

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

HELD: Thursday, November 9, 2023 @ 5:00 P.M. Mountain Time Via
teleconference

ATTENDANCE

A regular 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
Donald Gandee
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, 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 Board, District Counsel Hartung noted that a quorum was present and the meeting was called to order at 5:02 p.m.

CONFLICTS OF INTEREST DISCLOSURES

Ms. Hartung advised the Board 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 Board 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 Board 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 Board to act.

APPROVAL OF AGENDA

Director Baumgartner discussed amending the agenda to include accepting the turnover of improvements, landscaping and irrigation, relating to Tracts H, I, C, E and G to the District's responsibility.

Mr. Weaver asked the Board to amend the agenda to have his review of the financial statements discussion moved to the beginning of the agenda due to his previously scheduled meeting. Director Baumgartner suggested moving his discussion after the Public Comments.

Following discussion, upon motion duly made by Director Baumgartner, seconded by Director Jamroz and upon vote, the Boards unanimously approved the amended agenda.

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.

Steffen Borgwardt explained his current property taxes and asked for maximum relief relating to mill levies and operation fees.

FINANCIAL MATTERS

a. Ratification of Claims

Following discussion, upon motion duly made by Director Baumgartner, seconded by Director Landcaster, upon vote and unanimously carried, the Board ratified the claims in the amount of \$120,719.08.

b. Financial Statements

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

c. Conduct Public Hearing on Amendment to 2023 Budget and Consider Adoption of Resolution Amending 2023 Budget.

Mr. Weaver opened the public hearing to consider the 2023 Budget Amendment. Mr. Weaver noted that the notice of public hearing was provided in accordance with Colorado law. No written objections were received prior to the meeting. Mr. Weaver reviewed the Resolution Amending the 2023 Budget. There being no public comment, the hearing was closed at 5:26 P.M.

Following discussion, upon a motion duly made by Director Jamroz and seconded by Director Landcaster, the Board unanimously adopted the resolution amending the 2023 Budget.

d. Conduct Public Hearing on 2024 Budget and Consider Adoption of Resolution Approving 2024 Budget, Imposing Mill Levy and Appropriating Funds

Mr. Weaver opened the public hearing to consider the proposed 2024 Budget. Mr. Weaver noted that the notice of public hearing was provided in accordance with Colorado law. No written objections were received prior to the meeting. Mr. Weaver reviewed the

2024 proposed budget with the Board. There being no public comment, the hearing was closed at 6:09 P.M.

Following discussion, upon motion duly made by Director Jamroz, seconded by Director Baumgartner, upon vote and unanimously carried, the Board approved the 2024 Budget, Imposing Current Mill Levies and Discontinuing Operation Fees and Appropriating Funds as presented, subject to final assessment valuation and any changes based on new legislation.

e. Approval of the Green & Associates Engagement Letter for 2023 Audit services RFP

Following discussion, upon motion duly made by Director Landcaster, seconded by Director Jamroz, upon vote and unanimously carried, the Board accepted the Green and Associates Engagement Letter for 2023 Audit services RFP as presented.

DIRECTOR MATTERS

a. "No Soliciting" Signs at Entrances

Director Gandee discussed the installing of "No Soliciting" signs at all entrances to help with preventing companies to solicit homeowners.

District Counsel Hartung will review the ability of the District to enforce the prevention of companies to solicit on District property and informed Board at next meeting.

b. Discuss Vacant Director Position

Director Baumgartner discussed the vacant Director position and asked if anyone was interested to notify District Manager Elliott.

c. Status of South Pathway and DR Horton Modification for Drainage Issues

The process of repairing the south pathway is proceeding and should start next week. The easement for temporary construction has been signed.

d. Status of Oil Site

Director Baumgartner stated the District will eventually accept the ownership of the oil drilling site property, located adjacent to the playground and contacted the operator KPK for a timeline. No timeline could be provided.

e. Status of Waterfall

Director Baumgartner stated that the waterfall is currently not operating and sent a RFP to contractors for repair estimates. No estimates have been received and will update Board at next meeting.

f. Tree Options for 2024

Director Baumgartner discussed the tree removal and replacement proposal from Davey Tree Company. The proposal states a cost of \$100 for each tree removed and a tiered pricing schedule for each tree installed. The installed prices range from \$1,200

per tree for installing 1 to 20 trees to \$1,050.00 per tree for installing 61 to 100 trees. The Board decided to table further discussion until the spring of 2024.

