

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.

- November 29, 2022, Special Meeting Minutes
- First Amended 2023 Administrative Resolution
- FAQ's to be placed on website
- Resolution Designating Meeting Notice Posting Location
- Independent Contractor Agreement with BrightView Landscaping Services, Inc. for 2023 Landscape Services
- 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

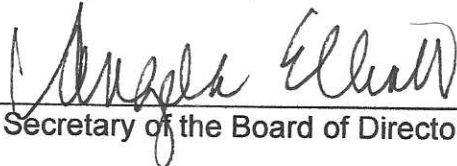
- District Manager Redmond reported that a site inspection was performed and will forward to the board the report.
- There were no other questions asked of Management

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