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# RECORD OF PROCEEDINGS

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**Minutes of  
2021 Annual Member Meeting  
Timber Springs Property Owners Association  
March 10, 2021**

The Annual Meeting of the members of the Timber Springs Property Owners Association was held on March 10, 2021 at 4:30 pm., concurrent with the Timber Springs Property Owners Executive Board meeting, via electronic Zoom meeting <https://zoom.us/join>; Phone Only: US 1 253 215 8782 US, Meeting ID: 880 0395 2870.

**Attendance**

The following members were present and acting:

- Michael Barry for Bangor LLC, Lots 4 and 5
- John Turner for JTT Partners LTD, Lot 7
- Dan Bennett for 300 Timber Springs Acquisition Group, Lot 6
- David Adkins for 300 Timber Springs Acquisition Group, Lot 6

The following members were present by Proxy:

- JMCG Colorado LLC (Chen), Lots 1, 2 and 3
- Patrick & Donna Martin, Lot 8

Also in attendance were:

- Adrian Garcia, proxy for JMCG Colorado LLC
- Beth Johnston, proxy for Martin and Secretary for the meeting
- Johann Marx, Jabulani Services
- Ken Marchetti, Association Manager

**Call to Order**

The annual meeting of the Timber Springs Property Owners Association was called to order by Director Barry on March 10, 2021 at 4:36 p.m. Ms. Johnston called roll and noted a quorum was present.

Ms. Johnston certified for the record that notice of the meeting was provided as required by the Association's bylaws. The members, by attending, acknowledged receipt of the notice.

**Minutes**

The minutes of the Annual member meeting included in the packet were reviewed. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the minutes of the February 28, 2020, Annual Member Meeting as presented.

**Amendment to  
the Declaration**

Ms. Johnston confirmed that over seventy percent of owners were in attendance in person or by proxy as required by the Declaration for passage of an Amendment. Meeting participants reviewed the Fifth Amendment to the Declaration included in the meeting packet and general discussion on the rental restrictions ensued. Following discussion and

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upon motion made by Mr. Barry and seconded by Mr. Turner, with Mr. Bennett abstaining, it was unanimously

**RESOLVED** to approve the Fifth Amendment to the Declaration of Covenants, Conditions, Restrictions and Easement for Timber Springs as presented.

### **Financial Statement & 2022 Budget**

The 2022 preliminary budget was discussed during the Executive Board meeting, held concurrently. Following discussion, there was no motion to veto the budget, and, the 2022 budget was approved as presented.

### **Owner Education**

Ms. Johnston explained the state requirement that Associations provide at least one owner education training per year. The year's education topic was Wildfire Mitigation. Ms. Johnston reviewed the summary included in the packet which included several resources specific for wildfire mitigation such as property assessment for wildfire risk and also for general emergency preparedness such as creating an emergency plan and evacuation options in case of emergency.

Mr. Marx reminded owners that Timber Springs follows the State noxious weeds mitigation recommendations explaining the the Association provides noxious weed removal along the roadways but owners are responsible for their private lots.

### **Election of Directors**

The floor was opened for nominations for up to three Director seats up for election in 2021. Following discussion, Directors Martin and Barry were nominated to serve another term. There being no other nominations, Directors Martin and Barry were elected by acclamation for 3-year terms expiring 2024.

### **Adjournment**

There being no further business to come before the Association, upon motion duly made and seconded it was unanimously

**RESOLVED** to adjourn the annual meeting of the members of Timber Springs Property Owners Association at 6:26 p.m. on this 10<sup>th</sup> day of March, 2021.

Respectfully submitted,  
*/s/ Beth Johnston*  
Beth Johnston  
Secretary for the meeting

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## Minutes of Executive Board Meeting Timber Springs Property Owners Association March 10, 2021

The Executive Board meeting of the members of the Timber Springs Property Owners Association was held on March 10, 2021 at 4:30 pm., concurrent with the Timber Springs Property Owners Annual Member meeting, via electronic Zoom meeting <https://zoom.us/join>; Phone Only: US 1 253 215 8782 US, Meeting ID: 880 0395 2870.

### Attendance

The following Directors were present and acting:

- Michael Barry term ends 2021
- John Turner term ends 2022

The following Director was present via proxy:

- Mary Chen term ends 2023

The following Director was absent and excused:

- Pat Martin term ends 2021

Also in attendance were:

- Adrian Garcia, Proxy for Mary Chen
- Dan Bennett, owner Lot 6
- David Adkins, owner Lot 6
- Beth Johnston, Secretary for the meeting
- Johann Marx, Jabulani Services
- Millie Aldrich, Pure Design Studio, Association Architect
- Ken Marchetti, Marchetti & Weaver. Association Manager

### Call to Order

The meeting of the Executive Board of the Timber Springs Property Owners Association was called to order by Director Barry on March 10, 2021 at 4:36 p.m. noting a quorum was present.

