

VENTANA METROPOLITAN DISTRICT

**Regular Board Meeting
11007 Hidden Prairie Pkwy.
Fountain, CO 80817**

Wednesday, May 16, 2018 – 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 2020
Amanda Michaelis- Term to May 2020**

MINUTES

1. **Call to order – The meeting was called to order at 10:04 A.M., noted that this is a continuation of last week's meeting. President Bahr is excused.**
2. **Declaration of Quorum/Director Qualifications/ Disclosure Matters - A quorum was present. All disclosures were properly filed with the Department of Local Affairs, State of Colorado. Mr. Walker will get a Disclosure Notice to Mrs. Ingraham.**

In attendance were:

**Mr. Bruce Peele, Secretary/ Treasurer
Mr. Richard Vorwaller, Director
Mr. Patrick Jarrett, Director
Mrs. Amanda Ingraham, Director
Mr. Peter Susemihl, Legal Counsel
Mr. Kevin Walker, Walker Schooler District Managers
Ms. Rebecca Hardekopf, Walker Schooler District Managers
Mrs. Kristina Kulick, Walker Schooler District Managers**

3. **Approval of Agenda- Director Vorwaller made a motion to approve the agenda; motion seconded by Director Peele. Motion passed unanimously.**
4. **Consent Agenda Items**
 - a. **Approval of Board Meeting Minutes from the February 14, 2018 Meeting**
 - b. **Approval of Payables for the Period ending April 11, 2018**
 - c. **Acceptance of Unaudited Financial Statements as of April 10, 2018 and the schedule of cash position updated as of April 10, 2018**

5. Market Update/Construction/Operations - Director Jarrett updated the Board and stated there have been a lot of sales and permits being pulled. Mr. Walker confirmed a referral for Filings 4,5 and 6 from the City of Fountain.

6. District Management Matters

- a. Manager's Report

- Pool - Director Peele said the pool is almost finished and the plaster will be done this week and it will be filled Friday. Director Vorwaller said the pool landscape is done and looks good. The rules and regulations were distributed for the pool and discussion about how they would be displayed. Mr. Walker asked about the status of the pool operations room. Director Peele said the equipment has been set up for a week or so. Mr. Walker stated he is looking for a maintenance company and there is a backup option for maintenance for at least the first few weeks. Director Ingraham asked about who does the YMCA nearby. Mr. Walker said they are very expensive but could be an option as a last resort. Director Ingraham suggested opening the pool on Saturday of Memorial Day weekend at 6 A.M. The Board agreed.

Mr. Walker discussed security and said that a private security officer will close at 10 P.M. and open at 6 A.M. The cameras will be turned on and monitored 24/7 with an intercom. Director Peele asked if it was costly. Mr. Walker said it is a \$150/week and it is wireless, so no capital expenditure on the camera. Mr. Walker thought we would try it out this year but can cancel anytime and it is within budget. This system saves someone from having to do random drive byes. Director Ingraham said a homeowner requested 24-hour access to the pool. Mr. Walker said it should not be allowed because of the noise and neighbors. Mr. Walker let the Board know he will hire someone for the summer for at least 3 days a week, 2 hours a day to run errands and answer questions or pick up key fobs. He said that someone will be here at 6 A.M. Saturday morning for the pool opening to make sure everything is good. Director Vorwaller suggested testing everything on Friday.

- Rec Center - Mr. Walker asked about the status of the rec center with pool room, dog wash and kid zone. The Board reported that there had been no recent discussion of these changes and that the developer should provide some guidance on this soon. Discussion about the marketing information including the kids zone, pool room and a dog wash. Director Peele discussed the difficulty of making the improvements at this point in the construction is a challenge and he doesn't think they are ready to decide on that today. Director Ingraham explained she was told these amenities would be there when they were buying the house and that she had counted on. She has heard from neighbors that they are buying because of these amenities and she thinks it is important. Director Peele thinks it is important to discuss the costs of these amenities and monthly costs of insurance for kid zone. He also discussed that the dog wash would have to be structurally added to the building on the outside so he doesn't think it's

a good idea, but it is not his decision ultimately. Director Ingraham understands that, but people are still buying and have bought because of these amenities. Director Ingraham added that billboards are still advertising the amenities. Director Peele stated that things change due to design and the cost to maintain and operate is a big thing. Director Jarrett said there is a developer issue, not the Metro District, since homeowner's expectations have been set. He discussed bringing it to the developer and getting an action plan since focus has been on the pool, but it should be decided what is going to happen.

