



VENTANA METROPOLITAN DISTRICT

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

Wednesday, June 13, 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 – President Bahr called the meeting to order at 10:00 a.m.
2. Declaration of Quorum/Director Qualifications/ Disclosure Matters – President Bahr confirmed a quorum was present. President Bahr let the Board know that Director Jarrett was on the way. All disclosures were properly filed with the Department of Local Affairs, State of Colorado.

In attendance were:

Mr. Brian Bahr, President
Mr. Bruce Peele, Secretary/ Treasurer
Mr. Richard Vorwaller, Director
Mr. Patrick Jarrett, Director
Mrs. Amanda Michaelis, 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 moved to approve the Agenda; seconded by Director Peele. Motion passed unanimously.
4. Consent Agenda Items (These items are considered to be routine and will be approved by one motion. There will be no separate discussion of these items unless requested, in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda)
 - a. Approval of Board Meeting Minutes from the May 16, 2018 Meeting (attached)
 - b. Approval of Payables for the Period ending June 13, 2018 (attached)
 - c. Acceptance of Unaudited Financial Statements as of June 13, 2018 and the schedule of cash position updated as of June 13, 2018 (attached)

The Board discussed the Consent Agenda items. President Bahr was concerned with the advances number in reference to Consent Agenda item C. Mr. Walker further explained the details of the changes and updates. President Bahr moved to approve the Consent Agenda items excluding the balance sheet; seconded by Director Vorwaller. Motion passed unanimously. Director Jarrett arrived at 10:02 a.m.

1. Market Update/Construction/Operations – The Board discussed the storm the previous night and the damage to the community center. Mr. Walker said the roof will need to be inspected. Mr. Walker will document the rest of the damage that is found. President Bahr suggested surveying landscape that might have been damaged and needs to be replaced. Director Peele updated the Board on home sites in lots 4 and 5.
2. District Management Matters
 - a. Manager's Report
 - Neighborhood Meeting – Mr. Walker discussed the meeting the previous night with the homeowners. He said that 15 people were in attendance and some of the same people from the meeting last year. There were questions regarding maintenance responsibilities. The park is being maintained by the contractor and everything else by the District. Mr. Walker said he spent time clearing up the confusion on who does what. He said there were some concerns on what the District is doing about the park, weeds and storm drains. There were also questions about the kid zone and pool table, pool heating system, covenant review and how the District is starting to enforce covenants and the relationship between the CC&Rs and the District. Homeowners had questions on the election and why it wasn't advertised more. They requested to advertise more for the next election.
 - b. Recreation Center/Pool Operation Update
 - Boiler Permitting - Waiting on final approval. Director Peele said the heat works and we are just waiting to turn it on. Boilers were rejected due to fire code concerns and that has been repaired. He described the walk through the previous day and a remaining code issue. Director Michaelis asked if it will be functioning in time for the pool party. Director Peele said he believes so.
 - Health Department – Director Peele stated that we are waiting on a second inspection from the Health Department.
 - Security – Mr. Walker said the security system is working well and there have been no incidents. There were cars parked on the side of the community center and security has been helping move the vehicles along. He stated there are no concerns at the moment. Mr. Walker discussed a screen on the fence on Old Pueblo Road to create a barrier, and sense of safety for kids. President Bahr asked for a proposal on that. Mr. Walker said the community center is being rented out and used and there is quarterly maintenance on the equipment. There were complaints last night on the cleaning as well as more lighting needed along the back fence and trash cans out back. President Bahr thinks the requests are reasonable. Director Michaelis had a request for the pool and some kind of shaded

area. Mr. Walker said that will be added to the list of things to get pricing on.

- c. Landscape Maintenance Status and Review – Mr. Walker discussed concern about the level of maintenance at the park. He said the District will eventually take care of it, but weeding is the primary issue as well as a storm drain issue. Director Michaelis said it looks like there is a lake due to the water pooling. Mr. Walker said we have had questions regarding regulations at the park. It is confirmed now that it is a private park, but how does the District enforce that in the interim while waiting for it to be turned over. He asked the Board if we should have private security to enforce or have residents call police if needed. Mr. Susemihl confirmed that although it is not a Fountain city park it is a public park.
- d. Park Turnover
 - Rules and Regulations (signage) - Mr. Walker discussed wanting to consolidate signage eventually.
- e. CCR's Operations
 - Update on Current Violations – Mr. Walker said 10 letters have been sent out for lawn violations. There have been no calls back on the letters, but Ms. Hardekopf saw that some have taken care of their lawn issues when she checked. President Bahr said that typically the house to the curb is the homeowner's responsibility. There has been some confusion and annoyance around that.
 - Status of Nonprofit Structure, CCR's - Mr. Walker and Mr. Susemihl have been working on getting the nonprofit up and running and working on the Covenants. Mr. Susemihl has established the nonprofit and is wanting to have it delivered today, but just now got the design guidelines. Mr. Walker wants to make sure it is done correctly. Mr. Susemihl said we are going to assign Covenant enforcement from the developer to the nonprofit and leave the design review with the developer until the project is built out. There are By-Laws that need to be signed then the Board needs to approve the Resolution. President Bahr asked about how the selection approves Board Directors in the future. Mr. Susemihl said if there is a vacancy the non-profit Board can fill it. President Bahr would rather have the District Board decide who the members of enforcement are. He is concerned that it could become like a dictatorship on the Enforcement Board. He suggested having members be elected by homeowners. President Bahr recommended Director Michaelis, Director Vorwaller and Director Jarrett being on the initial Enforcement Board. He is just concerned how people get appointed in the future and wants to keep it friendly versus a hard-line Enforcement Board. Mr. Susemihl said we could have two of the Directors resign and have the remaining Director appoint residents. President Bahr asked that we change our By-Laws on this enforcement nonprofit so the appointment of that Board is by the District Board who have been appointed. Mr. Susemihl said he will change the resolution accordingly. The Board agrees with President Bahr.

