



# Neighborhood Newsletter

## January 2022 Edition

### District Management

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### Management Company

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### District Website

[www.bncmetro1.org](http://www.bncmetro1.org)

### Board of Directors

Jeff Trzeciak, President

Thomas Kivett, Vice President

Ryan Johnson, Secretary/  
Treasurer

Art Tucker, Director

## 2021 Year in Review

It is probably an understatement to report that 2021 was a busy year for the BNC Metro District No 1 (aka “the District”). In April 2021, the District officially assumed the neighborhood services responsibilities previously provided by the developer-controlled Turnberry Meadows HOA. The parks and open spaces were also turned over to the District for ownership and maintenance beginning in June 2021.

So, the first time in the history of the Turnberry Meadows neighborhood, homeowners were in control of the maintenance of the parks and open spaces throughout their neighborhood and had the authority to manage and monitor property maintenance enforcement and design review activities within the Turnberry covenant-controlled neighborhood. The turnover to homeowner control has long been overdue. For most neighborhoods, the transition of control over an HOA from developer to homeowners usually occurs when 85% to 90% of the homes are constructed and sold.

### Termination of HOA dues / 10% Reduction in Fees/Taxes

With homeowners now in control over the finances for operating all neighborhood services, the District negotiated an agreement with the developer-controlled HOA to terminate the monthly HOA dues assessments on all homeowners beginning April 1, 2021. By eliminating HOA dues and consolidating all neighborhood services through the District, the total cost burden funded by homeowners has decreased 10%. [See chart below]

	2020	2021	2022	3-Year Change
<b>Property Taxes</b>	\$ 1,940	\$ 2,415	\$ 2,405	\$ 465
<b>Monthly HOA Fees</b>	\$ 720	\$ 240	\$ 0	(\$ 720)
<b>Total Paid to District</b>	<b>\$ 2,660</b>	<b>\$ 2,655</b>	<b>\$ 2,405</b>	<b>(\$ 255)</b>

The amounts in the above chart are based on fees and taxes paid to the District for a home with an assessed value in the middle of the range of home values in the 484-home neighborhood. The range of home values in BNC are approximately +/- 15% from the average-valued house.

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## 2022 Board Election

The terms of one board member—Director Tucker —will expire on May 3, 2022. On that date an election will be held to elect two candidates to fill the one expiring director term and one vacancy on the District’s 5-member Board and serve for 3-years on the Board.

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# Neighborhood Fast Facts

Total homes in the neighborhood.....	484
Total homes sold in 2021 .....	36
Total rental homes as of Dec. 31st.....	27 (or 5.6%)
Average assessed home value for 2021.....	\$386,100
Average assessed home values for 2022.....	\$405,200

## 2021 Year in Review (Continued from page 1)

### Parks and Open Spaces - Landscape Projects

Two months after ownership of the parks and open spaces was turned over to the District from the developer-controlled HOA, the District invested approximately \$34,700 into replacing 37 dead trees across the parks and open spaces and repairing about 3,000 square feet of sod and sprinkler systems along Turnberry Parkway.

The Board will be evaluating and prioritizing several landscape improvement projects in 2022. One such project planned for early 2022 will be the elimination of the shrubs and bushes in the street medians (but not in the roundabout) at the intersection of Turnberry parkway and Revere Street. Parents have reported to the District that the bushes and shrubs are blocking drivers’ visibility to the frequently used pedestrian crosswalks across these two busy streets.

The District also started the process of assuming ownership of the Troy Street pocket park – a small park owned by the land developer (Catellus) which refused to landscape or maintain this park. To the credit of several homeowners on Troy Street, the homeowners invested their personal time and money in landscaping and maintaining a park on this land for several years. Many thanks to the parents and kids who mowed and weeded that park every week for several years! The District is installing sprinkler controllers, and electric meter and certain landscape upgrades in early 2022 and will begin maintaining this park in 2022.