CONSENT AGENDA

The items listed below are a group of items to be acted on with a single motion and vote by the Board. 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 Board.

- a. Approval of August 10, 2023, Special Meeting Minutes.
- b. Ratify Temporary Construction Easement.
- c. Approval of Notice to Electors Pursuant to § 32-1-809, C.R.S.

Following discussion, upon motion duly made by Director Jamroz, seconded by Director Landcaster and upon vote, the Boards unanimously to approve the August 10, 2023, Special Meeting Minutes and Notice to Electors Pursuant to § 32-1-809, C.R.S as well as ratify Temporary Construction Easement as presented.

LEGAL MATTERS

- a. **Consider Approval of ARC Charter and Adoption of Resolution to Appointment and Members to the ARC**

Following discussion, upon motion duly made by Director Jamroz, seconded by Director Baumgartner, and upon vote, the Boards unanimously approved the of ARC Charter and Adoption of Resolution to Appointment Members to the ARC as presented.

- b. **Consider Adoption of Amendment to Residential Improvement Guidelines to address Water Wise Landscaping.**

Following discussion, upon motion duly made by Director Baumgartner, seconded by Director Jamroz and upon vote, the Boards unanimously approved the Adoption of Amendment to Residential Improvement Guidelines to address – Water Wise Landscaping as presented.

- c. **Discuss Website Compliance and WCAG 2.1 Requirements of ADA Compliance**

The Board decided to table the discussion of the website compliance and WCAG 2.1 requirements of ADA Compliance to next meeting.

- d. **Consider Adoption of Resolution Adopting a Website Accessibility Policy**

The Board decided to table the discussion of the adoption of Resolution Adopting a Website Accessibility Policy to next meeting.

- e. **Discuss Updating FAQ's and Adopting a Resolution Terminating Operations Fee**

Following discussion, upon motion duly made by Director Baumgartner, seconded by

Director Gandee and upon vote, the Boards unanimously approved the Updating FAQ's and Adopting a Resolution Terminating Operations Fee as presented.

f. Information on Noise Ordinances

District Counsel Hartung discussed her review of the District's noise ordinances and found the District did not have specific language associated with excessive noise. Homeowners should refer to the City of Thornton's noise ordinance.

g. Legal Conveyance of Improvements

The Board discussed the Accepting of Turnover of Improvements (Landscaping and Irrigation) Relating to Tracts H, I, C, E and G and replanting of certain materials in the Spring of 2024.

Following discussion, upon motion duly made by Director Jamroz, seconded by Director Gandee and upon vote, the Boards unanimously approved the Accepting of the Turnover of Improvements (Landscaping and Irrigation) Relating to Tracts H, I, C, E and G.

INSURANCE MATTERS

District Manager Elliott discussed the renewal of 2024 General Liability Schedule and Limits and membership with SDA.

Following discussion, upon motion duly made by Director Landcaster, seconded by Director Gandee, and upon vote, the Boards unanimously approved the Proposal for Renewal of General Liability Schedule and Limits and Membership with SDA as presented.

MANAGEMENT MATTERS

a. Management Report

District Manager Elliott reviewed September and October management reports with the Board.

The Board decided to stop collection processes of delinquent homeowners with special counsel. Additional late fees will not be charged and liens will remain in place. Delinquent notifications from special counsel will be reinstated in January, 2024.

b. Discussion and possible action on Ratification of 2023-2026 Snow Removal Contract

Following discussion, upon motion duly made by Director Gandee, seconded by Director Jamroz, upon vote and unanimously carried, the Board accepted the Ratification of 2023-2026 Snow Removal Contract as presented and subject to annual appropriations.

c. Discussion and possible action on the 2024 - 2026 Landscape Contract with BrightView

Following discussion, upon motion duly made by Director Gandee, seconded by Director Jamroz, upon vote and unanimously carried, the Board approved the 2024 - 2026 Landscape Contracts with the condition that of all irrigation repairs exceeding \$350 in

repairs must be approved prior to the repair with District Manager attaching before and after pictures taken of repair area and subject to annual appropriations.

d. 2024 Meeting Dates

District Manager Elliott proposed the following regular meeting dates for 2024; April 11, June 13, October 17 and November 14. These dates are the second Thursday of those months. The Town Hall meeting will be scheduled for November 14, 2024.

