



METRO DISTRICT

**WINDSOR HIGHLANDS METROPOLITAN DISTRICTS NOS. 1-6**  
**A SUMMARY**

The Windsor Highland Metropolitan Districts Nos. 1 through 6 (the "Districts") are governmental entities and political subdivisions of the State of Colorado, designed to serve as perpetual quasi-municipal corporations each operating with elected five-person Board of Directors. The primary purpose of the Districts is to finance public improvements and to operate certain amenities within to the Windsor Highlands Service Area (which includes property contained within the Highland Meadows Golf Course Subdivision) and to provide an on-going institutional structure for the operation and maintenance of signage, park, recreation, irrigation and landscaping facilities.

The primary benefits of utilizing a Colorado Special District rather than a homeowner association are:

1. Limited liability through the Colorado Governmental Immunity Act;
2. The ability to use, among other sources of revenue, the power of taxation to collect the cost of service and development enhancements of an equitable basis, through income tax deductible means;
3. Exemption of the District and its assets from Colorado property, sales and income taxes.

The Service Plan for the Districts was approved by the Windsor Town Board January 26, 2004 and approved by the voters of the Districts in May of 2004. The Service Plan was amended September 11, 2006, to provide the Districts with the power to provide covenant enforcement and design review services within the Districts' boundaries in accordance with Section 32-1-1004(8), C.R.S. and increase the aggregate mill levy cap from 30 mills to 35 mills for each of the Districts. An Amended and Restated Consolidated Service Plan for Windsor Highlands Metropolitan Districts Nos. 1, 2, 3, 4, 5 & 6 (the "Amended and Restated Service Plan") was approved August 24, 2009 to separate the commercial and mixed use property into a new District No. 6, to update and expand the debt authorization of the undeveloped district property to finance public improvements and to authorize the financing of all District public improvements within the Districts.

The Districts have certified a mill levy of **35.0 mills for Districts Nos. 2 – 6 and 30 mills for District No. 1 along with an annual O and M fee that is invoiced every May, due in June.** District No. 1, O and M fees are average out with 20 homes in District No. 1 to get the 5 mill amount that would equal the other district 35 mill rate. The Districts also have the potential of utilizing water irrigation system fees, operations and maintenance fees, administration fees and out-of-District pool user fees for the purposes of recovering the infrastructure costs and the on-going costs of operation, administration and maintenance of District facilities and services.

## **THE SERVICES**

The Amended and Restated Service Plan for the Districts, as amended in 2009, provides the Districts with the ability to finance the construction, acquisition and installation of the public improvements and amenities needed within Windsor Highlands. It also authorizes the Districts to provide for ongoing operations and maintenance of the signage and monumentation, park and recreation facilities, irrigation water systems and landscaping services. The main function of the raw water irrigation is to provide untreated water for irrigating, greenbelts, parks and open spaces, and potentially to the residential lots for irrigation thereby avoiding expensive and unnecessary treatment. The Districts could, through a future amendment to the Service Plan, provide additional services if the constituents were to so choose at some future date. The Districts have been designed to avoid the necessity of a homeowners association, and as currently permitted by law, may be utilized for covenant enforcement and design review. Currently there is a homeowners association for the patio homes within Districts 1, 2 & 4. A homeowners association is in District 3 for single family homes on Mauro. These homeowners association perform their own covenant enforcement, design review, and any homeowners association functions permissible under Colorado law. In the future, this homeowners association could contract with the District to perform certain functions as permitted by law and eliminate the necessity of a separate homeowners' association and a separate homeowners' association fee.

## **HOW TO CALCULATE THE ASSESSMENT**

The cost to fund the district will be billed to each homeowner annually as part of the Larimer County Property Tax Bill. Each homeowner will be assessed based on the following formula:

Appraised value as determined by the County Assessor X the assessed rate (currently 7.96%) X .035)  
(currently 7.96%) X .030 in District No. 1)

District No. 1, O and M fees are average out with 20 homes in District No. 1 to get the 5 mill amount that would equal the other Districts 35 mill rate.

The assessed rate changes each year and is set by Larimer County.

## **DEBT AND FEES**

Districts 1, 2, & 3 (in conjunction with District 5 as the Service District) currently are authorized to jointly issue \$6.0 million of limited general obligation debt, with Districts 1 assessing a 30.0 mill levy and Districts 2 and 3 assessing a 35.00 mill levy. The total combined mill levy for both operations and debt service is capped pursuant to the Service Plan at 35 mills. Districts 4, 5 & 6 (in conjunction with District 5 as the Service District) currently are authorized to jointly issue \$13.45 million of limited general obligation debt, with Districts 4, 5 and 6 assessing a 35.00 mill levy. The total combined mill levy for both operations and debt service is capped pursuant to the Service Plan at 35 mills and the total combined debt of all of the Districts cannot exceed \$13.45 million without Service Plan amendment and approval of the Town. The mill levies may be adjusted upward or downward over time as permitted in the Service Plan. This debt service will primarily be for the District's public improvements and amenities or "Enhancements", including but not limited to, parks, landscaping, greenbelts, open space, recreation facilities and improvements, and raw water system infrastructure and will be to pay for a portion of the costs of construction for public infrastructure as permitted by the Service Plan. In addition to the 30.00 or 35.00 mill levy which is authorized in each District, it is anticipated the raw water use service charges will be utilized to finance operational costs. The water rights will either be purchased, or leased with an option to purchase, at a future date.

