



VENTANA METROPOLITAN DISTRICT

Regular Board Meeting
11007 Hidden Prairie Parkway
Fountain, CO 80817

and via virtually: <https://meet.goto.com/622480501>

Monday, July 8, 2022 – 6:00 p.m.

Eric Farrar, President - Term to May 2025
Christina Sparks, Vice President - Term to May 2025
Michael Laurencelle, Treasurer - Term to May 2025
Patrick Jarrett, Assistant Secretary - Term to May 2023
Jennifer Herzberg, Assistant Secretary - Term to May 2023

MINUTES

1. Call to Order: President Farrar called the meeting to order at 6:00 PM.
2. Declaration of Quorum/Director Qualifications/ Disclosure Matters: President Farrar confirmed a quorum was present with all Directors in attendance. All disclosures were properly filed with the Department of Local Affairs, State of Colorado by Mr. Susemihl.

Directors in attendance were:

Eric Farrar
Christina Sparks
Michael Laurencelle
Patrick Jarrett
Jennifer Herzberg

Also in attendance were:

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

3. Approval of Agenda: Ms. Hardekopf requested the Board add item under 8.g. for discussion on an architectural submission received and VCC discussion for the next fiscal year. Director Herzberg moved to approve the Agenda as amended; seconded by Director Sparks. Motion passed unanimously.
4. Regular Business Items
 - a. Approval of Board Meeting Minutes from the June 8, 2022 Meeting: Director Herzberg moved to approve the June 8, 2022 Meeting Minutes; seconded by Director Sparks. Motion passed unanimously.
 - b. Approval of Payables for the Period ending July 18, 2022: Director Herzberg moved to approve the Payables for the period ending July 18, 2022; seconded by Director Sparks. Motion passed unanimously.

i. General Fund –	\$ 39,568.44
ii. Bond Fund –	\$ _____
iii. TOTAL –	\$ 39,568.44

- c. Acceptance of Unaudited Financial Statements as of June 30, 2022, and the schedule of cash position updated as of June 30, 2022: Ms. Hardekopf noted they are now sending the monthly newsletter electronically which will save money on postage costs and the Great Room rentals are very successful with it booked every weekend. After review, Director Herzberg moved to approve the Unaudited Financial Statements as of June 30, 2022 and schedule of cash position updated as of June 30, 2022; seconded by Director Sparks. Motion passed unanimously.
5. Market Update/Construction/Operations: Director Jarrett reported that construction and sales market has slowed down in the last 6 weeks, but they are still seeing interest and good activity for Ventana especially for this time of year. 35 homes have pulled permits so far this year, and 61 in Filing 1 of Ventana South. Director Jarrett discussed development and turnover and reported that Challenger has completed the mowing in Filings 6 and anticipate replacement of the dead trees in the parking area in the next couple of weeks. They are still working with the City on splash pad approval, the City of Fountain is reluctant due to the City's lack of water. The Board discussed exploring alternative options if the splash pad is not approved and lack of utilization of the current splash pad. Director Jarrett noted that Challenger is planning on hosting a community BBQ event in August with more details to come.
6. Legal Matters
- a. Service Plan Amendment Update: Mr. Walker discussed the Service Plan Amendment and requested the Board authorize him to submit the Service Plan Amendment officially and schedule a date for review by the City. Director Herzberg moved to authorize the Board President to submit a letter to the City applying for a Service Plan Amendment as presented; seconded by Director Sparks. Motion passed unanimously.
- b. Bond Discussion and Update: Mr. Thomas with DA Davidson introduced himself and explained they are an investment bank that work with special districts across the state to provide financial solutions for those districts including the sale of bonds. The District currently has several bond anticipation notes that have been issued over different years. The short-term notes were issued with the anticipation that bonds would be issued someday to refund the obligations and pay for improvements that have been made in the District. The District could now refinance those short-term notes into a single or two series of bonds that would provide a fixed interest rate and provide a path to pay off the amount that is due based on the improvements that have been made within the District. Next steps after the Service Plan Amendment are work on finalizing the offering document and getting the rating from the rating agencies to sell the bond to the investors. The bond market in general has experienced an increase in interest rates so the desire is to sell bonds and lock in the rates that we can get today before they go higher.
- c. Ratify the Approval of Zone Split for Recreation Center Irrigation: Ms. Hardekopf explained the zone split for the Recreation Center irrigation. Director Herzberg moved to ratify the approval of the zone split for Recreation Center irrigation; seconded by Director Sparks. Motion passed unanimously.

