

# RECORD OF PROCEEDINGS

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

A telephonic/digital Regular meeting of the Board of Directors of the Dancing Willows Metropolitan District was held on December 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 & Sue Blair, CRS of Colorado  
Bill Anderson  
Marcia Garcia  
Jon & Gloria Steinmetz  
Kay Jackson  
Carol Swomley  
Bob & Nancy Carson  
Jim Wilson  
Linda Davis  
William Bristol  
Linda Rohlman  
Bob Daley  
Greg & Susan Root  
Jo Wessels  
Linda Pocsik  
Carol Flynn  
Hallie Holland  
Mary Okamatsu  
Linda Stearns

### 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 Petroff moved that the Board approve the agenda as presented. Upon second by Director Cox vote was taken, and motion carried unanimously.

### MINUTES

The Board reviewed the minutes of the June 16, 2020 meeting. Director Wessels suggested changes to the minutes. Director

## RECORD OF PROCEEDINGS

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Wessels moved to approve the minutes as amended. Upon second by Director Jennings, a vote was taken, and the motion carried unanimously.

The Board reviewed the minutes of the September 10, 2020 meeting. With no changes, Director Cox moved to approve the minutes as presented. Upon second by Director Jennings, a vote was taken, and the motion carried unanimously.

The Board reviewed the minutes of the November 30, 2020 meeting. With no changes, Director Jennings moved to approve the minutes as presented. Upon second by Director Wessels, a vote was taken, and the motion carried unanimously.

### PUBLIC COMMENT

Director Wessels noted that he had been provided with an anonymous comment from a community member. This comment was directed to the Board. This individual requested that the Board consider having the hot tub open year-round.

Bob Daley addressed the Board regarding a trailer parked along the road adjacent to the senior citizen housing. There is a small flatbed trailer not properly marked and he recommended placing cones or other means of marking the location. Director Faiks noted that the District does not have jurisdiction on that road however, Jefferson County Sheriff's department has dealt with this trailer before. Director Faiks suggested that resident contact the sheriff's department if they are concerned about this vehicle.

### HOA REPORTS

Patio Homes: Greg Root reported in the November meeting there were two board positions opened, with no volunteers. The two current board members whose terms were expiring agreed to continue serving on the board.

Townhomes: No report.

Condos: Hallie Holland reported on the changes to their board. Kay Jackson will now serve as Treasurer. The budget is under this year thanks to the Metro District helping with the snow removal and monuments. The Condo dues will not be increased next year.

### MANAGEMENT CONTRACT REVIEW

Director Faiks: The formed Committee reviewed the contracts, completed some surveys, and presented options at the last meeting. A vote was tabled due to Board members wanting further information. The options are to continue with CRS or hire Fromm & Co. Director Wessels added that with new information received in the last 48 hours from CRS. He moved to request that all 6 bidders provide their best and final offer within one week and then take a vote via email. Director Jennings seconded with specification that each bidder use Exhibit A. Upon a vote, the motion did not pass. Directors Wessels and Jennings voted yes, while Directors Faiks, Cox, and Petroff voted no.

# RECORD OF PROCEEDINGS

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Director Wessels then introduced a motion to accept the Fromm & Co. proposal. The motion was not seconded.

Director Faiks moved to accept the modified proposal from CRS, at a fixed flat rate of \$42,000 per year noting that they will agree to be present for up to six meetings per year. Director Wessels asked if Audit prep was included in the flat rate and CRS answered in the affirmative. Upon second by Director Petroff, a vote was taken. The motion carried by a majority vote. Director Wessels voted no and Director Jennings abstained from the vote.

Director Cox thanked Director Wessels and the Committee for their hard work through this process.

## FINANCIAL

Approval of Claims: The Board reviewed the claims represented by check nos. 2668 – 2681 and the autopayments of Century Link and Excel Energy. Director Wessels moved to approve the claims as presented. Upon second by Director Jennings, vote was taken, and motion carried unanimously.

Financial Statements and Cash Position: Mr. Pacheco reviewed the financial statements and cash position with the Board. After discussion and verification, Director Faiks moved that the Board accept the financial statements as presented. Upon second by Director Jennings, vote was taken, and motion carried.