Following discussion, upon motion duly made by Director Jamroz, seconded by Director Landcaster, upon vote and unanimously carried, the Board accepted the 2024 Meeting Dates

e. Consider Adoption of the 2024 Annual Administrative Resolution

District Manager Elliott presented the Resolution concerning 2024 Annual Administrative Matters for Manager, Accountant, Legal Counsel and Bond Counsel to perform certain tasks on a recurring basis in the operation of the District.

The Board discussed appointing the following 2024 officers:

Justin Baumgartner	President
Anthony Jamroz	Treasurer
Estella Lancaster	Secretary
Donald Gandee	Director
District Manager	Recording Secretary

Following discussion, upon motion made by Director Baumgartner, seconded by Director Gandee, upon vote and unanimously carried, the Board accepted the Adoption of the 2024 Annual Administrative Resolution and accepted the election of Directors to their positions.

f. Ratification of Management Contract

District Manager Elliott discussed Teleos Management's Contract was two separate contracts for TPMD and TPCMD. Since the dissolving of TPCMD, a single contract with TPMD was created.

Following discussion, upon motion duly made by Director Gandee, seconded by Director Landcaster, upon vote and unanimously carried, the Board ratified the TPMD Management Contract.

g. Discussion and Ratification of Reserve Study

District Manager Elliott discussed the Reserve Study and did not receive any changes from the Board. The Board approved the ratification of the Reserve Study as presented and will be saved to the District's website.

OTHER BUSINESS:

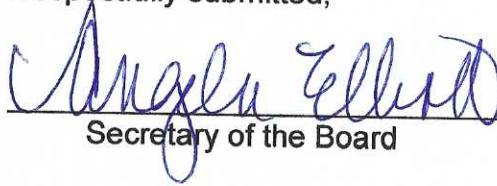
No other business was presented.

ADJOURNMENT

There being no further business to come before the Board of Directors at this time, upon motion duly made by Director Jamroz, seconded by Director Landcaster and unanimously carried, the meeting was adjourned at 7:04 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

**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:

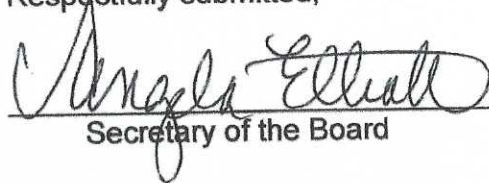
Districts Counsel is still working on dissolution of former Board. Will update Board in November.

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

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TALON POINTE METROPOLITAN DISTRICT

HELD: Thursday, May 11, 2023 - 5:00 P.M. Mountain Time
via Zoom Teleconference

ATTENDANCE

A regular 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
Emmanuel Graves
Anthony Jamroz
Vacant

ALSO PRESENT: Angela Elliott & Fallon Redmond, District Managers and Marlene Pappas, hosting meeting, Teleos Management; Heather Hartung, White Bear Ankele Tanaka & Waldron, District Counsel; Eric Weaver and Avery Weaver, Marchetti & Weaver, LLC, District Accountants; and members of the public.

CALL TO ORDER/DECLARATION OF QUORUM

On behalf of the Board, Director Baumgartner called the meeting to order at 5:04 p.m.

CONFLICTS OF INTEREST DISCLOSURES

District Counsel Hartung advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. District Counsel 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 Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. District Counsel Hartung inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest regarding 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 Board to act.

APPROVAL OF AGENDA

Discussion followed on amending the agenda. Following discussion, Director Baumgartner made a motion to amend the agenda by removing items 8a and 8c under Legal Matters, seconded by Director Graves, and upon vote, the Board unanimously approved the Amended Agenda.

ELECTION OF OFFICERS

Director Graves reported that he would like to resign from his position on the Board of Directors, as of the end of this meeting, to which District Counsel Hartung responded that the Board will need to appoint a treasurer position in place of Emmanuel Graves.

Following the discussion, Director Jamroz volunteered to fulfill the Treasurer position and Director Lancaster volunteered to fulfill the Secretary position on the Board of Directors.

Director Baumgartner will remain the President.