### Changes to Agenda

There were no changes to the Agenda.

### Lot 6 Preliminary Review

Ms. Johnston introduced Ms. Aldrich as the architect for the Association. Ms. Aldrich reviewed the letter to the Board, included in the meeting packet, that she prepared on the preliminary submission for a private residence on Lot 6. Ms. Aldrich noted that the submission was missing several items for a formal sketch review and reviewed several areas of concern with the proposed design submitted. Mr. Adkins explained that he and Mr. Bennett were mainly requesting feedback on the submission to determine how the Board felt about the more modern home design presented. General discussion continued on the design including home

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## Timber Springs Property Owners Association March 10, 2021 Board Meeting Minutes

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layout on the lot, garage size and placement in relation to the residential living structure, access from the road to the home, water diversion, ditch cleanup and wetlands mitigation during and after construction, types of acceptable materials, and burying the garage in the hillside. Mr. Adkins thanked Ms. Aldrich and the Board and said he would consult various contractors and use the feedback received to prepare a final sketch for formal submittal to the Board as soon as possible.

### Design Review Committee

Ms. Johnston reviewed the role of a design review committee and how the committee could work closely with Ms. Aldrich and the applicants on the construction design providing feedback to the applicants and eventually recommendations to the Board. Following discussion, it was decided to form a Design Review Committee for the Lot 6 Construction project consisting of Directors Barry and Turner and Ms. Aldrich as Association architect.

### Minutes

The minutes of the Board meetings included in the packet were reviewed. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the minutes of the October 5, 2020, Executive Board Meeting as presented.

### Operations Report

Mr. Marx gave the following report on operations:

- There were currently no issues with the tree lights. The lights were on a three year cycle so that one-third of the lights would be taken down and rewrapped each year.
- The new keypad for the gate was installed.
- Mr. Marx was working with Conundrum Technologies to update the gate camera system and expects to have a bid this spring.
- High County Asphalt will provide an assessment on the projected road life and perform a crack seal and sealcoat this spring.
- The gate tension limiters were reset due to the wind issues last summer and so far, there have been no further issues.
- There was only one issue with the ditch pump over the summer and it has been fixed.
- The ditch will be walked in the spring and the holes in the drainage pipe would be cleaned out. There was general discussion on silt and sediment from Cordillera Valley Club coming down the ditch and who was responsible for cleaning.

There was general discussion on the Entrance Enhancement landscaping project and if annual flowers were included in the landscaping proposal

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from Whittaker. Ms. Johnston gave background that the project was originally conceived as a three year plan to be completed in 2020 however the final phase had not been completed as anticipated. There was general consensus to continue the Entrance Enhancement project and it was requested that Director Chen work with Whittaker Landscaping to develop the final plan this spring.

(Subsequent to the meeting, Director Chen respectfully declined the request and Director Barry agreed to meet with Whittaker to finalize the project.)

### Financial Report

Ms. Johnston reviewed the financial statements included in the meeting packet. Ms. Johnston reviewed the operating and reserve expenses noting that most items were at or under budget for the year. Ms. Johnston reviewed the Replacement Reserve plan noting that the road overlay was anticipated for 2024 per the previous estimate from Elam Construction. General discussion ensued on how to extend the life of the road and the Board requested that Mr. Marx work with the asphalt company to determine the remaining life of the road and an prepare and updated estimate of the cost for an overlay.

Ms. Johnston reviewed the 2022 preliminary budget explaining that a small increase to assessments was proposed to cover annual anticipated inflation. There was general discussion to add the unspent funds from 2020 for the Entrance Landscape Project to 2021 budget, to add \$5,000 annually starting in 2022 for flowers and plant bed maintenance at the entrance, and keeping the assessments at \$65,000 for 2022. Following discussion, and upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve for 2021 an amount not to exceed \$10,000 from the Replacement Reserve fund for completion of the Entrance Enhancement Project and \$6,000 from the Operating Fund for concrete work along the road; and

**FURTHER RESOLVED** to approve the 2022 budget with the revisions to the Landscape Flower Beds line item as discussed; and

