

# RECORD OF PROCEEDINGS

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## MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF DANCING WILLOWS METROPOLITAN DISTRICT HELD THURSDAY, SEPTEMBER 10, 2020

A telephonic/digital regular meeting of the Board of Directors of the Dancing Willows Metropolitan District was held on September 10, 2020, at 6:30 PM

### ATTENDANCE

The regular meeting of the Board of Directors of the Dancing Willows Metropolitan District was called and held, as shown, in accordance with Colorado law. The following Directors were present:

In attendance were Directors:

Robert Faiks, President  
Doug Cox, Vice President  
Ron Petroff, Secretary  
Bob Wessels, Treasurer  
Lee Jennings, Director

Other participants identified in attendance:

Marcos Pacheco, CRS of Colorado  
Jim Wilson  
Carol Flynn  
Karen Kaseman  
Linda Davis  
Gloria & Jon Steinmetz  
Hallie Holland  
William Bristol  
Bob Carson  
Marcia Garcia  
Lori Gray  
Mike Tycksen  
Nancy Carson  
Larry

### CALL TO ORDER DISCLOSURE OF CONFLICTS OF INTEREST

The meeting was called to order by Director Faiks at 6:33 PM. There were no potential conflicts of interest that were disclosed.

### AGENDA APPROVAL

Director Faiks requested the agenda be amended to move the HOA reports to immediately follow the Manager's Report. Director Wessels also asked that an agenda item be added under Director's Items to ratify votes that were taken via email. Director Faiks moved to approve the agenda as amended. Upon second by Director Wessels, vote was taken, and motion carried unanimously.

### PUBLIC COMMENT

Linda Davis – Thanked the Board, Pool Committee and

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Monitors for the pool season and also for completing the monument repairs. She would like to discuss parking and having the Metro District be able to monitor, tow and ticket vehicles with expired plates, or vehicles in a non-working-state of disrepair. Director Faiks requested the parking be addressed under the Street Committee report.

Mike Tycksen – Commented on roads and swales and thanked Bob Wessels and Lee Jennings for doing the survey for the residents to be able to participate and provide feedback about the road maintenance.

Lori Gray – Is the missing cover on the water manhole on Gould being addressed? Board is not aware of what type of work is going on. Director Jennings will follow up.

## FINANCIAL

Ratification/Approval of Payment of Claims – Ratification of check nos. 2599-2637, totaling \$29,452.26. Director Faiks moved to ratify claims, upon second by Director Jennings, vote was taken, and motion carried unanimously.

Director Wessels suggested that moving forward, all checks along with all backup be provided to the Directors ahead of the meeting. The purpose of doing this is so that all Directors have the chance to review each invoice that is being paid prior to a vote to ratify payments.

Approval of current pool payroll checks nos. 2638 – 2640 totaling \$1,542.26 and current payables check nos. 2641 – 2648, totaling \$65,713.55. And the auto-pays to Century Link and Comcast. Director Jennings moved to approve current claims, upon second by Director Petroff, vote was taken, and motion carried unanimously.

Financial Statements for Period Ending August 31, 2020 and Cash Position dated September 4, 2020 – Mr. Pacheco reviewed the financial statements with the Board. Mr. Pacheco wanted to note that the District will be opening a Colo. Trust account for the CARES Act Funding, so the amounts going in and out can be readily identified by the Auditor.

Director Faiks asked questions and Mr. Pacheco will research answers. Director Wessels asked that the District website be updated with all financial statements. Director Faiks moved to approve the Financial Statements and Cash Position. Upon second by Director Jennings, vote was taken, and motion

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carried unanimously.

## MANAGER'S REPORT

### Minutes of the June 11, 2020 Regular Meeting and June 16, 2020 Special Meeting:

June 11<sup>th</sup> Minutes – The Board reviewed the June 11, 2020 meeting minutes. After discussion, Director Faiks moved to approve the June 11, 2020 Regular Meeting minutes. Upon second by Director Cox, vote was taken, and motion carried unanimously.

June 16<sup>th</sup> Minutes – The Board reviewed the June 16, 2020 meeting minutes. Director Wessels would like to revise the content of the Road Work notes. Director Wessels will provide input on the verbiage to be included. Director Wessels requested that a vote to approve these minutes be tabled until the next regular meeting.

