

## RECORD OF PROCEEDINGS

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MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
HERITAGE HILLS METROPOLITAN DISTRICT (THE "DISTRICT")  
HELD  
MAY 5, 2023

A regular meeting of the Board of Directors of the Heritage Hills Metropolitan District (referred to hereafter as the "Board") was convened on Friday, May 5, 2023, at 8:15 a.m., at the Heritage Hills Clubhouse, 9201 S. Heritage Hills Parkway, Lone Tree, CO 80124. The meeting was open to the public.

### ATTENDANCE

#### Directors In Attendance Were:

Darron Tucker, President  
Bradley Dodds, Vice President  
Todd Griffin, Secretary  
Shaun Seales, Treasurer  
Kevin McClure, Assistant Secretary

#### Also In Attendance Were:

Denise Denslow, Carrie Beacom and Ashley Heidt; CliftonLarsonAllen LLP ("CLA")  
Shannon Smith Johnson; Icenogle Seaver Pogue P.C.  
Leigh Dufresne; BrightView Landscaping ("BrightView")  
Carson Besgrove; Merrick & Company ("Merrick")  
Karl Bruce; Heritage Hills HOA President  
Steve Fromm; Homeowner  
Christina Epling; Homeowner  
Jerome Dyck; Homeowner

### ADMINISTRATIVE MATTERS

**Call to Order:** The meeting was called to order at 8:18 a.m.

**Disclosures of Potential Conflicts of Interest:** The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. No additional conflicts were disclosed at the meeting.

**Quorum, Location of Meeting and Posting of Meeting Notices:** A quorum was confirmed. The Board meeting was noticed as required.

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**Public Comment:** Steve Fromm thanked the Board for all they have accomplished recently.

Jerome Dyck reported a tree fell through the fence along the South Suburban Parks and Recreation open space near his home.

Karl Bruce reported the Heritage Hills HOA Board of Directors supports the District's consideration of the conveyance of assets to the HOA. Director Seales noted the Board is discussing the matter with legal counsel and exploring potential options. Discussion ensued. No action was taken.

### CONSENT AGENDA

#### **May 5, 2023 Agenda:**

#### **Minutes from April 5, 2023 Regular Board Meeting:**

#### **Task Order No. 6 with Wizard Works for Yosemite Street Gate Repairs in the amount of \$3,698.00:**

Ms. Denslow reviewed the Consent Agenda with the Board. Following discussion, upon a motion duly made by Director Seales, seconded by Director Griffin and, upon vote, unanimously carried, the Board amended the May 5, 2023 agenda to include the consideration of the Chavez Services LLC proposal for potholing.

Following discussion, upon a motion duly made by Director Seales, seconded by Director Dodds and, upon vote, unanimously carried, the Board approved the Consent Agenda, as amended.

### ENGINEERING MATTERS

#### **Heritage Hills Parkway and South Hidden Hills Place Intersection Plan:**

Mr. Besgrove reviewed the intersection plan with the Board, noting that the original goal of the project was to reduce the speed of cars. Mr. Besgrove presented four options to the Board. Discussion ensued. Director Griffin suggested adding a flashing stop sign at the intersection, which CLA will look into. The Board directed Merrick to provide a detailed quote from Chavez Services LLC for option one, raise one side of the crosswalk, and option two, relocate the curb ramps.

Mr. Besgrove reviewed the pavement assessment prepared by TR Consulting Services LLC with the Board, noting that he would like to prepare a bid package for the Board to review at the June Board meeting. Director Griffin requested a proposal from Chavez Services LLC to mill and overlay the Overlook. Discussion ensued regarding the longevity of the asphalt and traffic frequency of the area.

**Chavez Services LLC Proposal to Repair Potholes:** Ms. Denslow reviewed the proposal with the Board and said she can ask Chavez Services LLC to add the reparation of potholes in Overlook to the quote. Following discussion, upon

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a motion duly made by Director Tucker, seconded by Director Seales and, upon vote, unanimously carried, the Board approved the Chavez Services LLC Proposal to Repair Potholes with an additional \$20,000.00 for the Overlook potholes and delegated authority to Director Griffin to oversee the additional work in Overlook.

### DIRECTOR MATTERS

**Security and Gate Matters:** Director Seales provided an update to the Board, noting that Mr. Gilliam has been sending weekly updates and that all pedestrian gates are now locked. Discussion ensued regarding fobs and gate schedules. The Board determined to hold a special meeting on May 15, 2023 at 8:15 a.m. at the Heritage Hills Clubhouse to review camera views with Wizard Works.

**Pickleball Hours and Rules:** The Board discussed the pickleball hours. Ms. Johnson reviewed the District's court rules. Ms. Denslow noted they could update the signage at the courts to reflect a change in the hours. Following discussion, upon a motion duly made by Director Seales, seconded by Director McClure and, upon affirmative vote by Directors Seales, McClure, Dodds and Griffin, with Director Tucker opposing, the Board updated the pickleball hours to be 8:00 a.m. to 9:00 p.m. and directed legal counsel to reflect the changes in the court rules accordingly.

