

# 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 8, 2022

A regular meeting of the Board of Directors of the Dancing Willows Metropolitan District was held on Thursday, September 8, 2022, 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  
Susan Root, Secretary/Treasurer  
Kirk Oglesby, Director  
Vacant, Director

#### Other participants identified in attendance:

Marcos Pacheco, CRS of Colorado  
Steve Schopen, Haynie & Company  
Greg Root  
Bill Anderson  
Patrick O'Keefe  
Carol Swomley  
Linda Stearns  
Bob Daley  
Bill Bristol  
Gloria Steinmetz  
Hallie Holland  
Kay Jackson  
Ron Wheat  
Thom Nolan  
Julie Homes  
Susan Robitaille  
Tom Backe  
Lee Jennings

### PUBLIC COMMENT

Bob Daley: Spoke on three issues – dog urine, rocks and graffiti. We've had a terrible experience with the heat wave. Because of the heat wave, there are several areas with burned grass. Burnt spots throughout the area from a dog, likely. If dog pee is not diluted, it is powerful and will burn grass. If you walk with your dog, bring a jug of water to water it down. Second, where he lives, a group of neighbors bought rocks to spread in front of their patio. They look nice; however, we have covenants to keep unity of landscaping stones in the community the same. They are the wrong size, and he feels we need to comply with design guidelines. Because of this, he feels others will start to do as they please. Lastly, he was shocked on

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Union that a mailbox had gang graffiti, in his opinion. Because of his ties to Southern California, he believes the graffiti is done with malintent.

Hallie Holland: Noted that she would like to discuss community events.

Ron Wheat: He had questions and was asking for information about the blacktop and surface cracks. Brown Brothers just filled them with blacktop. The current company did the same type of repair. Looking to see if there is a liability on the contractor. Could be a trip hazard. He wants to address problems without arguing. He would like to see issues dealt with, with class. Kirk responded to the issue with the cracks and helped provide clarification. Bill Anderson added comments as to why he believes some cracks have taken place.

## CALL TO ORDER DISCLOSURE OF CONFLICTS OF INTEREST

The meeting was called to order by Director Faiks at 6:30 PM. There were no potential conflicts of interest that were disclosed.

## AGENDA APPROVAL

The Board reviewed the agenda and moved to approve as presented. Upon motion by Director Root and second by Director Cox, vote was taken, and the motion carried unanimously.

## MINUTES

The Board reviewed the minutes of the June 9, 2022, meeting. The minutes were approved as presented. Upon motion by Director Cox and seconded by Director Oglesby, vote was taken, and motion carried unanimously.

## FINANCIAL

Review and Consider Approval of the 2021 Audit: Steve Schopen with Haynie & Company presented the 2021 audit report. The auditor noted no serious issues, and the capital fund balances are not restricted. After discussion, Director Root moved that the Board approve the audit pending final report and approval. Upon second by Director Oglesby, vote was taken, and motion carried unanimously.

Approval of Claims: The Board reviewed claims to be ratified represented by check nos. 2831 – 2857 and 2897 – 2918, noting that the list of check 2831-2857 were not provided at the June meeting. Director Oglesby moved to ratify checks listed. Upon second by Director Root, vote was taken, and motion carried unanimously.

The Board reviewed current claims to be approved represented by check nos. 2919 - 2928 and the autopayments. Director Oglesby moved to approve the claims as presented, upon second by Director Root, 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, Director Root moved that the Board accept the financial statements as presented. Upon second by Director Faiks, vote was

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taken, and motion carried unanimously.

The Board commented on the provided comparison report that was prepared by the District Accountant. They thanked Ms. Beans for her efforts in completing this report.

## HOA REPORTS

Bill Anderson: Commented on the rocks mentioned earlier in the meeting, and stated the landscaping is overseen by the HOA, not the metro district.

## MANAGER'S ITEMS

Mr. Pacheco noted the SDA conference is next week. He also reported that the awning is being added to the District's insurance policy.

## DIRECTOR'S ITEMS

Pool Update: Director Faiks reported. After deciding to keep the pool open for an additional two weeks beyond Labor Day, the District received an email stating the cost to keep it open went up from \$1k to \$2k. Director Faiks provided information to the Board that the current executed contract states that \$1k is the price. After discussion it was determined that the schedule will remain unchanged and the cost to keep the pool open will be dealt with following the closing and winterization of the pool. Director Faiks moved that the Board approve the pool stay open until September 18. Upon second by Director Cox, vote was taken, and motion carried unanimously.

