



**MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
TUSCAN FOOTHILLS VILLAGE METROPOLITAN DISTRICT
HELD OCTOBER 18, 2023, AT 10:00 A.M.**

Pursuant to posted notice, the special meeting of the Board of Directors of the Tuscan Foothills Village Metropolitan District was held on Wednesday, October 18, 2023, at 10:00 AM, at 17 S. Wahsatch Ave, Colorado Springs, CO and via video teleconference.

Attendance

In attendance were Directors:

David Hewett, President
Raymond O’Sullivan, Treasurer
Roger Lemmon, Secretary (Excused)
Jack Wallace Mason, Assistant Secretary
Jennifer Mullins, Assistant Secretary

Also in attendance were:

Heather Smith, WSDM District Managers
Kevin Walker, WSDM District Managers
Rebecca Harris, WSDM District Managers
Blair M. Dickhoner, Esq., White Bear Ankele Tanaka & Waldron
David Talbot, Property Owner

1. Call to Order: President Hewett called the meeting to order at 10:08 a.m.
2. Declaration of Quorum/Director Qualifications/ Disclosure Matter: President Hewett confirmed a quorum was present with Director Lemmon excused. Mr. Dickhoner advised the Board, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Dickhoner 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. Dickhoner 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.
3. Approval of the Agenda: Director O’Sullivan moved to approve the Agenda as presented; seconded by Director Mason. Motion passed unanimously.
4. Public Comment: Mr. Talbot asked about the status of paving. Director O’Sullivan provided an update on the paving and noted the City may want the road to be completely redone. Mr. Talbot asked about the status of Fees. Ms. Smith explained the Budget Hearing is on the Agenda and any fees for 2024 will be discussed and established at that time. Mr. Talbot asked about what is still

pending for sign off at the City. Mrs. Harris noted the Board will be considering the final Resolution to accept Filing 1 later on the Agenda. She confirmed it has been accepted by the City and the District has assumed maintenance. Mr. Talbot noted additional questions regarding the development, irrigation, and Proposition HH, which Ms. Smith confirmed were all included on the Agenda. Ms. Smith also offered to provide detailed written responses to any questions he may have outside of the meeting in the interest of time.

5. Consent Agenda: After review, Director Mason moved to approve the Consent Agenda as presented; seconded by Director Mullins. Motion passed unanimously.
 - a. Approval of September 20, 2023 Board Meeting Minutes
 - b. Ratification of Approval for Payables for October 18, 2023
 - c. Acceptance of Unaudited Financial Statements as of September 30, 2023 and the schedule of cash position updated as of September 30, 2023

6. Legal Matters
 - a. Consider Adoption of Annual Administrative Resolution (2024): Mr. Dickhoner presented the 2024 Annual Admin Resolution. The Board scheduled 2024 regular meetings for the third Wednesday of each month at 2:00 p.m. The Board scheduled the 2024 annual town hall meeting for the third Wednesday of October. The Board waived the director compensation. After review, Director Mullins moved to approve the 2024 Annual Admin Resolution as amended; seconded by Director O’Sullivan. Motion passed unanimously.
 - b. Consider Adoption of Amended and Restated Public Records Request Policy: Mr. Dickhoner presented the Amended and Restated Public Records Request Policy that reflects WSDM, LLC as the custodian of records. After review, Director O’Sullivan moved to adopt the Amended and Restated Public Records Request Policy; seconded by Director Mason. Motion passed unanimously.
 - c. Discuss Requirements of SB23-303 Relating to Limitations on Property Tax Revenue: Mr. Dickhoner provided an explanation of Requirements of SB23-303 Relating to Limitations on Property Tax Revenue and Proposition HH. If Proposition HH passes, it could lower the District’s property tax revenue.

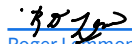
7. Insurance Matters
 - a. Discuss and Review Proposal for Renewal of General Liability Schedule and Limits and Property Schedule and Consider Approval and Authorization to Bind Coverage: Ms. Smith requested the Board schedule a special meeting to discuss this item. The Board scheduled a special meeting for November 15, 2023 at 3:00 p.m.
 - i. Review Property Schedule

8. Financial Matters
 - a. Conduct a Public Hearing on 2023 Budget Amendment and Consider Adoption of Resolution Amending the 2023 Budget: Director O’Sullivan moved to open the Public Hearing for the 2023 Budget Amendment; seconded by Director Mason. Motion passed unanimously. Ms. Smith presented the Resolution Amending the 2023 Budget. After no public comment, the Public Hearing was closed. Director Mullins moved to adopt the Resolution Amending the 2023 Budget; seconded by Director Mason. Motion passed unanimously.
 - b. Conduct a Public Hearing on the 2024 Budget and Consider Adoption of Resolution Adopting the Budget, Appropriating Funds, and Certifying Mill Levies: Director O’Sullivan moved to open the Public Hearing for the 2024 Budget; seconded by Director Mason. Motion passed unanimously. Ms. Smith presented a detailed review of the 2024 Budget that include calculations that reflect the 2024 Budget if Proposition HH passes or not. The Board agreed to set the mill levy at 10 mills and establish a monthly fee of \$70. Director Mullins requested a detailed review

of the District's contracts. After review, Director Mason moved to approve the 2024 Budget Resolution establishing the Operating mill levy at 10.00 mills and the Debt service mill levy at 34.330 mills with a monthly Operations and Maintenance Fee of \$70 per home. Director Mullins requested a detailed review of the District's contracts and expressed concern with approving the budget today. Ms. Smith explained the budget is intended as a guide and does not lock the Board into expensing the total allotted funds; however, adopting the budget will establish the fee and mill levies. The motion was seconded by Director Mullins. Motion passed unanimously. The Board unanimously closed the Public Hearing.

9. District Manager Report: Ms. Smith presented the District Manager Report.
10. Development Matters: Director O'Sullivan provided an update on development matters.
11. General Business
 - a. Review and Consider Approval of Revisions to Irrigation Agreement between TFVMD & TFVPHOA: Ms. Smith requested the Board table this item to allow additional time to review. The Board tabled this item.
 - b. Review and Consider Approval of Resolution Accepting Public Improvements Filing 1: Mr. Dickhoner presented the Resolution Accepting Public Improvements Filing 1. Director Mason moved to approve the Resolution Accepting Public Improvements Filing 1; seconded by Director Mullins. Motion passed unanimously.
12. Adjournment: The annual Town Hall Meeting is scheduled for October 26, 2023 @ 6:00 p.m. and a Special Meeting of the Board will be held on November 15th as established during discussion of agenda item 7. The Board unanimously adjourned the meeting at 11:40 a.m.

Respectfully Submitted,



[Roger Lemmon \(Jan 6, 2024 09:29 GMT+4\)](#)

Secretary






TFVMD 2023.10.18 Minutes - approved

Final Audit Report

2024-01-06

Created:	2023-12-08
By:	Heather Smith (heather.s@wsdistricts.co)
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"TFVMD 2023.10.18 Minutes - approved" History

-  Document created by Heather Smith (heather.s@wsdistricts.co)
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