- Unneeded tract replat and turnover - Mr. Walker has spoken with the City regarding the \$750 re-platting fee. He said could give an easement but cannot legally transfer property without the replat. Director Jarrett asked if the owners are still wanting to pursue. Mr. Walker said he believes so. Director Ingraham said she spoke with and knows they are. Mr. Walker will pursue this effort.

- b. Recreation Center operation update -The Board discussed scheduling regular maintenance on the machines. The Recreation Center has been rented out 4 times already and there have been no incidents. The Recreation Center is booked almost every weekend. Director Peele asked about rules. Mr. Walker said they have a contract with the renters about cleanup and rules. Mr. Walker said there was a roof leak but it has been fixed and roof has been repaired, but the paint is a different shade of color on the ceiling. Regarding Rules and Regulations, signs were made but the Manager will continue to monitor what is needed.

- c. Landscape maintenance status and review – Mr. Walker said irrigation is going and a few leaks were fixed but nothing major, and the contractor is still doing the park maintenance. Mr. Walker discussed some areas where the curbside rock is taken care of and some spots where it is not. It is the homeowner's responsibility to take care of that, but some don't know so he will send a letter to them to remind them of that as well as weeds and dead grass. Director Ingraham suggested a monthly or weekly yard of the week. She discussed asking someone from the Board to choose the yard of the week and help judge. Mr. Walker said that could happen and we could possibly have Brandon in the Sales Home do it. Mr. Walker said that last year there was a little trouble getting landscape started up, but so far this year it is good.

- d. Park Turnover – The Board discussed that the park will be taken over next year. This growing season is responsibility of contractor, but the District has ownership responsibilities. On the issue with the camper, City of Fountain had him move it from the park, so now it is parked in front of his house. The owner of the camper wanted to know who is responsible for the Park rules, Mr. Walker explained that it is the District. Mr. Walker will see meet with this homeowner

- Park rules and regulations – Ms. Hardekopf let the Board know that the Rules are posted and they mirror the City of Fountain's rules. The Rules didn't have to be published, but now they are. Director Ingraham asked if someone called ahead

about a camper issue and asked about storage on the street would we let them. Mr. Walker said we would work with people and be flexible and logical on these issues. Director Jarrett asked if the owner was refusing to move the camper. Mr. Walker replied yes. Director Ingraham suggested there are storage places nearby. Mr. Walker said others have been able to move their campers and boats with no problem when the letter was sent. Director Peele suggested being more forceful and enforce so it doesn't get worse. Ms. Hardekopf asked if she should move forward with getting the camper removed now since it has been there 3 weeks. Director Vorwaller said 3 weeks is a long time and sends a message to other neighbors. Director Jarrett suggested giving him a deadline of a week to have it moved by sending another notice. Director Ingraham asked to be given a heads up before the notice is sent. She asked what the law is on parking in front of the house. Mr. Walker replied it cannot be parked for more than 72 hours. Director Ingraham confirmed an RV is not allowed according to the Covenants. Mr. Walker confirmed this. Director Peele asked about basketball nets and said he has seen some down on the ground. Director Ingraham thinks some people put them down due to high winds, but down in the road is not acceptable.

- e. CCR's operations and status of nonprofit structure – Mr. Walker said this is set up. Mr. Susemihl said the nonprofit Board has not been formed and Mr. Walker said the Board has approval to do so. Mr. Susemihl said the Board will control it and once it is done the residents can run it. That will get the Covenant issues out of this Board.
- f. Adjust time of meetings – Mr. Walker said having evening meetings once the pool opens has been discussed. He asked the Board their preference and thoughts. Mr. Walker thinks it is helpful to have residents understand the difference between District and Covenants. Director Ingraham suggested having a yearly meeting letting the neighbors know who the district is. Ms. Hardekopf said she has put a letter explaining the difference on the website Mr. Walker will schedule a district meeting next month that is not a board meeting, but members can attend.
- g. Service Plan update – Mr. Walker updated the Board and said the service plan has gotten hung up. The plan in place for district was done in 2005. It doesn't contemplate the rec center. The City would like to solve the Indiana Road crossing with the District responsible for an additional \$800,000. He said the bond issue cannot be solved without resolving the previous defunct developer's payment and it is now approaching \$900,000. Director Jarrett asked if the City had any records. Mr. Walker said the City doesn't know exactly where the money was sent but is researching it. Director Peele asked if prior developer is pressing the claim. Mr. Walker said yes, the developer had an agreement with City to expand Indiana crossing and the developer would pay for it. The developer transferred that agreement to district even though it said it cannot be assigned and he did it anyway. The service plan says district capital responsibilities include that crossing and the City says service plan applies. The City is willing to split the difference with the District.