Mike Tycksen commented that while he serves on the Street Committee, he was not in favor of the work performed. He feels the proper steps were not taken by the Committee or the Board. Discussion ensued amongst the Board.

Manager's Report – Mr. Pacheco reported that CRS applied for CARES Act funding on behalf of the District. The District has been allocated \$30,000 to be used for reimbursement of eligible expenses related to the Covid-19 pandemic.

Preliminary Budget for 2021 – Mr. Pacheco noted that a draft of the preliminary budget will be provided to the Board, pursuant to Statue. Mr. Pacheco requested the Board take a look at their schedules to set up a work session in order to provide input for the 2021 budget. Director Wessels noted that he will cover the 2021 budget process in his report.

## HOA REPORTS

Patio Homes – Director Wessels attended the Patio Homes meeting. The HOA needs to do some landscaping maintenance. He also noted that there are two openings on the HOA board. He encouraged interested individuals to reach out to the HOA.

Townhomes – Mike Tycksen reported that the Townhomes are currently working on repainting both buildings and fences. Additionally, there are trees that are being planted. He noted that the HOA is very pleased with the quality of the maintenance that has taken place.

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Condominiums – Hallie Holland stated their largest expense has been the replacement of dead trees. She commented on the vehicle parking as it is an ongoing issue with residents. She noted there are some vehicles parked on District property that have become an issue and asked the Board to investigate.

## COMMITTEE REPORTS

Communications Committee – Director Wessels noted that in the last Dancing Willows United, an issue was identified with the gas meters. This issue specifically applies to the townhomes and patio homes. The condos have a different style of gas meter. The Utility Commission has been contacted to investigate and address the issue. Director Wessels requested that any residents who believe they see this issue send photos to be added to the report. Finally, he reported that there will be a ‘virtual suggestion card’ available through Dancing Willows United.

Pool Committee – Director Faiks feels it was a successful season and thanked all those who helped. The registration system was not as successful as anticipated, but the Pool Monitors were able to maintain a registration log that was successful. He noted that if Covid-19 is still an issue next season, we will revisit the pool operating policies. He then reported on the bubbler pump that broke earlier in the season. The Board decided at the time to contract with the Pool Doctor in order to repair the pump. The total cost of the repair was \$1,478.82. Director Cox motioned to ratify this expense, upon second by Director Petroff, vote was taken, and motion carried unanimously.

Director Faiks continued and noted that he cleaned out the storage closet and found both pool and clubhouse supplies. There were no nighttime intrusions into the pool this Summer. There is a tripping hazard in the area that Lift Tech had repaired last year. This work is under warranty and will be addressed. There is also a growing gap in between two concrete slabs that needs to be filled. Repairs are being investigated. The coping stones around the pool are at the point that replacement is needed. Bids are being obtained and will be presented to the Board at a future meeting. The boiler for the pool is due for a tune-up. Director Faiks will ensure the tune-up is included in the current pool management contract. Finally, the contract with Perfect Pools expires at the end of this Summer. Perfect Pools provided a proposed contract renewal however, Director Faiks thinks we can wait on the pool contract renewal.

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Landscaping Committee – Director Jennings reported that the Committee has \$4,536.94 remaining in their budget, however there are issues with the loss of several trees. The Committee received a bid from Save-A-Tree to remove the identified dead trees for \$1,760.00 with an additional cost of \$1,050.00 to grind the stumps. Director Jennings recommends the Board approve this work. If the District uses Save-A-Trees next year, they will give the District a 10% discount, assuming all work is completed by the end of February. This will leave \$1,726.00 in the budget which will be needed for edging and other issues. Costs for the replacement of trees will be provided next year. After discussion, Director Jennings moved to approve the bid with Save-A-Tree, upon second by Director Cox, vote was taken, and motion carried unanimously.

Street Committee – Director Jennings reported that the street and sidewalk repairs have been completed. There are a couple issues that need to be addressed, but overall, the feedback on the completed work has been positive. Brown Brothers will be made aware of any outstanding issues and they will be addressed.

Mike Tycksen commented that he believes some of the issues are due to water seeping into the sub-base through cracks. He suggested that Brown Brothers perform a site-visit and remedy issues that are not consistent with standard road work.