In July 2007, in order to account for its share of administration, operating and maintenance costs for the Districts, the assumption of covenant enforcement, design review, and certain homeowner's association responsibilities, and to account for the additional 5 mills being paid by the Districts Nos. 2, 3, 4, 5 and 6, the Districts established an annual District "Operations and Maintenance Fee" to be assessed against each residential dwelling unit within District No. 1.

This O and M fee in District No.1 is to be assessed against all residential dwelling units within District No. 1 was assessed beginning in 2008 (Has not been raised since 2013) to pay for the annual costs and expenses associated with the administration, operation and maintenance of public facilities, amenities, services, and functions to be provided by the Districts including but not limited to: landscaping and common areas, operations and maintenance of the public pool, park and recreation facilities and improvements, raw water irrigation for greenbelts, parks and open spaces, and the costs associated with assuming the ownership and operation of all facilities, improvements and services traditionally provided by homeowners associations as permitted by Colorado law. The Boards of Directors of the Districts calculated the Operations and Maintenance Fee for 2009 as the equivalent to the average assessed value on a \$300,000 home at 5.00 mills.

**The Operations and Maintenance Fee in District No. 1 for 2013, is \$151.00 per year,**

**This includes the administration fee.** The "Operations and Maintenance Fee" shall be in increased twenty six dollars \$26.00 per year for the next three (3) years, and includes a Administration Fee of five dollars (\$5.00) per year for a total due in 2013 of one hundred fifty one dollars (\$151.00), the second year (2014) a total due of one hundred seventy seven dollars (\$177.00), the third year (2015) which will break out to be two hundred and three dollars (\$203.00) for Operation and Maintenance Fees . This O and M fee will be due in one (1) lump sum payment on or before June 1 of each year, and shall be assessed against all residential lots in District No. 1. After the increases of the O and M fee are complete in 2015, the Districts will review the O and M fee for District No. 1 every two years against 20 homes to get an average of the 5 Mills and adjust the O and M fee as needed to balance out the 5 mills difference.

A "Non-District Pool User Fee" of up to eight hundred dollars (\$800.00) per year for each family residing outside of the Districts desiring to use the Districts' " Public" Pool was also established for out of District users in order to pay for the costs associated with the use, operation, maintenance, and related services of the Districts' Pool and related facilities and improvements, and to include an administrative fee and to account for other fees and taxes paid by residents of the Districts to subsidize the construction, operation and maintenance of public facilities and improvements related to the District pool and recreation facilities. (Public Pool defined as selling out of district pool memberships)

While a Homeowner's Association MAY still be utilized for covenant enforcement or exterior maintenance in some areas (Patio Homes and Murano HOA) , the Boards of Directors of the Districts amended the Service Plan in September of 2006 to avoid the necessity of utilizing both metropolitan districts and a homeowners association.

**BOARD MEMBERSHIP AND PUBLIC REVIEW**

Each District is controlled by a five-person Board of Directors, elected at-large, serving four-year staggered terms. Elections are held in May of even numbered years by state statute. The Districts are responsible for producing and filing with the state independent audits of their financial activities, and they are otherwise subject to many state requirements for filings and reporting.

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**The current Board Members of Windsor Highlands Metropolitan Districts No.1 through No. 6 and their current terms are as follows: (Subject to change, every two years the district has elections)**

**BOARD MEMBERS OF WINDSOR HIGHLANDS METROPOLITAN DISTRICT NO. 1**

Edward Ryan (Term expires May 2016)	Jennifer L. DiTullio (Term expires May 2016)	Shareen Baker (Term expires May 2016)
Jonathan A. Turner (Term expires May 2014)	Martha Turner (Term expires May 2014)	

**BOARD MEMBERS OF WINDSOR HIGHLANDS METROPOLITAN DISTRICT NO. 2**

Dino DiTullio (Term expires May 2016)	Jennifer L. DiTullio (Term expires May 2016)	James Miller (Term expires May 2016)
Jonathan A. Turner (Term expires May 2014)	Martha Turner (Term expires May 2014)	

**BOARD MEMBERS OF WINDSOR HIGHLANDS METROPOLITAN DISTRICTS NO. 3, NO. 4 and NO. 5**

Dino A. DiTullio (Term expires May 2016)	Jennifer L. DiTullio (Term expires May 2016)	Michael J. DiTullio (Term expires May 2016)
Martha Turner (Term expires May 2014)	Jonathan A. Turner (Term expires May 2014)	

**BOARD MEMBERS OF WINDSOR HIGHLANDS METROPOLITAN DISTRICT NO. 6**

Dino A. DiTullio (Term expires May 2016)	Christopher J. Frye (Term expires May 2016)	Andrew M. Krill (Term expires May 2016)
Martha Turner (Term expires May 2014)	Jonathan A. Turner (Term expires May 2014)	

**Note: Board members may change due to elections and or a board member resigning, see District web site or call the District for updates. Next election: May of 2014, then 2016, 2018 and so forth.**

**Any other questions visit our web site: [www.windsorhighlandsmetrodistrict.com](http://www.windsorhighlandsmetrodistrict.com)**

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