**Pool Enclosure:** Ms. Denslow reviewed the proposed pool enclosure. Following discussion, no action was taken.

### LANDSCAPING MATTERS

**Updates:** Ms. Dufresne provided an update to the Board. Director Tucker requested notifications to the community when spraying treatments are to be applied. The Board discussed long-term solutions for spraying notifications.

**Proposals, if any:** Ms. Dufresne and Director Griffin reviewed the proposals with the Board. Following discussion, upon a motion duly made by Director Griffin, seconded by Director Dodds and, upon vote, unanimously carried, the Board directed BrightView to beautify the Overlook pool and park and Clubhouse pool and park in an amount not to exceed \$75,000.00, inclusive of necessary irrigation for the same, and delegated authority to Director Griffin to work with BrightView to direct and authorize that work and execute a Task Order for the same pending receipt of a new proposal from BrightView for the work.

**BrightView Proposal for Overlook Pool and Park 2023 Enhancements in the amount of \$72,555.31:** No action was taken.

**BrightView Proposal to Mulch Northeast Side of Heritage Hills Parkway in the amount of \$106,046.73:** Following discussion, upon a motion duly made by Director Seales, seconded by Director Griffin and, upon vote, unanimously carried, the Board approved the BrightView Proposal to Mulch Northeast Side of Heritage Hills Parkway in the amount of \$106,046.73.

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**BrightView Proposal to Mulch South Side of Heritage Hills Parkway, Yosemite Entrance and Lincoln Entrance in the amount of \$82,767.36:** Following discussion, upon a motion duly made by Director Seales, seconded by Director Griffin and, upon vote, unanimously carried, the Board approved the BrightView Proposal to Mulch South Side of Heritage Hills Parkway, Yosemite Entrance and Lincoln Entrance in the amount of \$82,767.36.

**BrightView Proposal for Yosemite Pool and Park 2023 Enhancements in the amount of \$52,945.67:** No action was taken.

**BrightView Proposal for New Bed Irrigation along Heritage Hills Parkway in the amount of \$1,207.65:** No action was taken.

**BrightView Proposal for Clubhouse Entrance Bed Irrigation in the amount of \$1,647.25:** No action was taken.

**BrightView Proposal for Overlook Pool Irrigation Conversion in the amount of \$4,786.86:** No action was taken.

**BrightView Proposal for Additional Projects April 2023 in the amount of \$9,220.52:** Following discussion, upon a motion duly made by Director Griffin, seconded by Director Seales and, upon vote, unanimously carried, the Board approved the BrightView Proposal for Additional Projects April 2023 in the amount of \$9,220.52.

### FINANCIAL MATTERS

**Interim Claims:** Ms. Denslow reviewed the interim claims with the Board. Following discussion, upon a motion duly made by Director Seales, seconded by Director Dodds and, upon vote, unanimously carried, the Board approved the interim claims totaling \$95,780.40.

**March 31, 2023 Unaudited Financial Statements:** Ms. Beacom reviewed the financial statements with the Board. Following discussion, upon a motion duly made by Director Seales, seconded by Director Dodds and, upon vote, unanimously carried, the Board accepted the March 31, 2023 Unaudited Financial Statements.

**Engagement of Wipfli to Perform 2022 Audit:** Ms. Beacom reviewed the engagement letter from Wipfli with the Board. Following discussion, upon a motion duly made by Director Seales, seconded by Director Griffin and, upon vote, unanimously carried, the Board engaged Wipfli to perform the 2022 audit, subject to final review of the engagement letter by legal counsel.

**Other:** Ms. Johnson reviewed the newly proposed bill regarding property taxes with the Board. Director Seales requested an eblast be sent to the community.

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### MANAGER MATTERS

**Proposals for Benches:** The Board reviewed the proposals for benches.

**Belson Outdoors Proposal for Plan Bench in the amount of \$1,400.36:**  
No action was taken.

**Keystone Ridge Designs Proposal for Bench in the amount of \$5,946.40:** No action was taken.

**Game-Set-match, Inc. Proposal for Basketball System in the amount of \$4,352.33:** Director Griffin reviewed the proposal with the Board. No action was taken.

**Game-Set-Match Proposal for Backboard Replacement in the amount of \$1,929.63:** Director Griffin reviewed the proposal with the Board. No action was taken.

Following discussion, upon a motion duly made by Director Tucker, seconded by Director Seales and, upon vote, unanimously carried, the Board approved the installation of a fixed backboard on the south side of the court and an adjustable basketball system on the north side of the court in an amount not to exceed \$8,500.00 with final approval delegated to Director Griffin.

Following discussion, upon a motion duly made by Director Seales, seconded by Director Griffin and, upon vote, unanimously carried, the Board approved installing a picnic table at Overlook Park.

### LEGAL MATTERS

**Oaths of Office:** Director Griffin administered the oath of office to Mr. Dyck and Ms. Epling.

**Other:** None.

### ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director Seales, seconded by Director Griffin and, upon vote, unanimously carried, the meeting was adjourned at 10:43 p.m.

Respectfully submitted,

DocuSigned by:  
  
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Secretary for the Meeting