

**RECORD OF PROCEEDINGS
MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
TALON POINTE METROPOLITAN DISTRICT**

HELD: Thursday, April 11, 2024 at 5:00 PM 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
Estella Lancaster
Anthony Jamroz
Donald Gandee
Vacant

Also present: Angela Elliott, District Manager and Joe Saunders, Community Association Manager with Teleos Management; Heather Hartung, White Bear Ankele Tanaka & Waldron, Districts Counsel; Eric Weaver and Avery Weaver, Marchetti & Weaver, LLC, Talon Pointe Metropolitan District Accountants; Kim Herman, DR Horton; and, members of the public.

CALL TO ORDER/DECLARATION OF QUORUM

On behalf of the Boards, Director Baumgartner called the meeting to order at 05:00 p.m.

CONFLICTS OF INTEREST DISCLOSURES

Ms. 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 Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. 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 by Director Jamroz, seconded by Director Gandee and upon vote, the Boards unanimously approved the agenda as presented.

PUBLIC COMMENT

Members of the public may express their views to the Boards on matters that affect the District. Comments will be limited to three (3) minutes.

Homeowner commented on the need for replacing the dead trees throughout the community, especially at the 2 major entrances. Director Baumgartner discussed that the trees that died are not covered under the 1-year warranty and the cost to replace will be at the District's expense. Davey Tree and Autumn Landscaping provided proposals.

DIRECTOR MATTERS

A. Consider appointment of Board of Directors, Administer Oath and Election of Officers (enclosures)

Director Baumgartner discussed the possibility of increasing the number of Directors for the Talon Pointe Metropolitan District from five to adding one or two more Directors. The District will be considering accepting future tracts from area developers adding more homeowners to the District's community. The adding of more Directors will be open to all qualified homeowners. The discussion will be tabled until June 13, 2024 meeting.

The Board discussed the process of electing one of 2 applicants for the vacant Director position. The 2 applicants are Julia Weissmann and Nicole Ybarra. Each Director discussed the qualifications of each applicant noting that they have been an asset to the District by volunteering for committees and their commitment to making the community the best it can be.

Following discussion, upon motion duly made by Director Jamroz, seconded by Director Baumgartner and upon vote, the Board unanimously approved Nicole Ybarra as the new Director. Ms. Ybarra could not attend this meeting. Director Baumgartner will administer the Oath of Office and deliver the required documents during the week of April 24, 2024.

B. Status of oil site

Director Baumgartner discussed the future use of the oil site and the oil company's plan of action. Due to the inability to contact someone at the oil company, the Board discussed having the District Counsel to spend 5 hours in researching and communicating with a representative of the oil company.

Following discussion, upon motion duly made by Director Gandee, seconded by Director Baumgartner, upon vote and unanimously carried, the Board approved District Counsel Hartung to spend 5 hours of her time researching and communicating with the oil company to find out their future plans.

C. Status of Waterfall

Director Baumgartner discussed the waterfall and the reasons why the water has not flowed for the last year. The liner of the fountain has a severe leak and when working, lost gallons of water. The company who installed the fountain is no longer in business. After speaking with a couple of contractors who specialize in fountains, the total cost to repair the liner would be extremely high and the contractors would not guarantee the liner from leaking. A suggestion was made to explore removing the existing pumps and sell them for their value in order to provide funds for another idea such as adding decorative lights throughout the rocks and boulders. The Board decided to continue this discussion at June 13, 2024 meeting.

D. Tree Options 2024

In November, 2023, Director Baumgartner, District Manager Elliott and Community Association Manager Saunders inspected the community with a tree expert from Davey Tree to discuss the provide a proposal to remove and replace the trees that died throughout the community. The contractor estimated that around 180 trees have died due to being planted too close to each other. Each tree extracts the nutrients from the soil and when planted too close, each tree doesn't receive the proper amount of water or nutrients. The 2024 budget has \$75,000 allotted for tree removal and replacement. Additional costs may be added due to grinding existing tree stumps and installing irrigation.

Following discussion, upon motion duly made by Director Gandee, seconded By Director Jamroz, upon vote and unanimously carried, the Board approved to spend no more than \$75,000 to remove dead trees, grind existing tree stumps, add irrigation and plant new trees.

E. Discussion Library Box

The Board discussed a homeowner's suggestion to install a library box in the structure located on the southeast side of the playground on 158th Place.

