

**MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS
OF
POMPONIO TERRACE METROPOLITAN DISTRICT**

NOTICE OF MEETING Wednesday, March 23, 2022, 3:00 P.M.

Attendance

The special meeting of the Board of Directors of Pomponio Terrace Metropolitan District was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, have confirmed their qualifications to serve, were in attendance:

Sara Dieringer
Marc Volland
Jen Newman
Christina Perry

Also present was Zachary P. White, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law; Angela Elliott, Don Cullen, and Cathren Kayce, Teleos Management Group; and Georgia Harland, Simons & Wheeler PC., and members of the public

**Call to
Order/Declaration of
Quorum**

It was noted that a quorum of the Board was present, and the meeting was called to order at 3:06 PM.

**Conflict of Interest
Disclosures**

Mr. White advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. White 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. Mr. White 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

Mr. White presented the proposed agenda to the Board for consideration. Following discussion, upon a motion duly made by Director Volland and seconded by Director Newman, the Board unanimously approved agenda.

Public Comment

Public Comment – Members of the public may express their views to the Board on matters that affect the Districts that are not otherwise on the agenda. Comments will be limited to three (3) minutes per person.

Consent Agenda

(These items are considered to be routine and will be approved by one motion. There will be no separate discussion of these items unless requested, in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda) (Enclosures)

- a. Consider Approval of Minutes from November 21, 2021, special meeting (enclosure).

It was noted that the accounting representative listed was incorrect, approval of the meeting minutes was removed from Consent Agenda items.

Upon motion duly made and seconded, the following item on the consent agenda was unanimously approved.

- b. Consider Adoption of Resolution Designating 24-Hour Posting Location (enclosure)

Approval of November 21, 2021 Meeting Minutes

Following discussion on correct District Accountant from Diane Wheeler to Georgia Harland, upon motion duly made, seconded, upon vote and unanimously carried, the November 21, 2021, minutes were approved as corrected.

Operations/Manager Matters

Ms. Elliott / Mr. Cullen have provided the managers' report in advance for review. Ms. Elliott noted that all statutory reporting from the districts last meeting had been filed, including but not limited to certifying the mill levy, DLG map filing, transparency notice and filing of the Districts 2022 Budget. She further noted the website is in compliance with the new revised statute.

- a. Manager's Report – discussion followed on the community free library and Manager Cullen will complete coordination with the board. Further discussion followed on trash can storage that was not in the governing documents. This item will be on the next agenda.
- b. Delinquency status - discussion followed on the homeowner's attorney in correspondence without attorney and a payment plan was to be effective February. However, no payments have been received and Management will contact legal counsel for next step.
- c. Newsletter - Director Newman discussed the 1st newsletter had gone out and she and Management will start on the 2nd newsletter.

d. Update regarding the artificial turf installed at 6900 Canosa St
The Homeowners was present at the meeting and stated that they have an email from Adams County stating that no variance is needed for their property. However, Board still requests that a physical document (email or letter) from Adams County be provided to allow the artificial remain in place. Don Cullen (Teleos Services) spoke to David DeBoskey (Planner with Adams County) and recommends that homeowners reach out again to Mr. Deboskey regarding an action plan for current front yard landscape. Board's assumption is that artificial turf is NOT allowed in the front yard and permission is needed from Adams County Planner to consider approval of front yard landscape (artificial turf). Should approval be provided the Pomponio Metro District Design Review Committee would then begin a review of landscape.

e. Concerns/complaint that ATV's are accessing the Little Creek Trail through our community and damaging the native grass/common area.
Manager Cullen noted that homeowners should call Adams County NON-Emergency Line 303-288-1535 when ATV's are onsite.

7. Financial Matters

a. Consider Acceptance of December 31, 2021, financials (if available)
Ms. Harland presented the draft of the Audit for 2021 and walked the Board through the review of the various sections and Notes of the financial statement.

b. Consider Approval of Payables and Claims
Ms. Harland presented the claims, check # 2029 through 2034 in the amount of \$7,161.31 and check # 2035 through 2041 in the amount of \$15,159.09.