Karen Kaseman noted that she believes there is drainage from the landscaping that has been deteriorating the streets. She asked that Keesen be made aware of her concern and request that they move the drainage spout.

Moving of Speed Limit Signs. Director Jennings recommended that the community decide where the speed limit signs will be moved. Once decided, they can be moved and the Board will oversee this work.

Parking – Director Faiks reported that due to Covid-19 and many people not leaving their homes, the District needs to be sensitive to the fact that some vehicles may not move regularly. Also, there may be expired registration, however we need to also be sensitive to this issue as some residents may be delayed in receiving updated registration because it is being done online rather than in person.

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Linda Davis commented that there is an abandoned vehicle that has been parked, without moving, for over a week.

Clubhouse Committee – Director Cox stated that Nancy Carson has been continuing her efforts of monitoring and managing the reservations of the clubhouse. Covid-19 has limited the clubhouse usage but, there have been private events that took place and there are four more events scheduled for this year. There are a few light bulbs that need to be replaced in addition to replacing the furnace filter. Finally, Director Faiks placed a bulletin board on the clubhouse.

Financial Committee – Director Wessels addressed two topics:

1. He reported that a State-wide issue will be on the November ballot. He reviewed how the Gallagher amendment affects the District finances. He encouraged residents to research the issue and noted that the Special District Association has related information on their website. Director Wessels can provide a link.
2. 2021 budget and allocations – Director Wessels noted that the Committee is working diligently to gather all information needed in order to prepare the 2021 budget. They will be meeting regularly to ensure all items are properly captured. He intends to distribute the 20-Year Plan to all Committees and ask that they input any expenses in their related fields. Additionally, the Committee will hold a work session for the purpose of gathering information and finalizing the 2021 budget. Information on this meeting will be provided by Director Wessels.

Monuments Committee – Director Jennings reported that the majority of the work on the monuments has been completed. The Stucco work was delayed due to weather, but it will take place when weather permits. He noted that the faux stone that was removed is lying next to the monuments and is available to anyone that would like to haul it away.

Maintenance Agreement for Condo Monuments – Mr. Pacheco reviewed the maintenance agreement. This is a one-year agreement to allow for needed changes in 2021. Director Jennings moved to approve the agreement, upon second by Director Petroff, vote was taken, and motion carried

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unanimously.

Snow Contract/removal Committee – Director Jennings, along with Committee members, have met with Keesen. The proposal is to contract with Keesen for snow removal at a 10% increase with an option for two years at the same price. Director Jennings recommended that the snow removal budget stay the same for 2021 and also that the Board approve the Keesen proposal. Director Jennings moved that the agreement be approved, upon second by Director Petroff, vote was taken, motion carried unanimously.

Management Contract Review Committee – Director Wessels, stated the committee has reviewed the current CRS contract and is working to collect proposals for District Management. The RFP is being created and will be available in October. Director Faiks noted that CRS offers a full-service management style, where other companies may not provide all of the same services.

## DIRECTOR'S ITEMS

Mr. Pacheco reported that there were three emailed votes that needed to be ratified:

1. Brown Brothers Reduced/Revised Scope Contract:  
Director Petroff moved to ratify the Brown Brothers contract in the amount of \$50,868. Upon second by Director Faiks, a vote was taken. Director Cox voted yes. Directors Wessels and Jennings both voted no. The motion to ratify passed by a majority vote.
2. Hall Ryan Monument Contract:  
Director Jennings moved to ratify the Hall Ryan Construction contract in the amount of \$11,082.50. Upon second by Director Petroff, a vote was taken. Directors Wessels and Cox both voted yes. Director Faiks abstained. The motion to ratify passed by a majority vote.
3. Gutter and Curb Resolution 2020-GA:  
After discussion, Director Faiks moved to ratify the Gutter and Curb Resolution 2020-GA. Upon second Director Cox, a vote was taken. Director Faiks voted yes. Directors Wessels and Jennings voted no. The motion to ratify passed by majority vote.

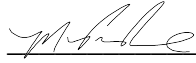
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ADJOURNMENT

There being no further business to come before the Board, upon motion duly made, seconded and unanimously carried, the Meeting was adjourned at 8:54 p.m.

Respectfully submitted,



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Secretary for the Meeting