Following discussion, upon motion duly made by Director Jamroz, seconded by Director Gandee, upon vote and unanimously carried, the Board approved to spend no more than \$1,500 to purchase and install a library box at the structure located at the southeast side of the playground. The ARC will review and decide on the design of the box.

F. Update on Trail Water Issue

Director Baumgartner discussed the work that has been completed at the residential trail helping with the standing water. Drainage vents and pipe have been placed under the concrete to allow water to drain on north side of path and into the adjacent pond area. Also, the concrete has been grinded to eliminate tripping hazards.

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.

- A. Approval of November 9, 2023, Special Meeting Minutes (enclosure)
- B. Approval of November 9, 2023, Annual Meeting (enclosure)
- C. Approval of Resolution Designating Meeting Notice Posting Location (enclosure)
- D. Acknowledgment of City of Thornton Acceptances Regarding Talon View Phases 1-3 for Paving, Signage, Drainage and Utility Improvements (enclosures)
- E. Approval of Revised FAQs (enclosure)

Following discussion, upon motion duly made by Director Jamroz, seconded by Director Gandee and upon vote, the Boards unanimously to approve the November 9, 2023, Special Meeting Minutes, November 9, 2023 Annual Meeting, Resolution Designating Meeting Notice Posting Location, City of Thornton Acceptances Regarding Talon View Phases 1-3 for Paving, Signage, Drainage and Utility Improvements and Revised FAQs, as presented.

LEGAL MATTERS

A. Discuss Website Accessibility and Document Remediation Providers

District Counsel Hartung discussed the new website accessibility law that is coming into effect on July 1, 2024 that requires all meetings and websites to be accessible for use by the public. Also, all unnecessary documents located on websites must be removed by the same date.

Following discussion, upon motion duly made by Director Ramroz, seconded by Director Gandee and upon vote, the Boards unanimously approved allowing the team to investigate the Website Accessibility programs and Document Remediation Providers, as presented.

B. Discuss Status of Field Options

The Board discussed the future use of the property around the oil rig and playground possibly adding a frisbee golf course, dog park or pickle courts. Further discussions are tabled until the June 13, 2024 meeting.

FINANCIAL MATTERS

A. Ratification of Claims

Following discussion, upon motion duly made by Director Ramroz, seconded by Director Baumgartner, upon vote and unanimously carried, the Board ratified the claims in the amount of \$76,099.20.

B. Financial Statements

Following discussion, upon motion duly made by Director Baumgartner, seconded by Director Gandee, upon vote and unanimously carried, the Board accepted the financial statements as of December 31, 2023.

MANAGEMENT MATTERS

A. Management Report and Status on Operating accounts (enclosure)

District Manager Elliott reviewed November, 2023 to March, 2024 management report with the Board. No questions were received from the Board.

B. Discussion on Mulch Enhancement

The Board discussed the mulch proposals received in 2023 and decided to table discussion until June 13, 2024 meeting.

C. Discussion on Annual Meeting Date

The Board discussed future dates to host the District's annual meeting and will provide dates in July, August and September. August 8th, 2024 at 4:00 PM was suggested as a potential time and date. The Board decided to table further discussions until the June 13, 2024 meeting.

D. Discussion on Davey Tree renewal

The Board discussed the Davey Tree renewal was included in the discussion under Director Matters, section D Tree Options.

E. Discussion on Tree Replacements

The Board discussed the tree replacements was included in the discussion under Director Matters, section D Tree Options.

F. Discussion on Fence Painting

The Board discussed the repairing and staining of the common area fencing throughout the community, especially the fencing on the southeast area of the community. Community Association Manager Saunders will inspect the fencing throughout the

community preparing a RFP for contractors to provide proposals. These proposals will be presented to the Board at June 13, 2024 meeting. There is \$35,000 budgeted to repair and stain common area fencing.

G. Best Yard(s) Awards

Following discussion of providing \$100 gift certificates for the winning the best yard award, the Board tabled the discussion until the June 13, 2024 meeting.

H. Discussion on Holiday Lights

Following discussion of installing holiday lights at the entrances and fountain, the Board tabled the discussion until the June 13, 2024 meeting.

I. Discussion on Spotlights at Entrance

Following discussion of installing spotlights each entrance and fountain, the Board tabled the discussion until the June 13, 2024 meeting.

OTHER BUSINESS:

No other business was presented to the Board.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 7:09 p.m.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and were approved by the Boards of Directors of the regular meeting of Talon Pointe Metropolitan District.

Respectfully submitted,



Secretary of the Board