Following discussion, upon motion duly made by Director Perry, seconded by Director Volland, upon vote and unanimously carried, the Board approved (or did they ratify) the payment of claims in the amounts \$7161.31 and \$15,159.09 through January 2022.

c. Consider Approval of Audit Fee Engagement Letter
Ms. Harland discussed the audit has been prepared by Hiratsuka and Associates in the amount of \$5,000.

Following discussion, upon a motion duly made by Director Newman, seconded by director Volland, upon vote and unanimously carried, the Board approved the Audit Fee Agreement with Hiratsuka and Associations in the amount of \$5000 for the Audit to be completed by September 2022.

d. Amendment to 2021 Budget
Ms. Harland discussed the Debt Service Fund will need to be amended prior to the Audit. Mr. White recommended Manager Elliott to coordinate with Simmons and Wheeler on the timing and publication of budget hearing meeting to amend the 2021 Debt Service Fund Budget.

Legal Matters

a. Election Update

Mr. White discussed the status of the election for May 3, 2022 has been cancelled, leaving 2 vacancies on the board after the election, one seat for 2023 and the other for 2025.

Director's Matters

a. Jen Newman - Consideration to create Social Committee, coordinate neighborhood events. Committee would likely require a few volunteers and potentially a small expense fund.

Discussion on the creation of Social Committee. Manger Elliott suggested that Social committee be suggested in next newsletter, suggested event ideas like food trucks, holiday events, etc.

Other Business

Director Sara Dieringer provided a construction update. New Amenity Space near completion (concrete ping pong tables and corn hole) however will not officially open until summer.

Completion of the Townhomes (between 70th and 69th Ave) estimated completion date October/November of 2022.

The project to the South isn't expected to be completed until 2024/25.

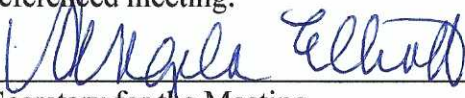
Board question regarding the open lot (70th and Eliot St) No construction is/has been identified at this time. Lot is currently owned by Diana Adams LLC Director Deringer noted that a plan was in place to seed and landscape (details TBD)

Board also questioned the removal of trailer that currently sits on vacant lot. Mr. White will inquire to timeline and possible removal.

Adjourn

There being no further business to come before the Board and following discussion and upon a motion duly made by Director Volland, seconded by Director Dieringer, upon vote and unanimously carried, the Board determined to adjourn the meeting at 4:36 pm.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.



Secretary for the Meeting

**MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS
OF
POMPONIO TERRACE METROPOLITAN DISTRICT**

NOTICE OF MEETING Tuesday, July 19, 2022, 3:00 PM

Attendance

The special meeting of the Board of Directors of Pomponio Terrace Metropolitan District was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, have confirmed their qualifications to serve, were in attendance:

Sara Dieringer
Jen Newman
Christina Perry

Also present was Zachary P. White, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law; Angela Elliott, Don Cullen, and Gabrielle Gavito, Teleos Management Group; and Georgina Harland, Simons & Wheeler PC., Marc Volland and Easton Enge, homeowners, and members of the public

**Call to
Order/Declaration of
Quorum**

It was noted that a quorum of the Board was present, and the meeting was called to order at 3:03 PM.

**Conflict of Interest
Disclosures**

Mr. White advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. White 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. Mr. White 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

Mr. White presented the proposed agenda to the Board for consideration. Following discussion, upon a motion duly made by Director Dieringer seconded by Director Newman, and upon vote, the Board unanimously approved agenda.

**Consider Appointment of
Directors**

Discussion followed on vacancies on the Board. Following discussion, upon motion duly made by Director Dieringer, seconded by Director Newman, upon vote and unanimously carried, the Board appointed Marc Volland and Easton

Enge to serve on the Board. Marc Volland will serve until May 2023. Easton Enge will serve until May 2025. Both candidates accepted their appointment.

