes and needed to be changed from 'Roof' to 'Root'. Upon second by Director Carson, a vote was taken and the motion to approve the minutes as amended carried by a majority vote. Director Jennings abstained from the vote.

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## ADJOURNMENT

There being no further business to come before the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 10:12 p.m.

Respectfully submitted,



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Secretary for the Meeting