7. Financial Matters

- a. Update on Pool Grant Acceptance: Ms. Hardekopf reported the District received a Pool Grant in the amount of \$8,500.
- b. Review and Consider Acceptance of Trash Service Proposals: Ms. Hardekopf presented three proposals for weekly trash and recycling services. HBS Trash was the lowest proposal at \$16.85 per month and includes a free dumpster for the Rec Center. She noted before the increase in fees could go in effect, they would need to advertise and publish the increase and adopt a Resolution. After review, Director Herzberg moved to accept HBS Trash service proposal contingent upon proper notice; seconded by Director Sparks. Motion passed unanimously.
- c. Review and Consider Acceptance of Tree Replacement or Removal Proposal: Ms. Hardekopf explained the proposal is to remove and replace the dead trees within the entire community. She noted the cost is \$52,000 and if approved, would be budgeted for up coming years. The Board discussed choosing trees with consideration for water conservation and removing the dead trees to prevent fire hazards. After review and discussion, Director Herzberg moved to approve the cut down of dead trees for \$3,325 and if required approve the additional \$5,655 for the stump grinding and removal. Director Laurencelle noted he had trees cut down at the ground level that did not require stump grinding. Director Sparks asked about watering of the dead trees. Ms. Hardekopf will find out more information. The motion was seconded by Director Sparks. Motion passed unanimously.
- d. Milly Levy Refund Status Update: Ms. Hardekopf reported that the mill levy refund credits on bills have gone out for the third quarter dues. Director Herzberg confirmed she saw the credit on her bill.
- e. Review Resident Request for Fee Waiver at 10908 Hidden Prairie Parkway: Ms. Hardekopf explained the property has a lien on it and has been receiving weed violations for three years and dues have not been paid since 2019. The homeowner requested all of the violations be waived. Ms. Hardekopf noted the policy is usually to waive violations if the issue has been resolved, but the homeowner stated they would be unable to resolve the weed. The homeowner requested a payment plan for the unpaid dues but informed Ms. Hardekopf that they are unable to afford the plan requirements of \$100 per month plus current dues. The homeowner requested to pay only \$50 per month. The Board discussed ways to get the weed violations resolved such as a charitable organization and local low-cost options for lawncare. The Board agreed to table this item until the next meeting to allow time to discuss with legal counsel. Ms. Hardekopf will follow up with the homeowner to determine if there is a plan for ongoing maintenance of the weeds and next month the Board can meet with legal counsel to discuss unpaid dues.

8. District Management Matters & Report

- a. Review Managers Update & Report: Ms. Hardekopf presented the monthly Manager's Report. Ms. Hardekopf discussed a request from Mr. Whatley for a small shed to store pool chemicals and a flammables cabinet for gas. The Board requested a size estimate for the shed and specifics on flammables that need special storage. The Board discussed pool chairs that need to be replaced and Ms. Hardekopf recommended waiting until next year to consider this.

- b. Review Guest Policy Reminder: Ms. Hardekopf clarified that the guest policy is \$5 per person and there are no free guests. She noted this policy has been in place prior to 2020. The guest policy was included in the July Newsletter. Director Herzberg suggested a community survey to get feedback on the guest policy and see if residents feel strongly about the possibility of two free guests. Ms. Hardekopf noted the policy also states that more than 4 guests per household constitutes a party and requires a Great Room rental agreement. The Board discussed a clarification to the rules that vaping is prohibited as well as smoking. Ms. Hardekopf will distribute a community survey regarding the guest policy.
 - c. Review Social Media Communication Reminder: Ms. Hardekopf clarified that the Ventana Metropolitan District has its own Facebook page separate from the Ventana residents' Facebook page. Director Herzberg requested questions be asked on the District's Facebook page instead of the residents' Facebook. Ms. Hardekopf discussed possible community events at the pool including a kid night, adult night, and movie night. She is reaching out to insurance on risk or liability. The Board discussed allowing Mr. Whatley to be involved in community events and creating an events budget and a committee.
 - d. Review City of Fountain Conversation around Filing 6 Landscape: Ms. Hardekopf reported the City of Fountain is interested in an IGA agreement with the District to maintain the tract to the trail line and the City will maintain from the trail to the open space. The Board discussed the weeds on the trail at the southside of the development.
 - e. Review City of Fountain Conversation around Parks and Recreation: Ms. Hardekopf reported that the City of Fountain is interested in utilizing the park and open space for Parks and Recreation and hosting community sports. The City will be reaching out with more information.
 - f. Review Comcast Account Information: Ms. Hardekopf reported the phone lines can be removed from the Comcast account. She suggested removing the main room cable box but leaving the one in the fitness area. The bill will be cut in half with these changes.
 - g. VCC Update: Ms. Hardekopf discussed VCC matters including violations and architectural submissions. Ms. Hardekopf presented an architectural submission request for a swinging bench in the front yard for Board consideration. The Board requested additional information on liability and details of the structure and location. President Farrar discussed the VCC Board and suggested having the Board members take over the responsibility of violations and covenant enforcement. Ms. Hardekopf discussed management of the additional responsibilities of violations including letters and documentation and answering phone calls from residents regarding violations. The Board agreed to continue this discussion.
9. Public Comment: Ms. Hardekopf opened the meeting for public comment.