Election of Officers

Discussion followed on the newly elected board member offices and those currently serving. Following discussion, upon motion duly made by Director Dieringer, seconded by Director Perry upon vote and unanimously carried, the following directors were elected to their respective offices:

President: Marc Volland
Secretary/Treasurer: Sara Dieringer
Asst. Secretary: Jen Newman
Asst. Secretary: Easton Enge
Asst. Secretary: Christina Perry

Public Comment

Public Comment – Members of the public may express their views to the Board on matters that affect the Districts that are not otherwise on the agenda. Comments will be limited to three (3) minutes per person.

Homeowner McFaddin requested that enclosures to meeting packet also be available to homeowners. Teleos was directed to posting meeting packet on website in the future. She also requested the meetings be later.

Following discussion, upon motion duly made, seconded, upon vote and unanimously carried, the Board moved the next meeting and budget hearing to December 7 at 6 pm.

Further discussion followed on the replacing sidewalks and landscaping being completed at townhomes.

Consent Agenda

(These items are considered to be routine and will be approved by one motion. There will be no separate discussion of these items unless requested, in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda) (Enclosures)

- a. Consider Approval of Minutes from March 23rd, 2022, special meeting (enclosure).

The Board reviewed the Minutes from the March 23rd, 2022, Special meeting. Following a review, upon a motion duly made by Director Dieringer and seconded by Director Perry, the Board unanimously approved the Minutes as presented.

Operations/Manager Matters

Ms. Elliott / Mr. Cullen have provided the managers' report in advance for review.

- a. Update regarding the free library – Manager Cullen discussed the free-standing library is more complex to install than initially contemplated. Manager Cullen has discussed with Cardel Homes the possibility of their crew putting together the structure. Manager Cullen explained that this will be installed by August.
- b. Update regarding the security signs/neighborhood watch. Manager Cullen discussed that no homeowner volunteered to take the lead on the Neighborhood Watch, therefore Manager Cullen ordered signs. Manager Cullen will have signs installed at entry on Clay St. and Elliott St.
- c. Trash can Storage not regulated in governing documents. Manager Cullen discussed the lack of clear restrictions on where homeowners can store trash cans on their property. Mr. White clarified there is a section in the governing documents that prevent homeowners from leaving trash cans in the alleyway.
- d. Weed Mitigation - Manager Cullen discussed that Broadleaf spray was completed in June.
- e. DRC Reviews - Manager Cullen discussed that there were 6 Design Applications and 4 Landscape applications since the last meeting.
- f. Covenant Violations - 6900 Canosa St - Artificial Turf installed front yard – Manager Cullen discussed the application and the Board ask that the application be resubmitted for review.

Financial Matters

a. Consider Acceptance of April 30th, 2022, financials (if available)
Ms. Harland presented the draft of the Audit for 2021 and walked the Board through the review of the various sections and Notes of the financial statement.

b. Consider Approval of Payables and Claims
Ms. Harland presented the claims, check # 2042 through 2056 in the amount of \$36,816.24. to be ratified for the period of March 23, 2022, through July 8, 2022

Following discussion, upon motion duly made by Director Dieringer seconded by Director Newman, upon vote and unanimously carried, the Board approved the payment of claims in the amount \$36,816.24 through July 8, 2022.

- a. Conduct Public Hearing on 2021 Budget Amendment and Consider Adoption of Resolution Amending 2021 Budget (**enclosure**)

Upon motion duly made, seconded, upon vote and unanimously carried, Mr. White opened the Public hearing.

Ms. Harland discussed the debt service fund over budget.

Upon motion duly made, seconded, upon vote and unanimously carried, Mr. White closed the public hearing.

Mr. White reviewed the Amended 2021 Budget Resolution with the Board. Following discussion, upon a motion duly made by Director Perry, seconded by Director Dieringer upon vote, the Board unanimously adopted the Resolution amending the 2021 Budget.

