

**RECORD OF PROCEEDINGS
MINUTES OF THE REGULAR MEETING
OF THE BOARDS OF DIRECTORS OF THE
TALON POINTE METROPOLITAN DISTRICT**

HELD: Thursday, August 10, 2023 @ 5:00 P.M. Mountain Time Via
teleconference

ATTENDANCE

A special meeting of the Board of Directors of the Talon Pointe Metropolitan District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following directors were in attendance:

Justin Baumgartner
Estella Lancaster
Anthony Jamroz
Vacant
Vacant

Also present: Angela Elliott, Joe Saunders, Teleos Management, District Managers and Marlene Pappas, meeting host, Teleos Management; Heather Hartung, White Bear Ankele Tanaka & Waldron, Districts Counsel; Eric Weaver and Avery Weaver, Marchetti & Weaver, LLC, Talon Pointe Metropolitan District Accountants; Jordan Honea, DR Horton; and, members of the public.

CALL TO ORDER/DECLARATION OF QUORUM

On behalf of the Boards, Director Baumgartner called the meeting to order at 5:01 p.m.

CONFLICTS OF INTEREST DISCLOSURES

Ms. Hartung advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Hartung reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Ms. Hartung inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

APPROVAL OF AGENDA

Following discussion, upon motion duly made by Director Baumgartner, seconded by Director Lancaster and upon vote, the Boards unanimously approved the agenda as presented.

PUBLIC COMMENT

Members of the public may express their views to the Boards on matters that affect the District. Comments will be limited to three (3) minutes. No comments were received.

CONSENT AGENDA

The items listed below are a group of items to be acted on with a single motion and vote by the Boards. An item may be removed from the consent agenda to the regular agenda, if desired. Items on the consent agenda are then voted on by a single motion, second and vote by the Boards.

- a. Approval of June 29, 2023, Special Meeting
- b. Ratify Cease and Desist Letter Regarding Water Trespass
- c. Approval of Second Amended and Restated Resolution establishing Guidelines for the Collection of Delinquent Fees and Charges

Following discussion and upon motion duly made by Director Jamroz and seconded by Lancaster and upon vote, the Board unanimously approved the Consent Agenda items.

DIRECTOR MATTERS

- a. Update on chase drains installed by DR Horton

Jordan Honea reported to the Board that the first section will be dried up in the next couple of weeks. The walk in September for acceptance of Tract E will also include an inspection of the path area. She will report at November, 2023's meeting with any updates.

- b. Update on removal of tree stakes

On July 24th, 2023, Director Baumgartner and Director Jamroz removed the wood tree stakes at as many trees as possible. They could not remove the metal tree stakes due to the difficulty with how the stakes are driven into the soil. Director Baumgartner proposed purchasing a tool for \$60 that would help with remove the metal stakes. Director Baumgartner and Director Jamroz asked to have Brightview provide a proposal to remove metal stakes only in the park area.

- c. Discussion on noise ordinance in community

District Managers Elliott and Saunders discussed a situation that was brought to their attention by a homeowner concerning a neighbor disturbing the peace after 10 PM. Director Baumgartner suggested management send an email blast to all homeowners outlining the District's and City of Thornton's noise ordinances. Also, the homeowner can send an email to her City Council Member who would communicate an urgency situation to the Chief of Police. District Counsel discussed researching the noise ordinance language and will send out the appropriate language to use in violation letters. Also, Director Baumgartner received other feedback on loud noises from construction sites, especially loud playing of music. Ms. Honea asked that all complaints concerning construction sites be sent to her.

- d. Discussion and possible action on obtaining a reserve study

District Manager Elliott suggested to the Board that a reserve study be conducted and would be able to send a sample study to Board. The cost would somewhere between \$3,000 to \$5,000. District Accountant Weaver noted that there was a budget line for a reserve study and the amount in the budget was \$6,000. Director Baumgartner made a motion to proceed with going forward with reserve study, with a total cost not to exceed \$6,000, seconded by Director Lancaster, upon vote and unanimously carried, the Board approved to move forward with a Reserve Study not to exceed \$6000.

e. Conduct Interviews of Potential Applicants for Vacant Director Positions

Mr. Donald J. Gandee, (DJ Gandee) was introduced as a candidate for the vacant Director position. Mr. Gandee was interviewed by all the Directors stating he was an experienced plumber and very familiar with the community.