Sewer Line Report: Mr. Pacheco reported that the claim against the District was denied. Director Faiks then provided some details on the process that was followed as did Director Oglesby.

Neighborhood Events: Director Faiks began by discussing how this came to light. Ms. Holland and the Fun Squad planned a party at the pool. Ms. Holland placed business information on the flyers. She was informed by Director Faiks that there is to be no commercial advertising at District events. There was also a banner that noted this was her event. Director Faiks recited the section of rules and regulations about advertising on District property. Ms. Holland said her intentions were not to upset anyone and had seen other communities with similar events, sponsored by businesses. Ms. Holland paid the deposit for the truck's vendors, with no compensation and continued to discuss her intention for the events. There was discussion amongst members of the public. Director Oglesby suggested the Board discuss this before moving forward. There was extensive discussion surrounding the topic and more information will be provided in the near future.

Resignation: Director Oglesby moved that the Board accept the Resignation of Ron Petroff. Upon second by Director Root, vote was taken, and motion carried unanimously.

Vacancy and Consider Appointment: Patrick O'Keefe stated he is interested in filling the vacancy, he provided a background on

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himself and his interest in serving on the Board. Director Root moved that the Board appoint Patrick O'Keefe to fill the current vacancy on the Board. Upon second by Director Cox, vote was taken, and motion carried unanimously.

## COMMITTEE REPORTS

Prior to discussion Director Faiks noted the committee vacancies due to Ron Petroff's resignation.

Communications Committee: Director Oglesby reported he has been trying to make simple changes to the website. He is open to comments from the public, just email him. Director Oglesby appreciates Mr. Pacheco's responsiveness to making changes to the website.

Director Faiks discussed the email policy and how the Board needs to send everything to the Board members by BCC. The reason for this is to prevent a violation of the public meeting laws.

Landscaping Committee: Carol Swomley provided examples of lights that have been previously used in the community. The current lights have been in use for nearly 6 years. She suggested that the lights be changed to other styles. She recommended making the change. Asked for permission to replace the lights, which will require about 40 boxes. There was a general consensus to move forward with new lights and bring old lights to next meeting to give away for free. She would also like Keesen Landscaping to light about 10 trees for \$600. There will also be a possibility that individual homeowners could piggyback on this tree lighting and have their personal trees decorated at the same time. Carol Swomley will coordinate this effort.

Street Committee: Director Faiks reported and provided copies of parking violations and policies that need to be followed. There was discussion about how to enforce and when. Director Root noted that if anyone sees someone that doesn't belong in the community, tell a Director. Director Oglesby then spoke about how he has walked the community to identify areas that need to be repaired. Director Root commented about the new towing regulations in place and has requested that CRS research how these will impact Dancing Willows. Noted that the new regulation requires 24 hour notice before towing.

Clubhouse Committee: Director Cox noted at the last meeting, several items were approved. The lockbox has been installed. There is one key that only works on the front door. There is also a new key that operates the back door and storage. The awning was successfully installed. The warming oven was also purchased and is working well. The clubhouse did have one A/C unit go down. The capacitor went out, followed by the fan motor. The capacitor was also replaced on the other unit as a preventative measure. The cost was about \$3k.

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Financial Committee: Mr. Pacheco noted that pursuant to statute, a draft budget will be provided to the Board prior to October 15<sup>th</sup>. It was suggested that a work session be held in early November to work on the 2023 budget.

Monuments Committee: No comment other than the Board needs to consider maintenance of the fences in the near future.

Snow Contract/ Removal Committee: Director Faiks noted that there was discussion in May at the open house held for the community. He continues to work with Keesen to clarify all concerns.

Pool Committee: Director Faiks added that he is looking at lighting around the hot tub, possibly solar lighting. The underwater light, which is out, is expensive to repair. The pool will need to be resurfacing and bids are starting to come in.

OTHER

Mr. Pacheco will have CRS coordinate the scheduling of a work session for November 7 or 8.

ADJOURNMENT

Director Cox moved that the meeting be adjourned at 8:22 p.m., upon second by Director Root vote was taken, and the motion carried unanimously

Respectfully submitted,



Secretary for the Meeting