Legal Matters

a. None

Director's Matters

a. None.

Other Business

Director Newman resigned from the Board effective July 22, 2022, because of sale her house.

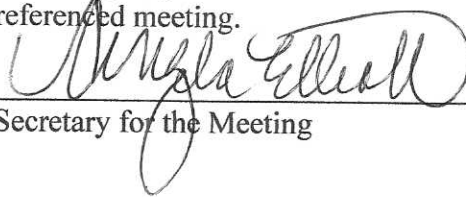
The Board discussed cancelling the August 22, 2022 meeting at 3 pm. Ms. Elliott will send cancellation.

Further discussion followed on Director Perry helping with the newsletter until a replacement is found.

Adjourn

There being no further business to come before the Board and following discussion and upon a motion duly made by Director Dieringer seconded by Director Perry, upon vote and unanimously carried, the Board determined to adjourn the meeting at 4:08 pm.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.



Secretary for the Meeting

**MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS
OF
POMPONIO TERRACE METROPOLITAN DISTRICT**

Held **Wednesday, November 30, 2022, at 6:00 p.m.**

Attendance The special meeting of the Board of Directors of Pomponio Terrace Metropolitan District was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, have confirmed their qualifications to serve, were in attendance:

Marc Volland
Sara Dieringer
Christina Perry

Also present was Zachary P. White, and Carey Smith, White Bear Ankele Tanaka & Waldron, Attorneys at Law; Angela Elliott, Fallon Redmond, and Marlene Pappas, Teleos Management Group; and Georgia Harland, Simons & Wheeler PC.; Easton Enge and members of the public.

Call to Order/Declaration of Quorum It was noted that a quorum of the Board was present, and the meeting was called to order at 6:04 p.m.

Conflict of Interest Disclosures Mr. White advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. White 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. Mr. White 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 Mr. White presented the proposed agenda to the Board for consideration. Items 8A Consider Approval of September 2022 should be October 2022 financials. Following discussion, upon a motion duly made by Director Dieringer, seconded by Director Volland, and upon vote, the Board unanimously approved the revised agenda.

Consider Appointment of Directors

The Board discussed the appointment of Easton Enge to the Board.

Following discussion, upon motion duly made, seconded, upon vote and unanimously approved, the Board appointed Easton Enge to the Board.

Legal Counsel will forward Oaths to Mr. Enge.

Approval of Minutes from July 19, 2022, Special Meeting

The Board reviewed the Minutes from the July 19, 2022, Special meeting. Following a review, upon a motion duly made by Director Volland, seconded by Director Dieringer, and upon vote, the Board unanimously approved the Minutes as presented.

Public Comment

No Public Comment

Consent Agenda

Mr. Volland reviewed the items on the consent agenda with the Board. Mr. Volland advised the Board that any item may be removed from the Consent Agenda to the regular Agenda upon the request of any Director. The 2023 Annual Administrative Resolution was removed from the Consent Agenda.

Upon a motion duly made and seconded, the Board unanimously approved the following consent agenda items:

- a. July 19, 2022, Special Meeting Minutes
- b. Resolution Designating the District's 24 Hour Posting Location
- c. Resolution Adopting a Personal Data Privacy Policy
- d. Approval of Renewal of General Liability Schedule and authorization to Bind Coverage, Renewal of Special District Association of Colorado Membership, Payment of Agency Fee and Inclusion of Workers' Compensation Coverage

Consider Adoption of 2023 Annual Administrative Resolution

Discussion followed on changing the time of meetings from 3 p.m. to 6 p.m.

Upon a motion duly made and seconded, the Board unanimously adopted the 2023 Annual Administrative Resolution with the change in time from 3 p.m. to 6 p.m.

Operations/Manager Matters

Manager's Report

Ms. Elliott introduced Fallon Redmond as Community Manager to Pomponio Terrace Board.