Director Jamroz made a motion to appoint t Mr. Gandee as Director and the motion was seconded by Director Landcaster, upon vote and unanimously carried, the Board appointed Mr. Gandee for the position.

f. Consider Appointment(s) and Administer Oath(s) (**distributed under separate cover**)

Districts Counsel will be sending the new Director the required documents and oath to sign.

g. Discussion on House Bill 23-1105 – Metropolitan District Homeowners' Rights Task Force and the need to provide notification of the Metro residents and the creation of the task force.

Districts Counsel reviewed the requirements of House Bill 23-1105 with Board. District Manager Saunders confirmed sending an eblast to all homeowners notifying them of the Metropolitan District Homeowners' Rights Task Force on August 3rd, 2023.

h. Review of the current resident improvement application process and define approving parties, and review of the current resident applications pending review and approval, if applicable

Director Jamroz asked what is the current process of reviewing design review applications. Currently, Jordan Honea and Kim Herman from DR Horton are reviewing the applications. Director Jamroz and Director Baumgartner suggested that in the next 30 days, the review process be handed over from Ms. Honea and Ms. Herman to Director Jamroz and Director Baumgartner. The next applications will be sent to all four members for training with a good variety of applications. Following discussion and upon motion made by Director Jamroz, seconded by Director Baumgartner, upon vote and unanimously carried, the Board approved transiting the Architectural Review process from DR Horton to the new Review Committee: Directors, Baumgartner and Jamroz.

LEGAL MATTERS

- a. Discuss Notification to Residents of Metropolitan District Homeowners' Rights Task Force

District Counsel discussed the requirements of the Metropolitan District Rights Task Force. District Manager Saunders confirmed an email blast was sent to all homeowners on August 3rd, 2023.

- b. Discuss Town Hall/Annual Meeting Scheduling for November 9, 2023, at 4pm. Discussion followed on holding the Town Hall/Annual Meeting one hour before Budget hearing and Meeting on November 9 2023.

It was discussed by District Counsel that the purpose of the town hall meeting was to provide a way for homeowners to communicate their feedback. No actions can be taken by the Board during this time. The regular Meeting of the Board will be held at 5:00 PM right after town hall meeting.

FINANCIAL MATTERS

- a. Ratification of Claims

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board ratified the claims in the amount of \$69,773.93.

- c. Financial Statements

Following discussion, upon motion duly made, seconded by Director Jamroz, upon vote and unanimously carried, the Board accepted the financial statements as of June 2023.

MANAGEMENT MATTERS

- a. Management Report

District Manager Elliott reviewed August's management with the Board. No questions were received from the Board.

- b. Discussion on delinquencies and possible action

District Manager Elliott contacted special counsel to see if they could put 4 delinquent homeowners on payment plans. The Special Counsel contacted the homeowners and provided a deadline of August 25th, 2023 for them to enter into a payment plan. District Manager will update Board at November, 2023 meeting.

- c. Update on Waterfall status

District Manager Elliott and DR Horton reported that there are no updates with the waterfall feature.

- d. Discussion on Snow and Landscaping for 2024

Manager asked if Board would like to secure additional bids for 2024 other than Brightview. The Board discussed the services of Brightview and the possibility of other proposals for landscape maintenance and snow removal. The Board directed

Management to obtain 2023-2024 snow removal contract and 2024 landscaping proposals from BrightView.

OTHER BUSINESS:

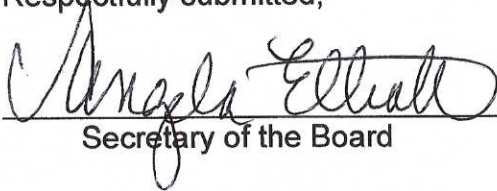
Districts Counsel is still working on dissolution of former Board. Will update Board in November.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 6:14 p.m.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and were approved by the Boards of Directors of the regular meeting of Talon Pointe Metropolitan District.

Respectfully submitted,


Secretary of the Board