

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

HERITAGE TODD CREEK METROPOLITAN DISTRICT

Held: Monday, July 23, 2018 at 1:00 p.m., 8455 Heritage Drive, Thornton, CO 80602

Attendance

The regular meeting of the Board of Directors of the Heritage Todd Creek Metropolitan District was called and held as shown above in accordance with the statutes of the State of Colorado. The following Directors, having confirmed their qualifications to serve on the Board, were in attendance:

Phil Anderson, Vice President
Dan Kettle, Treasurer
William Gomer, Secretary
Paul Ozanich, Asst. Secretary

Absent:

Rod Stone, President (absence excused)

Also present were Barbara T. Vander Wall, Esq., and Cameron J. Richards, Esq., Seter & Vander Wall, P.C.; Diane Wheeler, Simmons & Wheeler, P.C.; Ross Dudley, CCMC, District Manager; and Brandon Collins*, IDES.

[*Departed where indicated.]

Call to Order

Director Anderson noted a quorum of the Board was present and called the regular meeting of the Board of Directors of the Heritage Todd Creek Metropolitan District to order at 1:00 p.m.

Conflict of Interest / Disclosure Matters

The Board had been previously advised that pursuant to Colorado law, certain disclosures by the Board members might be required prior to taking official action at the meeting. Legal counsel advised that written disclosures of the conflicts of interest for each Director had been filed with the Secretary of State prior to the meeting.

No additional conflict disclosures were announced.

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Approval of Agenda Director Anderson requested the following agenda items be added: (1) Discussion of golf crossing and stop signs under committee reports; and (2) the installation of trees along Heritage Drive as new business. The revised agenda was approved upon motion made, seconded, and by unanimous approval.

Approval of Minutes The Board reviewed the minutes of the June 11, 2018 special meeting. Upon motion duly made, seconded and unanimously carried, the minutes were approved as presented.

Public Comment No public comment was offered at this time

Financial Matters

- Financial Reports and Ms. Wheeler presented financial statements for the period
Payment of Claims ending April 30, 2018, and a schedule of claims for June and July to be approved for payment.

Total claims for June were \$6,061.54 and included checks for accounting and legal. July claims totaled \$12,036.04 for legal, engineering and accounting. Upon motion made, seconded and unanimously carried, the claims for June and July were approved.

The District's financial statements dated June 30, 2018, were reviewed. Property tax collection is nearly complete. Fee revenue is approximately 50% of forecast, but the budgeted amounts are expected to be collected later in the year. The District's fund balances were reviewed. Expenditures are generally tracking budgeted amounts. Ms. Wheeler noted certain categories that appear under budget but have large upcoming expenditures, including street repairs and water bills. Ms. Wheeler noted a debt service payment of \$1.3 million was made on June 1.

Upon motion duly made, seconded, and unanimously carried, the financial statements were accepted as presented.

Director Anderson asked about the current ColoTrust interest rate; Ms. Wheeler stated the rate is 2.4%. Director Anderson asked that the current interest rate be added to future financial reports so the Board could easily track the investment return.

- 2017 Audit Ms. Wheeler reported the 2017 Audit has been filed and will be

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provided to management for posting on the District's website.

Committee Reports

- Engineering Committee

Directors Kettle and Anderson presented the engineering committee report. Brandon Collins from IDES also reported.

Mr. Collins reported Martin Marietta has proposed two different options for the District's 2018 pavement rehabilitation following a walkthrough of streets. Each option is within the District's budgeted amount. Option One does not include a seal coating of Heritage Drive and instead has slurry seal on a few additional streets, while Option Two includes seal coating of Heritage Drive without the additional streets.

Directors Anderson and Kettle recommend Option 2 encompassing a contract total of \$205,903.05. The Board agreed with this proposal. Director Kettle stated the community needs to be notified of construction, street closings or the need to move vehicles. Mr. Collins stated Martin and Martin will do this and has, in his experience, done a good job with community communications.

Upon motion made, seconded, and unanimously carried, the Board agreed to accept Martin and Martin's Option 2 bid for \$205,903.05.

Mr. Collins added the Board previously approved a \$15,000 task order for engineering services related to this project. Approximately \$6,000 remains of the budget, which is expected to cover the remaining tasks necessary to complete the 2018 road repair project.