**FURTHER RESOLVED** to set the 2022 Assessments at \$65,000.

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### Election of Officers

Following election of Directors (see Annual Meeting Minutes for same date) and discussion, and upon motion duly made and seconded, it was unanimously

**RESOLVED** to elect the following Directors to serve in the following officer positions until the next election of directors:

President	Mary Chen	term ending 2023
Secretary	Patrick Martin	term ending 2024
Treasurer	John Turner	term ending 2022
Asst Sec/Treas	Michael Barry	term ending 2024

Subsequent to the meeting: Due to lack of time and previous commitments, Mary Chen, who was elected President of the Association at the March 10 meeting, requested to be moved to a less prominent and time consuming office on the Board. The other Directors were consulted and the officer positions were rotated again. The offices for Directors for 2021 are now with the same term expiration dates:

President	Patrick Martin	term ending 2024
Secretary	John Turner	term ending 2022
Treasurer	Michael Barry	term ending 2024
Asst Sec/Treas	Mary Chen	term ending 2023

### Vendor Contracts

The Board reviewed the snow removal so far for the season indicating that they were happy with the service received. Upon motion duly made and seconded, it was unimously

**RESOLVED** to ratify the 2020-2021 Snow Removal Contract with Premier Landscapes.

The Board reviewed the 2020 landscape proposal from Whittaker Landscaping included in the packet. There was general discussion on the landscaping and if alternative bids should be obtained. Following discussion and upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the 2021 Landscape Proposal from Whittaker Landscape Services as presented.

### Future Meetings

Following discussion, the Board set the next annual member meeting and board meeting for late February or early March 2022 with additional Board meetings to be called as needed in 2021.

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Timber Springs Property Owners Association March 10, 2021 Board Meeting Minutes

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### Adjournment

There being no further business to come before the Association, upon motion duly made and seconded it was unanimously

**RESOLVED** to adjourn the Executive Board meeting of the members and the Board of Directors meeting of Timber Springs Property Owners Association on this 10<sup>th</sup> day of March, 2021.

Respectfully submitted,  
*/s/ Beth Johnston*  
Beth Johnston  
Secretary for the meeting

SUBJECT TO APPROVAL

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# RECORD OF PROCEEDINGS

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## Minutes of the Special Meeting of the Board of Directors Timber Springs Metropolitan District March 10, 2021

A Special Meeting of the Board of Directors of Timber Springs Metropolitan District was held Friday March 10, 2021, at 4:30 pm., immediately following adjournment of the concurrent Timber Springs Property Owners Annual Member and Executive Board meetings, via electronic Zoom meeting <https://zoom.us/join>; Phone Only: US 1 253 215 8782 US, Meeting ID: 880 0395 2870.

**Attendance** The following Director was present and acting:

- Michael Barry

Also in attendance were:

- John Turner for JTT Partners LTD, Lot 7
- Dan Bennett for 300 Timber Springs Acquisition Group, Lot 6
- Adrian Garcia, representative for JMCG Colorado LLC (Chen)
- Johann Marx, Timber Springs Property Manager
- Beth Johnston, Marchetti & Weaver, Recording Secretary

**Call to Order** The special meeting of the Board of Directors of Timber Springs Metropolitan District was called to order at 6:30 p.m. by Director Barry, noting a quorum was present.

**Conflict Disclosure** Board members were asked to disclose any potential conflicts of interest in accordance with State Statute. There were no potential conflicts disclosed by any Board members.

**Consideration Of Agenda** No changes were made to the agenda.

**Minutes** The meeting minutes in the packet were reviewed and upon motion duly made and seconded it was unanimously

**RESOLVED** to approve the February 28, 2020 meeting minutes as presented.

**Continuation of District** Ms. Johnston gave an overview of the formation and function of the Metropolitan District and the current challenge of finding eligible Board members. There was general discussion on benefits to keeping the District active and how to qualify someone to sit on the Board. Following discussion, the Board requested that an Option to Purchase Property be prepared for a portion of Lot 5 and that Mr. Ken Marchetti be approached to serve on the District Board.



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## Timber Springs Metropolitan District March 10, 2020 Special Meeting Minutes

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### **Financial Statements & 2020 Audit**

#### **Exemption**

Ms. Johnston reviewed the Financial statements included in the packet explaining that there was no activity in the District in 2020.

Ms. Johnston reviewed the 2020 Application for Exemption from Audit noting that it contained the same information as the financial statements but in a different format. After review, and upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the 2020 Application for Exemption from Audit as presented.