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# 2022 Metro District Board Meeting Schedule

March 16, 2022 (Wednesday)	July 20 2022 (Wednesday) Online
May 18, 2022 (Wednesday)	September 21, 2022 (Wednesday) Online
November 16, 2022 (Wednesday)	

All meetings start at 6:00pm and are open to the public. All meetings will be held at the **Bison Ridge Recreation Center 13905 E 112th Ave Commerce City, Co** except for two meetings that will be online at [www.gotomeet.me/wolfersberger](http://www.gotomeet.me/wolfersberger) The Board’s meeting schedule is also posted on the home page of the District’s website at [www.bncmetro1.org](http://www.bncmetro1.org)

## Summary of Property Violation Notices Issued in 2021



# 2021 Year in Review (Continued from page 2)

## Pool Operations

In June, the Board hired R&R Aquatics to operate and maintain the pool. While the change in pool maintenance companies was very disruptive to the operation of the pool in 2021, it appears the District may have been fortunate to strike a business relationship with R&R Aquatics. COVID caused many pool contractors to leave the industry in 2019 and 2020 and consequently, it is difficult to find pool contractors. The Reunion Metro District reported at its February 1<sup>st</sup> board meeting that the YMCA will no longer service the Reunion pools due to labor shortages, and out of 16 bids submitted to pool companies to service the Reunion pool in 2022, only one company has responded to Reunion with a bid. The District is pleased with the relationship it has developed with R&R Aquatics and looks forward to working with R&R Aquatics on planning and preparing for a successful pool season in 2022.

In 2022, the pool will be open from Memorial Day weekend (May 28th) to Labor Day (September 5th). The pool gate lock will be changed and new keys will be issued this year. (A separate notice will be mailed out to homeowners regarding how to obtain a new pool key.)

At the end of the 2021 pool season, the District hired R&R Aquatics to install a chemical automation system that will continually track the PH levels in the pool and release chlorine into the pool as needed. This system will begin operation in 2022 and will reduce the need for manual maintenance and monitoring of the pool's chemical levels. Also, this system will cause the pool operations to switch from reliance on chlorine tablets (which there continues to be a national shortage of tablets) to liquid chlorine (which is considered by the pool industry to be a more established and reliable supply chain).

## 2022 Projects – Homeowner Control of the HOA

One of the projects the District board has been working on (and will continue to work on in 2022) is assisting the homeowners with gaining control of the currently developer-controlled Turnberry Meadows HOA board. The District has evaluated the definition "Period of Declarant Control" in Article I of the 2004 Community Declaration for Turnberry Meadows and reviewed the history of home lots annexed into the covenant-controlled community and concluded that it appears Declarant Control of the HOA terminated in October 2020. Subsequent to this date, homeowners should control the election of all directors to the HOA board.

Although the HOA no longer assesses HOA dues and no longer provides services to the residents of the District, the HOA (which is currently managed by Management Specialists, Inc) does still hold approximately \$544,000 cash in its reserve fund. This cash was funded from HOA dues paid by the homeowners. The purpose of this money is to fund major repairs and replacements of naturally deteriorating community assets such as the community pool, playground equipment and perimeter fencing. The District has concerns that the cash in this reserve fund is currently not controlled by the homeowners who funded this account.

## Requests to Open the Turnberry Pool to Additional Communities Denied

In July 2021, the home builder of a planned approximate 400-home development on the south side of 104<sup>th</sup> Avenue (not the Reunion development) contacted the District requesting the District enter into an agreement to allow all homes constructed on the south side of 104<sup>th</sup> Avenue access to the community pool. Considering 821 homes and nearly 2,000 residents currently have open access to the Turnberry community pool, the District has rejected the offer of opening up access to the pool to other entire communities (and also notes that had the community pool still been under the control of the land developer, a different outcome less favorable to Turnberry residents may have occurred).