Upon motion made by Director Baumgartner, seconded by Director Jamroz, upon vote and unanimously carried, the Board approved the appointment of Director Jamroz as Treasurer, and Director Lancaster as Secretary.

PUBLIC COMMENT - Members of the public may express their views to the Board on matters that affect the district. Comments will be limited to three (3) minutes.

- a. Steffen Borgwardt – Reported information regarding taxes increasing by 40%, and is hopeful the Board is conscious of the spike. Discussion followed on protesting the taxes.

Director Graves will let homeowners know the process of protesting taxes. It will be sent out to the homeowners in a newsletter.

CONSENT AGENDA – The items listed below are a group of items to be acted on with a single motion and vote by the Board. 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 Board.

- a. Approval of February 7, 2023, Regular Meeting Minutes (**enclosure**)
- b. Ratification of Maintenance License Agreement – Winter Maintenance of Common Sidewalks for Filing No. 1 Amendment No. 3 Tracts C, H and I (**enclosure**)

Following discussion and upon motion made by Director Graves, seconded by Director Lancaster seconded, upon vote and unanimously carried, the Board approved the Consent Agenda as presented.

DIRECTOR MATTERS

- a. Discussion and possible action on the Fourth Amendment to the Residential Site Improvement Guidelines and Rules and Regulations

Discussion followed on the revised rules that were discussed with Directors Jamroz and Graves.

Following discussion and upon motion made by Director Jamroz, seconded by Director Graves, upon vote and unanimously carried, the Fourth Amendment to the Residential Site Improvement Guidelines and Rules and Regulations were adopted.

b. Discussion and possible action on Amended and Restated Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Charges

Following discussion and upon motion made by Director Jamroz, seconded by Director Lancaster, upon vote unanimously carried, the Board adopted the Amended and Restated Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Charges subject to legal revision regarding timing of collection matters followed by Management.

c. Discussion on outstanding delinquent accounts with Special Counsel
Director Baumgartner discussed the Board's agreement to hire a third party to process delinquent homeowner accounts, and that no accounts/properties were to have foreclosure actions started without Board of Directors approval.
Further discussion followed on the importance of liens vs. foreclosure.
Manager will get delinquency report from Special Counsel on the outstanding delinquent accounts.

d. Discussion regarding bid to remove common area tree stakes
The Board reviewed the proposal from Brightview to remove the common area tree stakes for the cost of \$1,884 per day.

Director Jamroz expressed that he would rather volunteer his time to remove the stakes than spend district funds at the cost of \$1,884 per day for the removal.

Following discussion and upon motion duly made, seconded, upon vote and unanimously carried, the Board denied Brightview's bid for common area tree stake removal and will utilize volunteer time by Board members to remove the stakes.

e. Discussion Regarding Storm Sewer/Detention Clean-Out Per City of Thornton
Discussion was held regarding the District's requirement to complete storm sewer/detention clean-out.

Following discussion and upon motion made by Director Baumgartner, seconded by Director Graves, upon vote and unanimously carried, the Board approved the storm sewer/detention clean-out bid in the amount of \$4,306.98.

LEGAL MATTERS

- a. Removed from Agenda - Discuss and possible action on Termination of Infrastructure Acquisition and Reimbursement Agreement and Funding Reimbursement Agreement
- b. Discussion and possible action on Park Site conveyance to Talon Pointe Metropolitan District

District Counsel discussed that permits have not been issued and District will be notified when completed for conveyance.

c. Removed from Agenda: Discussion and possible action on Termination of Facilities Construction and Service Agreement and Coordinating Services Agreement

d. Transaction-Based Informed Condition to Representation
District Counsel Hartung and the Board discussed the Disclosure Representation letter disclosing White Bear Ankele are representing both parties.

Following discussion, upon motion made by Director Jamroz, seconded by Director Baumgartner, upon vote and unanimously carried, the Board approved the Representation letter.

e. Discussion Regarding Status of Well Drilling Activity/Timeline
Tabled – in a holding pattern

f. Discussion Regarding Board of Directors Vacancies
District Counsel Hartung discussed vacant Board positions, explaining that with Director Graves' resignation from the Board as of this meeting's adjournment, there are currently 2 seats to fill. District Counsel Hartung stated a community email/newsletter will be sent with notification of the Board vacancies and inviting eligible interested parties to contact District Counsel to receive information regarding the process.

