



VENTANA METROPOLITAN DISTRICT

Regular Board Meeting

Via video and telephone conference

Wednesday, March 10, 2021 – 10:00 a.m.

Brian Bahr, President - Term to May 2022
Bruce Peele, Secretary/ Treasurer - Term May 2022
Richard Vorwaller - Term to May 2022
Patrick Jarrett - Term to May 2023
Jennifer Herzberg - Term to May 2023

MINUTES

1. Call to Order: Director Peele called the meeting to order at 10:03 A.M.
2. Declaration of Quorum/Director Qualifications/ Disclosure Matters: Ms. Hardekopf confirmed a quorum. All disclosures were properly filed with the Department of Local Affairs, State of Colorado by Mr. Susemihl. Director Herzberg was excused late for this meeting.

Directors in attendance were:

Patrick Jarrett
Bruce Peele
Richard Vorwaller
Brian Bahr
Jennifer Herzberg

Also in attendance were:

Rebecca Hardekopf, Walker Schooler District Managers
Kevin Walker, Walker Schooler District Managers
Riley Walker, Walker Schooler District Managers
Pete Susemihl, Susemihl, McDermott & Downie, P.C.
Members of the Public

3. Approval of Agenda: Director Vorwaller moved to approve the Agenda as presented; seconded by Director Jarrett. Motion passed unanimously.
4. Regular Business Items:

- a. Approval of Board Meeting Minutes from the February 10, 2021 Meeting
- b. Approval of Payables for the Period ending March 3, 2021

• General Fund –	\$	27,259.89
• Bond Fund –	\$	-
• TOTAL –	\$	27,259.89

Acceptance of Unaudited Financial Statements as of February 28, 2021 and the schedule of cash position updated as of February 28, 2021

President Bahr moved to approve the Regular Business Items as presented; seconded by Director Herzberg. Motion passed unanimously.

5. Market Update/Construction/Operations: Director Jarrett reported there are no active operations within Ventana. Ventana South passed the Planning Commission last week and they will go before City Council in April.

6. District Management Matters

- a. Manager's Report with COVID-19 updates: Ms. Hardekopf presented the District Management Report. The newsletter was distributed for March and there have been no complaints. A comment was submitted regarding dirt bikes riding on the trails in the park, and a request to add signage along the trail that says, "no motorized vehicles allowed". The Board suggested reaching out to the City of Fountain Code Enforcement. Ms. Hardekopf discussed the Rec Center and noted they are interviewing candidates for the aquatic facility manager position. The Rec Center capacity remains at 50% which is 9 people at a time.

Mr. Riley Walker discussed the proposals for the pool mechanical room repairs and noted he is still waiting for the proposal from the company that was contracted to open and manage the pool. The proposal from Front Range is \$1,137 for repairs to the pool mechanical room. The Board would like to see the second proposal for comparison.

Ms. Hardekopf discussed VCC matters and noted she received a letter of interest for the open Board position. 17 violations were issued as of today with 4 of them remain open and receiving fines. Ms. Hardekopf reported that she continues to work on the price list of capital improvements.

- b. Food Trucks – February Schedule: No food trucks are scheduled.
- c. Billing: Director Herzberg suggested communicating with the residents about the auto-pay option. Ms. Hardekopf will get a note added to the newsletter, billing statements, and website.
 - January 6, 2021 bills were sent for 1st QRT
 - 379 Residences as of 3/3/2021
 - 15 liens filed.
 - 134 Reminder Letters sent on 2/3/2021
 - 49 Collection Letters sent on 3/2/2021

7. Legal Matters: Mr. Susemihl reported he is working on the bond issue that will be discussed later in the meeting.

8. Financial Matters:

- a. Bond issuance update: Mr. Kevin Walker reported they received comments back on the Service Plan Amendment from the City of Fountain a month late. He has been working with Mr. Susemihl and bond counsel to respond back to the

comments. The comments are related to the City's belief that the District is not allowed to increase the mill levy to reflect changes in the assessed valuation based on the Gallagher Amendment. Bond Counsel, Mr. Susemihl and others who have reviewed the document seem to believe the City's position is not supportable. Mr. Walker noted they have gone back to the City and explained the language in the Service Plan has been the same since the beginning and requested clarification on their reasoning that the District is not allowed to do that. Secondly, the City commented that they would like to cap the fees, but the District is obligated to maintain the property and is not able to raise enough tax money in operations and maintenance to maintain what they have approved. The District will request the flexibility to raise fees in the future if needed to maintain the property. Mr. Walker confirmed they are moving forward on the bond issuance and it is important to complete the issuance soon due to the low interest rate. The current interest rate on the debt is 8% so it would be optimal to refinance the current debt at the lower rate offered which is lower than 3%. Mr. Walker plans to start the bond process and work through the issues with the City simultaneously.