## Design Guidelines Published for the First Time for the Turnberry Covenant-Controlled Community

On June 01, 2021, the District Board adopted Design Guidelines applicable to all 484 homes within the District. The Design Guidelines are posted in the document library on the District's website ([www.bncmetro1.org](http://www.bncmetro1.org)). Although the Turnberry neighborhood has been a covenant-controlled neighborhood since August 2004, the Developer-controlled Turnberry Meadows HOA never published Design Guidelines to establish specific property maintenance and improvement standards to implement the restrictions provided in the Community Declaration for Turnberry Meadows. In 2021, the homeowner-controlled District was able to strike an agreement with the Developer-controlled HOA where the HOA turned over responsibilities for covenant enforcement and review of design request forms to the homeowner-controlled District. [Continued on Page 6]

# 2022 Board Election (continued from page 1)

Property owners and residents who are interested and legally qualified to run for election to serve on the District's board must download a self-nomination form from the District's website ([www.bncmetro1.org](http://www.bncmetro1.org)), and submit the completed form to either District Manager (Jen Brink or Charles Wolfersberger) by no later than Friday February 25th at 5:00pm MST. Self-nomination forms may also be picked up from the District's office during normal business hours (8:30am to 5pm Monday through Friday) at 8354 Northfield Blvd, Building G Suite 3700 Denver, CO 80238.

A self-nomination and acceptance form that is not sufficient may be amended at any time prior to 5:00pm on Friday February 25th. Affidavits of intent to be a write-in candidate must be submitted to District Managers by 5:00pm MST on Monday February 28th.

NOTICE IS GIVEN pursuant to Section 113.5-1002 C.R.S. that applications for an absentee voter's ballot may be received by the District's Manager by mail or email no later than 5:00pm MST on Tuesday April 26th.

## Duties and Responsibilities of Metro District Board Members

Directors who serve on the Metro District board perform various duties and responsibilities. The primary responsibility of board members is to attend the bi-monthly board meetings and review and direct the financial and operational performance of the District. In addition to attending bi-monthly meetings, board members are responsible for the following:

- Working with the Design Review Committee to monitor and update the Design Guidelines for the neighborhood
- Monitoring and modifying the Board's covenant enforcement policies
- Monitoring the enforcement activities conducted by the District's enforcement contractor
- Hearing homeowner appeals regarding design request forms rejected by the Design Review Committee
- Identifying, planning and budgeting projects to maintain and improve the open spaces around the neighborhood.
- Supporting and sponsoring neighborhood-wide recreation activities and other events to promote community unity
- Establishing the District's annual operating budget and property tax rate
- Hiring landscape contractors and monitoring the performance of such contractors





## District Email Distribution List

As part of our effort to improve communications between homeowners and the Metro District, we are encouraging residents to contact us and provide us with their email address. We will be periodically sending out email blasts in the future with reminders regarding upcoming metro district board meetings and neighborhood social events.

Currently, approximately 36% of the neighborhood has joined the email distribution list. Our goal is to expand the list to cover over 90% of the neighborhood.

If you want to be added to the email list, please contact Jen Brink at [jbrink@wolfersbergerLLC.com](mailto:jbrink@wolfersbergerLLC.com).



## **2021 Year in Review** (Continued from page 3)

### **2017 Cost-Share Agreement – Concerns Regarding Potentially Abusive Financial Transactions**

The District is continuing to evaluate the October 2017 Cost-Sharing Agreement between the District, BNC Metro 2 and BNC Metro 3 (disclosed in Note 8 to the District annual financial statements). BNC Metro 3 is located on the south side of 104th Avenue and does not share any infrastructure with the District or BNC Metro 2. The District and BNC Metro 2 physically border each other along 108th Avenue and these two districts share in the cost of operating and maintaining the community pool. The primary concern with this agreement is that the cost sharing to fund capital projects within the three BNC Districts is inequitable and requires the District and BNC Metro 2 to shoulder an unfair burden of these costs compared to BNC Metro 3. Under the Agreement, BNC Metro 3 was required to pay \$265,000 related to constructing a street in BNC Metro 2 and the District and BNC Metro 2, were required to pay \$3.4 million to construct a street in BNC Metro 3. The District's Board is continuing to explore the fairness of this agreement.