FINANCIAL MATTERS

a. Ratification of Claims and Approval of Claims (**enclosures**)
District Accountant Weaver presented the claims for ratification in the amount of \$54,151 for claims from February 2, 2023 – May 8, 2023.

Following discussion and upon motion made by Director Baumgartner, seconded by Director Jamroz, upon vote and unanimously carried, the Board ratified the claims for the above pay period in the amount of \$54,151.

b. Financial Statements as of March 31, 2023
District Accountant Weaver walked the Board through the financials for March 31, 2023 and reported as of March 31, 2023, total cash on hand was \$138k in the general Operating fund, \$1,038,613 in the Debt Service fund and \$6,930 in the Capital Improvement fund.

Following discussion and upon motion made by Director Baumgartner, seconded by Director Graves, upon vote and unanimously carried, the Board accepted the March 31, 2023, Financial Statement as presented.

MANAGEMENT MATTERS

Management Report

Director Baumgartner asked when the last covenant inspection was conducted, and Director Lancaster inquired regarding the covenant violation process. No other questions were asked of Management.

OTHER BUSINESS

a. Discussion on Resolution Imposing Design Review fee.

Manager Elliott discussed the Resolution imposing the \$100 Design Review Fee was adopted by Talon Pointe Coordinating Metro District and the District would need to adopt a resolution to impose the fee.

Following discussion and upon motion made by Director Baumgartner, seconded by Director Jamroz, upon vote and unanimously carried, the Board agreed to remove the Design Review Fee.

b. Discussion regarding Safety Grant

District Manager Elliott discussed District eligibility for a Safety and Loss Prevention Grant in the amount of \$516.28, the amount of which increases annually and is intended for items such as signage, lighting, etc.

Discussion followed on possibly using the funds for playground mulch.

c. Management Contract

Manager Elliott reported that Teleos' management contract needs to be approved by the District as the current contract is with both Talon Pointe Metropolitan District (TPMD) and Talon Pointe Coordinating Metropolitan District (TPCMD). Management has a WBA contract and can use the same format.

Following discussion and upon motion duly made, seconded, upon vote and unanimously carried, the Board approved preparing a new management agreement between Talon Pointe Metropolitan District and Teleos Management Group.

The Board thanked Director Graves for his services.

August meeting may be hybrid. Director Baumgartner working on venue.

ADJOURNMENT

There being no further business to come before the Board and upon motion made by Director Jamroz, seconded by Director Lancaster, upon vote and unanimously carried, the meeting was adjourned at 6:59 p.m.

The foregoing Minutes constitute a true and correct copy of the proceedings of the above-referenced meeting and were approved by the Board of Directors of the regular meeting of Talon Pointe Metropolitan District.

Respectfully submitted,


Secretary of the Board of Directors

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TALON POINTE METROPOLITAN DISTRICT

HELD Tuesday, February 7, 2023 @ 5:00 P.M. Mountain Time Via
teleconference

ATTENDANCE A regular 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
Jimmy Oge
Damon Brown
Emmanuel Graves
Anthony Jamroz

Additional Attendees: Angela Elliott, Fallon Redmond, District Managers and Marlene Pappas, Meeting Host, Teleos Management; Heather Hartung, White Bear Ankele Tanaka & Waldron, District Counsel; Eric Weaver, Marchetti & Weaver, LLC, District Accountants; Jordan Honea, DR Horton; and members of the public.

CALL TO ORDER/DECLARATION OF QUORUM On behalf of the Board, Director Baumgartner called the meeting to order at 5:03 p.m.

CONFLICTS OF INTEREST DISCLOSURES District Counsel Hartung advised the Board 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 Board. Ms. Hartung inquired into whether members of the Board 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 Board to act.

APPROVAL OF AGENDA Following discussion, upon motion duly made, seconded and upon vote, the Board unanimously approved the meeting Agenda.

PUBLIC FORUM Director Baumgartner explained to attendees that members of the public may express their views to the Board on matters that affect the District, and that District comments are limited to three (3) minutes.

- Hearing no comment, Justin Baumgartner closed Public Forum

CONSENT AGENDA The items listed below are a group of items to be acted on with a single motion and vote by the Board. 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 Board.