[*Mr. Collins departed at this time.]

- Landscape Committee No landscape committee report was presented. Director Anderson noted both Brightview and Metco have recently stepped up plant and tree replacement in areas where the landscaping had been suffering. This has improved the overall appearance of the District's landscaping.
- Budget Committee No budget committee report was presented. Ms. Wheeler noted the District's preliminary assessed valuation will be issued by Adams County in August.
- Special Committee on Director Ozanich noted he and Director Gomer have not

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Park Benches

progressed very far in their analysis on the park bench project. He has obtained a map prepared by the neighborhood association showing prospective locations for bench placement. Lennar has committed to 6 benches and is waiting on a bench type and location to order and install. Director Ozanich expects to bring recommendations to the next meeting for approval.

Stop Signs and Golf Course Crossing Signs

The Board discussed putting a stop sign on Heritage Drive at Uinta to help slow traffic down. The Board remains favorable to this idea but wants to wait until street work is complete to install street markings at the same time as the signs.

Director Kettle reviewed the current state of golf cart crossing signs in the District and provided photos of the various different signs. There is not a consistency with how crossings are signed, where the signs are located, or what is shown on the sign. In total, the District will require 13 new signs to mark all crossings consistently.

Legal counsel informed the Board that the District roads are deemed “private,” meaning not under the jurisdiction of the City of Thornton, although available for public use. The District does not require the approval of Thornton for placement of the signs and markings. However, should the District want Thornton to assume enforcement duties in the District, all signs and traffic markings need to comply with the Manual on Uniform Traffic Control Devices and Thornton code. A traffic engineer could be hired to do ensure compliance now, or changes could be made if necessary. The Board determined to proceed with installation of the signs.

The Board agreed the standard golf course crossing signage should include a large sign with a golf cart, and a second sign reading “Golf Cart Crossing” should be installed on a single post. One sign should be placed facing traffic in each direction. Directors Kettle and Ozanich will obtain bids for signs and installation to present at the next meeting for formal consideration.

District Manager Report

Mr. Dudley presented the manager’s report including a written report which was provided to the Board.

CCMC is still looking for a full-time manager to replace Mr. Hubbell. CCMC is refining the job description to find the right

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candidates. The Quebec entrance gate panel was replaced by RG Maintenance due to a electrical short. Colorado Garage Maintenance has also worked on the District gates and Mr. Dudley is soliciting bids from each company for the District's maintenance.

Mr. Dudley is working with Metco and Brightview to address some landscaping issues around the District including tree pruning, plant replacement and sod repair or replacement.

Brightview has provided a proposal for the installation of 6 trees along the south side of Heritage Drive, just inside the Quebec Gate. The land currently belongs to the Golf Course, but they are open to the District installing trees. Ms. Vander Wall noted the District will need a license agreement to use Golf Course land for this purpose. Legal counsel will prepare a simple license agreement.

The District is considering a transfer of website hosting. Problems were present with the "At Home" provided website. The HOA is transitioning to a "Front Steps" hosted site and CCMC is recommending that the District also transition to Front Steps. Front Steps is offering promotional pricing.

Upon motion made, seconded and carried unanimously, the District determined to switch website hosting to Front Steps pending legal review of the contract.

Mr. Dudley reviewed how District water and telephone bills associated with gates and landscaping which have not yet been granted preliminary acceptance, are calculated and applicable amounts charged back to Lennar.

Chase drain installation in Amendment 9 is underway. The results of the first installations will be considered before additional drains are installed.

Mr. Dudley updated the Board on a recent automobile incident that damaged District-owned fencing, as well as private homeowner property. A claim has been submitted to the District's insurer for fence and landscape damage.

Old Business

All of the identified "old business" items have been addressed previously in the meeting. There were no additional items presented for discussion.

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New Business

All of the identified “new business” items have been addressed previously in the meeting. There were no additional items presented for discussion.

Public Comment

Michael Amaloo, a resident in Amendment 10, inquired about ownership of the reservoir. The Board informed Mr. Amaloo the reservoir is owned and maintained by Todd Creek Village Metropolitan District.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 3:45 p.m. The next regular meeting of the Board is scheduled for September 24, 2018 at 1:00 p.m.



Secretary for the Meeting