



**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
TUSCAN FOOTHILLS VILLAGE METROPOLITAN DISTRICT
HELD APRIL 19, 2023, AT 10:00 A.M.**

Pursuant to posted notice, the regular meeting of the Board of Directors of the Tuscan Foothills Village Metropolitan District was held on Wednesday, April 19, 2023, at 10:00 AM, at 17 S. Wahsatch Ave., Colorado Springs, CO 80903, and via video teleconference.

Attendance

In attendance were Directors:

David Hewett, President
Raymond O’Sullivan, Treasurer
Roger Lemmon, Secretary (Absent)
Jack Wallace Mason, Assistant Secretary
Tanweer H. Khan, Assistant Secretary (Absent)

Also in attendance were:

Kevin Walker, WSDM District Managers
Heather Smith, WSDM District Managers
Blair M. Dickhoner, Esq., White Bear Ankele Tanaka & Waldron
Nelson Dunford, Esq., White Bear Ankele Tanaka & Waldron
David Talbot, resident

1. Call to Order: President Hewett called the meeting to order at 10:00 AM

2. Declaration of Quorum/Director Qualifications/ Disclosure Matter: President Hewett confirmed a quorum was present. 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 made a comment regarding his property tax bill and referenced the service plan that shows the mill levy is maxed out at 40 mills plus slightly more due to Gallagherization. He asked if the District anticipates going beyond the 40 mills. The Board discussed that the current Operations mill levy is 5 mills and will be increasing to 10 mills de-Gallagherized and the homeowners

will be able to decide if the mill levy is raised in the future. Mr. Talbot asked about the assessed valuations. Mr. Walker explained that every 2 years the County Assessor is required to update the values and assessed valuations for all residential parcels in the County. The Board discussed completing an irrigation audit to see if any improvements can be made.

5. Consent Agenda: Director O’Sullivan moved to approve the Consent Agenda as presented; seconded by Director Mason. Motion passed unanimously.

- a. Approval of November 16, 2022 Meeting Minutes
- b. Ratification of Approval for Payables for November 16, 2022 - March 21, 2023
- c. Acceptance of Unaudited Financial Statements as of March 31, 2023

6. District Manager Report: Ms. Smith presented the Manager’s Report. Director O’Sullivan provided an update on the sales and occupancy.

7. Development Matters: The Board discussed development matters. Director O’Sullivan noted the only outstanding issues are the improvements planned for the entry at Mule Deer and the turnover of items to the City.

8. Financial Matters: There was no discussion.

9. Legal Matters

- a. Resolution Imposing Fees: Ms. Harris presented the Resolution Concerning the Imposition of an Operations Fee. The Operations Fee is \$617 annually with a due date of July 1st. Ms. Smith will provide a financial analysis in November for the Board to consider and calculate the fee for 2024. The Board discussed the option of waiting until May for the new Board to vote on this Resolution. Ms. Smith noted this is a timely issue and there will be a community informational meeting held in May to provide information and answer any questions that homeowners may have. After discussion, Director O’Sullivan moved to approve the Resolution Concerning the Imposition of an Operations Fee; seconded by Director Mason. Motion passed unanimously.
- b. Irrigation Services Reimbursement Agreement: The Board reviewed the Irrigation Services Reimbursement Agreement between the District and the HOA for 40% of the water costs only until the native areas are established and then the agreement ends. Director O’Sullivan moved to approve the Irrigation Services Reimbursement Agreement; seconded by Director Mason. Motion passed unanimously.
- c. Election Update: Mr. Dickhoner provided an Election update. Three seats were up for election and there were three self-nominations received, so they have been deemed elected and the Election was canceled. The Oaths of Affirmation will be signed, and they will officially join the Board in May.

10. New Business: There was no discussion.

11. Adjournment: Director O’Sullivan moved to adjourn at 11:00 AM; seconded by Director Mason. Motion passed unanimously.

Respectfully Submitted,

David Hewett

By: President




TFVMD 2023 04 19 Minutes Approved

Final Audit Report

2023-07-19

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