7. Legal Matters

- a. Election cancellation – Mr. Walker said the election was cancelled. Mr. Susemihl said they will sign.

8. Financial Matters

- a. Bond issue update - Mr. Walker said there is only so much in bonds we can issue given the assessed valuation. Mr. Walker said the first complication if we want to consider this, is the bond issue was intended to pay the loans to Rivers Ventana and that is all the bonds we can issue. Mr. Walker said there is not a lot of progress, but we now know what it costs and where the City stands and that they still want it.

9. Public Comment and Public Sign-In Attendance Sheet (Limited to 3 minutes and only for items not on the agenda)

The Board opened the discussion for public comment. There was no public comment.

Director Ingraham discussed several matters of neighborhood concern. She asked if signs could be placed for the sales center to prevent parking in front of neighbor's homes and near the fire hydrant.

Director Ingraham asked if Mr. Walker could handle the HOA request for a shed. Mr. Walker said he is waiting on the design guidelines. Mr. Walker said he asked him if he could move the shed to another location. Mr. Walker will get back in touch with him. Director Ingraham said there is a walking path off Hidden Prairie that is very steep and if something could be done to fix that. She said neighbors are concerned about going on it with a stroller. Mr. Walker said he will check into that.

Director Ingraham said some homeowners want a squat rack and dead lift in the gym.

Director Ingraham discussed more mulch being needed to be put down by the playground. She knows it is a developer issue but would like someone to ask them to do that.

Director Ingraham asked if the Board was going to replace paper signs that were put on poles. Ms. Hardekopf said it is a work in progress and the paper signs were done quickly and they are working on a permanent solution. For now, the meeting signs will stay.

Director Ingraham requested to send something out if there are future changes to filings and have the homeowners notified.

Director Ingraham asked if anything has been done on the lot on Benecia Dr. that may be parking lot or basketball court. Director Vorwaller said a basketball court may be a problem with noise and kids gathering. Based on an inquiry on the vacant land to the south, Mr. Walker said it is zoned industrial. Director Ingraham asked if it will be rezoned. Mr. Walker said it is owned by Rivers Ventana. The Board said that nothing has been done on it and it remains vacant. Mr. Walker said that if it turns into residential the district is healthier financially, in terms of bond issue. Mr. Walker said it would be better as residential and it could be better for City of Fountain. Director Ingraham said neighbors would prefer it to be residential instead of commercial or industrial.

Director Ingraham asked about the walking path and she wants to know why it has changed. Director Jarrett said it is due to tracking dirt back and forth from construction. Director Ingraham discussed the trash bins and how the Covenants say they cannot be out. Her problem is that there is nowhere to put it other than the garage and she does not want it in there due to the smell. Mr. Walker said the CCR's state that trash must be

inside or fenced in. He added that it is an enforcement thing and nobody has been cited. He suggested putting it close to the house and that could be fine and up to the Board to choose to enforce it. Director Jarrett said that unless it is becoming a huge problem that should be fine. Mr. Walker read the exact language from the Covenants and it says it cannot be visible from neighboring lot or street. Mr. Walker suggested less enforcement, but not to give up the rule completely. Mr. Walker said this issue will be added to the letter.

Director Ingraham asked about a bus stop for the kids. She told the Board that she has spoken to the transportation department. They told her they cannot pull into the neighborhood due to construction zone signs and say they cannot go past the sign. Director Ingraham requests that they move the sign back so the bus can pull in to the parking lot. Director Jarrett said they can move the sign when pool construction is completed and Director Ingraham will contact the transportation department again.

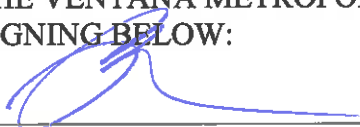
- 10. Other Business:
Next Regular Meeting Date – Scheduled for June 13, 2018 at 10:00 A.M.
- 11. Adjourn
Meeting Adjourned at 11:07 A.M.

Respectfully submitted,
By: _____




Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL MAY 16, 2018 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

Amanda Michaelis, Director