Ms. Elliott / Ms. Redmond provided the Managers' Report in advance for review.

Consider Ratification of Independent Contractor Agreement with Schultz Landscape, LLC for Snow Removal Services

Ms. Elliott presented the Independent Contractor Agreement with Schultz Landscape, LLC for Snow Removal Services to the Board for ratification. Ms. Elliott advised the Board that the agreement has been secured. Following discussion, upon a motion duly made by Director Volland, seconded by Director Dieringer, and upon vote, the Board unanimously ratified the agreement.

Review Proposals for 2023 Landscape Services

Ms. Elliott presented and discussed proposals for 2023 Landscape Services to the Board. Following a review, upon a motion duly made by Director Perry and seconded by Director Volland, and upon vote the Board unanimously ratified the 2023 Landscape Contract with Schultz Landscape LLC.

Consider Approval for Winter Watering Services

Following review and discussion regarding the Winter Watering Services proposals, upon a motion duly made by Director Volland and seconded by Director Perry, and upon vote, the Board unanimously awarded the 2022/23 Winter Water services contract to Davey Tree and directed legal counsel to prepare the agreement for execution.

Financial Matters

Consider Approval of September 30, 2022, Financials

Ms. Harland presented the October 31, 2022, financials to the Board. Following discussion, upon a motion duly made by Director Volland, seconded by Director Dieringer, upon vote, the Board unanimously accepted the financials as of October 31, 2022.

Approval of Payables and Claims

Ms. Harland presented the Payables and Claims to the Board. Following discussion, upon a motion duly made, by Director Volland, seconded by Director Perry, and upon vote, the Board unanimously approved/ratified the payables and claims.

Conduct Public Hearing on 2022 Budget Amendment

Conduct Public Hearing on the 2022 Budget Amendment.

Mr. White reviewed the 2022 Budget Amendment. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution amending the Debt Service Fund from \$301,127 to \$302,127.

Consider Adoption of 2023 Budget Resolution

Conduct Public Hearing on the proposed 2023 Budget and consider adoption of Resolution to adopt the 2023 Budget, Set Mill Levies and Appropriate Sums of Money (enclosed).

Mr. White reviewed the 2023 Budget Resolution with the Board. Following discussion, upon a motion duly made by Director Perry, seconded by Director Volland, and upon vote, the Board unanimously adopted the Resolution adopting the 2023 Budget, appropriating funds therefor and certifying 6.572 Mills for the General fund, 49.298 Mills for the Debt Service fund, and 0.000 Mills for the Capital Projects fund.

Legal Matters

Consider Adoption of Resolution Calling for 2023 Election

Mr. White presented Resolution for 2023 Election. Following review and discussion, upon a motion duly made by Director Volland, seconded by Director Perry, and upon vote, the Board unanimously adopted the Resolution Calling for 2023 Elections.

Consider Adoption of Resolution Regarding Policies, Procedures and Penalties for the Enforcement of the Governing Documents

Mr. White presented the Resolution regarding Policies, Procedures and Penalties for the Enforcement of Governing Documents. Following review and discussion, upon a motion duly made by Director Volland, seconded by Director Perry, and upon vote, the Board unanimously adopted the Resolution Regarding the Policies, Procedures and Penalties for the Enforcement of Governing Documents.

Director's Matters

Discussion regarding Director Contact Information on Website

Zachary P. White, Esq., discussed Board contact information on the website.

Following discussion and upon motion duly made by Director Volland, seconded by Director Perry and upon vote unanimously carried, the Board approved engaging Zachary White's legal services to create, publish and monitor generic Board member email addresses and communications through the District website.

Other Business

Adjourn

There being no further business or discussion to come before the Board and upon a motion duly made By Director Perry, seconded By Director Volland and unanimously carried, the Board adjourned the meeting at 7:07pm.

The foregoing constitutes a true and correct copy of the Minutes of the above-referenced meeting.

DocuSigned by:
Sara Dieringer

Secretary for the Meeting