- a. November 29, 2022, Special Meeting Minutes
- b. First Amended 2023 Administrative Resolution
- c. FAQ's to be placed on website
- d. Resolution Designating Meeting Notice Posting Location
- e. Independent Contractor Agreement with BrightView Landscaping Services, Inc. for 2023 Landscape Services
- f. Agreement with Davey Plant Health Care

Following discussion and upon motion duly made, seconded and upon vote, the Board unanimously approved the Consent Agenda as presented.

DIRECTOR MATTERS

1. Discussion and possible action regarding the Fourth Amendment to the Residential Site Improvement Guidelines and Rules and Regulations
2. The Board unanimously agreed to table the Fourth Amendment to the Residential Site Improvement Guidelines and Rules and Regulations until the May 11, 2023, meeting.
3. Discussion regarding possible changes to UMB Bank account access authorization
 - Following discussion between Eric Weaver and the Board and upon motion duly made, seconded, upon vote and unanimously carried, the Board approved removing Director Oje as a signer and adding Director Graves as a signer to the Citywide bank account, the process of which Eric Weaver will execute.
 - Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board authorized Director Graves as a viewer to access UMB accounts.
4. Discussion on best scenario for fee collection via First Bank account
 - Discussion Eric Weaver and the Board regarding operations fee collection processes via various District bank accounts and bookkeeping processes. For Teleos Management. The Board will continue using the same process and Director Graves acknowledged he has access a viewer to the First Bank Account.

LEGAL MATTERS

1. Discuss Proposals from Special Counsel for Collection Matters

- District Counsel Hartung presented the fee agreements from special counsel firms that would handle collection matters for the district.
 - Following discussion and upon motion duly made, seconded, upon vote and unanimously carried, the Board engaged The Law Firm of Winzenburg, Leff, Purvis & Payne, LLP to provide District collection services. Counsel Hartung will execute the process of transferring collection files.
- b. District Counsel Hartung explained the updated Election process and reported that as of this date, February 7, 2023, the district has not received any self-nomination forms.
- c. District Counsel Hartung and the Board discussed a Temporary Maintenance Agreement with DR Horton regarding snow removal as it pertains to the portion of the Tract to be accepted)
- Following discussion and upon motion duly made, seconded, upon vote and unanimously carried, the Board approved the Temporary Maintenance Agreement with DR Horton for Filing No. 1, Amendment No. 3, Tracts G, H and I, subject to final approval by Legal Counsel.
4. Discussion regarding the status of well drilling activity and timeline, and the possibility of approaching oil companies in reference.
- Due to weather conditions, no inspections have taken place, but Directors Jamroz and Baumgartner will commence timeline when conditions permit.
5. Discuss Status of Demand for Payment from Bolder Landscape, LLC.
- District Counsel Hartung and District Accountant Weaver discussed the Demand for Payment from Bolder Landscape, LLC, and payment was made in full last week.

FINANCIAL MATTERS

- a. Ratification of Claims and Approval of Claims
- District Accountant Weaver presented the claims for ratification in the amount of \$93,241 for pay period from September 1, 2022, to January 1, 2023.
 - Following discussion and upon motion duly made, seconded, upon vote and unanimously carried, the Board ratified the claims in the amount of \$93,241, for the above pay period.
- b. Financial Statements as of December 31, 2022
- District Accountant Weaver explained details of the December 31, 2022, financial statement. As of year-end, the total cash on hand was \$45,869 in the General Operating Fund, \$870,104 in the Debt Service Fund; and \$6,674 in the Capital Improvement Fund.
 - Following discussion and upon motion duly made, seconded, upon vote and unanimously carried, the Board accepted the December 31, 2022, financials.

MANAGEMENT MATTERS

1. Management Report

- District Manager Redmond reported that a site inspection was performed and will forward to the board the report.
- There were no other questions asked of Management

ADJOURNMENT

There being no further business to come before the Board, Director Jamroz made a motion to adjourn the meeting, seconded by Director Graves and upon vote unanimously carried. The meeting was adjourned at 6:34 p.m.

The foregoing Minutes constitute a true and correct copy of the Minutes of the above referenced meeting and were approved by the Board of Directors of the regular meeting of Talon Pointe Metropolitan District.

Respectfully submitted,


Secretary of the Board of Directors