Mr. Walker discussed the Rezoning Hearing for Ventana South. A concept sketch was done by Challenger Homes on the expansion of facilities at the Rec Center. It includes a splash pad that would be added on the south side of the pool. The City will review the development plan based on the concept sketch. They are still working on the time frame and do not have a schedule yet. Mr. Walker noted they are also working closely with the developer on pocket parks and trails that are being planned within the District. Director Herzberg commented that the phase 1 trails seem to be an issue with some of the residents and requested clarification. She also asked if the Board will be managing Ventana South, and if the Board will be working with the HOA for the patio homes. Mr. Walker explained the Board will not manage the HOA. It will be a separate association that manages the private street in the South Ventana area. The Board will be managing Ventana South as it relates to District facilities and they will pay taxes into the District. Mr. Walker explained the issue around the trails and noted the trail system has changed and expanded as the filings have gone forward. The trail that has caused some issues has not been developed yet and is planned for Ventana South. The developer is responsible for building the trails and then turns them over to the District for maintenance. Mr. Walker noted the confusion and frustration is partly due to marketing plans that showed the trails as completed but they were contingent upon the future development of Ventana South. Director Herzberg suggested communicating with the residents and clarifying so that they understand.

9. Public Comment: Ms. Hardekopf opened the meeting for public comment. Mr. Farrar asked when the trails were taken off the development plans for filing 1 and moved to Ventana South filing. Director Jarrett explained the trails are included in the timing of development for the area south of the fence line. The trail is outside the fence line of Ventana as it exists today and due to the surrounding construction and grading of Ventana South the trail was going to be constructed with that development.

Mrs. Miller asked when residents can be a part of the Board. Ms. Hardekopf explained the next election will be in May 2022.

Mr. Laurencielle requested an update on installing a light by the mailboxes in Filing 6. Ms. Hardekopf explained that item is on the list of capital improvements that she is working to get proposals on.

Mr. Farrar asked about painting the fire hydrants and who is responsible for doing it. Mr. Walker explained the fire hydrants are owned by the City of Fountain and managed jointly by the fire department and water department. The District does not have authority to paint them. Mr. Walker said he will follow up with the water department and encouraged Mr. Farrar to contact them if he would like as well.

Mrs. Miller asked when the pool is scheduled to open and will the District be better prepared for scheduling options. Ms. Hardekopf explained the pool will be open on Memorial Day and closes on Labor Day. Due to COVID, outdoor pools are at 50% capacity so they will be offering an online reservation system.

Mr. Nelson asked how the mill levy was increased without a vote. Mr. Walker explained the Board has the authority and responsibility to establish the mill levy each year and the increase was a Gallagher adjustment. Mr. Walker explained the language in the State statute says if there is an adjustment in the assessed valuation that is controlled by the State and the Board is allowed to increase the mill levy passed the cap by that exact percentage. Mr. Nelson asked if Ventana South is a separate metro district. Mr. Walker explained the property is currently in the existing District and pays taxes within the District and will be a combined operation. Mr. Nelson stated on the ODP1 it said the trail would be completed upon completion of filing 1. The next thing it said was it would be completed before filing 4 and 5 were continued. He expressed concerns with it not being included and now possibly reducing in size. Mr. Walker explained that is a development plan issue that the developer and City are working on. The District has not been asked to comment on the design, location, or timing of the trails. Director Jarrett noted the concept from the original has not changed but he will review the most recent concept to confirm there are no changes to the access to the perimeter trail. Mr. Nelson asked Mr. Walker if they will be getting a new bid for landscaping. Mr. Walker confirmed they are not changing the landscaping this year until they can get the park back in shape since the current company completed the analysis on the dying grass. The District will get bids next year.

10. Other Business: Next Regular Meeting Date – 10:00 AM on April 14, 2021. The Board confirmed the next meeting date.

11. Adjournment: Director Vorwaller moved to adjourn the meeting at 10:42 a.m.; seconded by Director Peele. Motion passed unanimously.

Respectfully submitted,

By: _____
Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL MARCH 10, 2021 MINUTES
OF THE VENTANA METROPOLITAN DISTRICT BY THE BOARD OF DIRECTORS
SIGNING BELOW:

Brian Bahr, President

Bruce Peele, Secretary/ Treasurer

Rich Vorwaller, Director

Patrick Jarrett, Director

Jennifer Herzberg, Director