Ms. Bradshaw asked about aggressive Vivint sales representatives. Ms. Hardekopf noted the District is unable to restrict soliciting in the community because they are not an HOA or private gated community. She confirmed the District is unable to post No Soliciting signs at the entrance to the community. Residents will need to address this directly with the City of Fountain. Ms. Hardekopf suggested contacting the company's corporate office to report issues as well.

Ms. Miller asked about the guest policy and expressed concerns with the Great Room rental agreement and security deposit for more than 4 guests. She proposed removing that policy and just restricting the number of guests to 4 with no rental agreement possibility. Ms. Hardekopf noted that people who utilize the Great Room rental agreement want to use the pool as well. Ms. Miller commented that she thinks the guest policy survey is an excellent idea. Ms. Miller asked why the Rec Center employees don't use the desk and use the mechanical room instead. Ms. Hardekopf explained the computer system and camera system is in the mechanical room and there have been discussions to remove the desk. She commented that she would like their presence known. Ms. Miller asked who determines that the pool is going to close due to a storm or chemical imbalance. Ms. Hardekopf explained that it is typically the facility manager, Mr. Whatley. She noted the pool closes when lightning strikes are visible. The Board discussed determining what the pool certification states regarding pool closures and lightning distance. Ms. Miller asked about chemical imbalances and requested clarification on why the pool and hot tub is being closed. Ms. Hardekopf explained when test results come back and currently the chlorine levels are coming back as imbalanced. With appropriate action and chemical correction, the pool and hot tub should be able to be reopened, 30 minutes for hot tub and up to 2 hours for the pool. She explained that the pool should not be closed for the whole day unless the chemicals are unavailable to make the correction or mechanical failures. Ms. Miller asked about the dolphin being used when residents are swimming. Ms. Hardekopf explained it is not harmful, but the procedure is to be used at night. Ms. Miller asked why the pool covers are not being used. Ms. Hardekopf explained the pool covers are to be used every night and she will address this and the dolphin with the employees.

Ms. Farrar asked about a Ventana community only, accessed by key fob and shot records required, dog run area where dogs can be off leash. Ms. Hardekopf noted that it would have to be open to the public but could possibly be done with a membership like the Rec Center. Ms. Hardekopf will discuss requirements with legal counsel, Pete Susemihl. Ms. Hardekopf noted she recently installed a dog park in another district and the cost was around \$16,000. The Board requested to add this item to the community survey to gain feedback on interest.

Ms. Elizabeth suggested picnic tables near the Rec Center to accommodate when the food trucks come and also for visitors at the pool and other events. The Board agreed to consider this item and further research. Ms. Elizabeth requested a clock at the pool. Ms. Hardekopf is working on a durable option to replace the previous clocks that have broken.

10. Other Business:

- a. Meeting Dates and Times: There was no discussion needed.
- b. Next Regular Meeting Date: The next meeting is scheduled for August 15, 2022 at 6:00 PM.

11. Adjourn: Director Herzberg moved to adjourn at 8:31 PM; seconded by Director Sparks. Motion passed unanimously.

Respectfully submitted,

By: Rebecca Hardkopf
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Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL JULY 18, 2022, MINUTES OF THE VENTANA METROPOLITAN DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

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Eric Farrar, President

DocuSigned by:
Christina Sparks

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Christina Sparks, Vice President

DocuSigned by:
Mike Laurencell

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Michael Laurencelle, Treasurer

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Patrick Jarrett

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Patrick Jarrett, Assistant Secretary

DocuSigned by:
Jennifer Herzberg

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Jennifer Herzberg, Assistant Secretary