2021 Audit Engagement: Director Wessels moved to approve the engagement of Haynie and Company as the Auditor. Upon second by Director Jennings, a vote was taken, and motion carried unanimously.

## MANAGER'S REPORT

## COMMITTEE REPORTS

Communications: Director Wessels reported that notification of this meeting went out on Dancing Willows United. There was a survey link sent out that asked residents about the meeting and will remain open until December 12<sup>th</sup>. Jo Wessels announced that Lori Gray is moving, and therefore will be unable to continue with her duties as part of the Communications Committee. She thanked Lori for her commitment to the community and stated she will be missed. Linda Stearns will be the new member and has experience as a journalist.

Landscape: Director Jennings reported that a few volunteers decorated the monuments, and they look great. Five trees will be removed, and remaining trees will be trimmed of dead branches. He noted the Committees thanks to the Board and volunteers.

Street: No report.

Clubhouse: Director Cox reported that the clubhouse has gone

# RECORD OF PROCEEDINGS

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largely unused this year due to Covid-19 concerns. The clubhouse will need to be cleaned prior to general use. Funds allocated for furniture and window treatments were not used and revenue was low. It is still uncertain as to when the clubhouse can be used again. Nancy Carson noted that the clubhouse plumbing, lights, electrical are working properly.

Financial: No report.

Monument: Director Jennings reported that the monument refurbishing was completed and should be good for several years.

Snow: Director Jennings reported the contract has been signed and there was a small increase. He expects that the HOA's will report any areas that are not being addressed. Greg Root asked that an email be sent to each of the HOA boards with the steps to take.

## ADOPTION OF 2021 BUDGET

Director Wessels gave a report and history of the budget planning process the committee had voted 5-0 on certifying a total mill levy of 65. Recently, Director Petroff noted that while he was a member of the Committee that voted to set the mill levy at 65, he is now recommending a mill levy of 60.

Director Jennings moved to increase the budgeted transfer from the general fund to the capital fund of \$150,000 to \$200,000. Upon second by Director Wessels, a vote was taken, and motion carried unanimously.

The Board reviewed the budget and discussed amendments. After discussion, Director Faiks moved to certify a total mill levy at 60 mills. Upon second by Director Cox, a vote was taken. The motion did not carry as Directors Wessels, Jennings, and Cox voted no.

Director Wessels introduced a motion to set the total mill levy at 65 mills. Upon second by Director Jennings, a vote was taken. Directors Jennings, Wessels, and Petroff voted in favor of the motion while Directors Faiks and Cox voted no. The motion carried by a majority vote.

Director Jennings moved adopt the 2021 budget as amended, certify a 46.300 mill levy for the general fund and an 18.700 mill levy for the debt service fund, totaling 65.000 mills, and appropriate 2021 expenditures. Upon second by Director Wessels, vote was taken, and motion carried unanimously.

## DIRECTOR'S ITEMS

Pool Contract: Director Faiks recommended that the Board consider accepting the proposal from Perfect Pools for pool services. After discussion, Director Faiks moved to accept the proposal as presented. Upon second by Director Jennings, a vote was taken, and the motion carried unanimously.

## **RECORD OF PROCEEDINGS**

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Director Cox moved to add \$1,000 to the 2021 pool budget to allow for the pool to remain open beyond Labor Day. Upon second by Director Petroff, a vote was taken, and motion carried unanimously.

Snow Removal: Director Faiks discussed the snow removal that the District had agreed to perform for all property within the District, taking responsibility from the HOA's. Director Faiks moved that the Metro District cover all snow removal costs for the entire District and homeowner property in 2021. Upon second by Director Wessels, a vote was taken, and the motion carried unanimously.

Brown Brothers: Director Jennings reported that Brown Brother had provided a quote to perform road maintenance in 2021. He outlined the work to be performed on a map. Director Jennings moved to accept the Brown Brothers proposal in the amount up to \$145,000.00. Upon second by Director Petroff, a vote was taken, and the motion carried unanimously.

Director Wessels reminded everyone that there is a survey link that allows anyone attending this meeting to provide feedback. The survey will remain opened until December 12<sup>th</sup>.

### **ADJOURNMENT**

Director Jennings moved that the meeting be adjourned at 8:52 p.m., upon second by Director Petroff a vote was taken, and the motion carried unanimously

Respectfully submitted,

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Secretary for the Meeting