- f. Service Plan Update – Mr. Walker said there are no new updates, but he had a meeting with the City in regards to the Indiana Road Crossing. President Bahr went into detail about the Indiana Road Crossing. He said the City wants the District to pay and President Bahr is concerned that the homeowners will be burdened with that money and obligation. He believes we should fight it since we have already paid on it and doesn't want to contribute more than needed. Director Michaelis confirmed the location is the gravel road that dead-ends. Director Michaelis asked if their mission is to extend the road. President Bahr said yes and that they are trying to limit trucks from the school zone. He said they did receive a federal grant. Mr. Walker confirmed they are authorized for a grant but have never drawn on it. President Bahr thinks it is a community issue and not just Ventana alone. He hopes the residents agree on not spending money for getting approval on additional houses. Mr. Walker said the service plan is hung up until that gets resolved and he will continue to work on it. Mr. Walker told the Board that he will have someone down here by the end of week for a few hours a day to help with community center stuff such as key fobs. He will advertise this on the website. He said there is also an Operator at the pool all the time, but the Operator is not a lifeguard but keeps everything running.

3. Legal Matters - There was no discussion.
4. Financial Matters - Mr. Walker updated the Board and said the District is doing fine and there are no financial matters. President Bahr stated they are working on refinancing bonds, but it is hung up as well on the service plan due to the Indiana Road Crossing.
5. 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.

Christina, a member of the public asked if the Operator can be a lifeguard. Mr. Walker said it could be possible but it would be expensive. She also discussed a pipe at the surface of the road and that she is worried something could get damaged and if it could be checked out. The pipe is located in the middle of the circle, in front of Director Michaelis' house. Christina also discussed damages along the fences and if it is homeowner's responsibility. President Bahr replied all fencing is the owner's responsibility.

Brent Nielson, a member of the public told the Board that several people would like meetings moved to later in the day so more people could attend. He said with later meetings more people could be involved and know more about elections coming up. President Bahr asked Mr. Susemihl if he knew of any Districts that met in the evenings. Mr. Susemihl said he has not seen a relation to time of meeting and amount of attendance and that most meet during the day. Mr. Walker said the majority meet during the day, but some meet at night that are resident controlled. Mr. Nielson stated he doesn't care what other communities do. He said nobody can attend during the day and a lot of people want to be at the meeting. Mr. Nielson said in reference to the Covenants, people are questioning how they are enforced and who enforces them legally. He said we basically

fall under the City of Fountain with no changes to our Covenants. President Bahr responded and said the Covenants are different than the City's rules and can be applied. He added that only certain City rules overrule Covenants such as discrimination and landscaping issues. He said they cannot limit solar panels, and satellite dishes, etc. Covenants do not fall under the City, and the City doesn't enforce the Covenants.

Jessica, a member of the public said her lot backs up to the commercial lot and she is curious who is maintaining the other side of her fence. She wants to know if it will be a walking path and the timeline on that. President Bahr asked Director Jarrett about the mowing of the commercial lot. Jessica said they have not mowed in two months. Director Jarrett will get in contact and have the lot mowed. He added that dirt work and trails should be done by next Spring with intent to be in conjunction with Filings 4 and 5.

Director Michaelis discussed landscaping and mulch in playground that is still not meeting requirements. She also asked about lights along the pathway by the park and if it is possible to do solar lights because it is very dark at night. President Bahr agreed that lights are needed and it is a safety issue. Director Jarrett asked if we want people in the park after dark. Director Michaelis had a resident ask for bathrooms in the park. Mr. Walker said he will discuss these specific requests from last night's meeting with the Board.

6. Other Business

Next Regular Meeting Date – Director Jarrett will be out of town for July's meeting and Director Michaelis will only be available in the afternoon. President Bahr suggested moving the meeting to August. The Board agreed to postpone the next meeting until August 8th, 2018 at 10:00 a.m. Mr. Walker will put the new meeting date on the website. President Bahr said by August they can hopefully be able to discuss the items from last night's meeting and a plan for the kid zone. He also hopes to have design guidelines and Mr. Susemihl will redo the Resolution with changes to appointments of Directors.

7. Adjournment - The meeting was adjourned by President Bahr at 10:42 a.m.

Respectfully submitted,

By: _____

Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL JUNE 13, 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

Ventana Metropolitan District

June 13, 2018

Please print the requested information below. If you wish to address the Board during public comment, please indicate that by checking the box under the public comment column. Public comment will be taken in the order they appear on this sheet. Public comment is limited to three (3) minutes.

Name	Address	Telephone/Email	Public Comment Please check if you wish to address the Board. Please note comments are limited to 3 minutes.
Christina Beutler	7203 Trione Ln	719-339-2199	<input checked="" type="checkbox"/>
Jessica Coleman	7239 Trione Ln	214-415-9942	<input type="checkbox"/>
Brent Nelson	7215 Trione Ln	765 414 6973	<input checked="" type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
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