#### **2022 Budget**

Ms. Johnston reported the meeting was published as the public hearing for adopting the 2022 budget. The public hearing was opened to take comments on the proposed 2022 budget. Ms. Johnston explained that since the District was inactive and all activity was administered by the Timber Springs Property Owners Association, the 2022 proposed budget was \$0 with a proposed 0-mill levy. Following discussion, the public hearing was closed, and upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Resolutions to Adopt the 2022 Budget; and

**FURTHER RESOLVED** to approve the Resolution to Set Mill Levies for 2022 at 0 mills for operations; and

**FURTHER RESOLVED** to approve the Resolution to Appropriate Sums of Money for spending in 2022.

#### **2021 Audit**

Ms. Johnston explained that the District is required to complete an audit or application for exemption from Audit for 2021. Following discussion, the Board directed Marchetti & Weaver, LLC to prepare the 2021 Application of Exemption from Audit.

#### **24-Hour Posting Resolution**

Ms. Johnston explained that state statute requires the District to designate a 24-hour posting location for notices each year. The posting location designates the District website for primary posting and designates a backup physical location in case online posting is not available. The

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## Timber Springs Metropolitan District March 10, 2020 Special Meeting Minutes

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Board reviewed the resolution and, upon motion duly made and seconded, unanimously

**RESOLVED** to approve the Resolution Designating Location To Post Notice.

### **2022 Election Resolution**

In May of even numbered years, the District is required to have an election. The draft 2022 Election Resolution calls the election, lists the Directors whose terms are up, designates the election official and authorizes the Designated Election Official to cancel the election if there are no more candidates than terms to fill. Ms. Johnston reviewed the eligibility requirements to serve on the Metropolitan District board. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Election Resolution calling for the 2022 Regular District Election.

### **Future Meetings**

The Board confirmed that the next meeting should be scheduled for late February or early March 2022, the date of which would be determine closer to that time.

### **Adjournment**

There being no further business to come before the Board at this time, upon motion duly made and seconded, it was unanimously

**RESOLVED** to adjourn the Special Meeting of Timber Springs Metropolitan District Board of Directors this 10th day of March, 2021.

Respectfully submitted,



Beth Johnston  
Secretary for the Meeting

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# RECORD OF PROCEEDINGS

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## Minutes of the Special Meeting of the Board of Directors Timber Springs Metropolitan District April 2, 2021

A special meeting of the Board of Directors of Timber Springs Metropolitan District was held Friday April 2, 2021, at 1:00 pm. via electronic Zoom meeting <https://zoom.us/join>; Phone Only: US 1 253 215 8782 US, Meeting ID: 851 0790 4735.

**Attendance** The following Director was present and acting:

- Michael Barry

Also in attendance were:

- Patrick Martin, Secretary for the District
- Ken Marchetti, Marchetti & Weaver, District Administrator
- Beth Johnston, Marchetti & Weaver, Recording Secretary

**Call to Order** The special meeting of the Board of Directors of Timber Springs Metropolitan District was called to order at 1:20 p.m. by Director Barry, noting a quorum was present.

**Conflict Disclosure** Board members were asked to disclose any potential conflicts of interest in accordance with State Statute. There were no potential conflicts disclosed by any Board members.

**Consideration Of Agenda** No changes were made to the agenda.

**Minutes** The meeting minutes in the packet were reviewed and upon motion duly made and seconded it was unanimously

**RESOLVED** to approve the March 10, 2021 meeting minutes as presented.

**Consideration of Vacant Board Seats** The floor was opened to interested and eligible candidates for filling the four vacant seats on the Board of Directors. Mr. Marchetti was nominated to fill a vacant position until the next regular election of the Districts to be held in May 2022. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to appoint Kenneth Marchetti to fill one vacant board position on the Timber Springs Metropolitan District Board of Directors with a term expiring May 2022.

Director Barry administered the Oath of Office to Mr. Marchetti.

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### Timber Springs Metropolitan District April 2, 2021 Special Meeting Minutes

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**Election of Officers** Following discussion, and upon motion duly made and seconded, it was unanimously

**RESOLVED** to elect the following officers to the Board

President/Chairman Ken Marchetti  
Secretary/Treasurer Michael Barry  
Secretary (non-elected) Patrick Martin

**Adjournment** There being no further business to come before the Board at this time, upon motion duly made and seconded, it was unanimously

**RESOLVED** to adjourn the Special Meeting of Timber Springs Metropolitan District Board of Directors this 2nd day of April, 2021.

Respectfully submitted,  
*/s/ Beth Johnston*  
Beth Johnston  
Secretary for the Meeting