

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
HERITAGE HILLS METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
MARCH 8, 2022

A special meeting of the Board of Directors of the Heritage Hills Metropolitan District (referred to hereafter as the “Board”) was convened on Tuesday, March 8, 2022, at 2:00 p.m. at the Heritage Hills Clubhouse, 9201 S. Heritage Hills Parkway, Lone Tree, CO 80124.

ATTENDANCE

Directors In Attendance Were:

Joyce Lew, President
Ann Hargett, Secretary/Treasurer
Darron Tucker, Assistant Secretary
Brent Bailey, Assistant Secretary
Christine Biernat, Assistant Secretary

Also In Attendance Were:

Denise Denslow, Nic Carlson and Carrie Beacom; CliftonLarsonAllen LLP (“CLA”)
Shannon Johnson; Icenogle Seaver Pogue, P.C. (“ISP”)
Leigh Dufresne; BrightView Landscaping
Rick Rome and Taylor Goertz; IMEG Corp. (“IMEG”)
Rick Fish; Doors West Inc.
Brad Dodds; Resident
Carlton Hargett; Resident
John Raycraft; Resident
Todd Griffin; Resident

CALL TO ORDER

The meeting was called to order at 2:00 p.m. by Ms. Denslow.

DECLARATION OF QUORUM / DIRECTOR QUALIFICATIONS / DISCLOSURE OF CONFLICTS

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.

PUBLIC COMMENT

John Raycraft, resident, inquired about grub treatment.

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CONSENT AGENDA

March 8, 2022 Agenda **Minutes from February 2, 2022 Special Board Meeting and February 9, 2022 Regular Board Meeting**

Ms. Denslow reviewed the Consent Agenda with the Board. Following review and discussion, upon a motion duly made by Director Hargett, seconded by Director Bailey and, upon vote, unanimously carried, the Board approved the Consent Agenda, as presented.

ENGINEERING ITEMS

2022 Overlay and Concrete Replacement: Mr. Rome reviewed with the Board the three bids received. The apparent low bid was by Chavez Construction at \$344,020.00. IMEG recommended the Board approve Chavez as the vendor and include a 10% contingency for a total not-to-exceed amount of \$380,000.00.

Following discussion, upon a motion duly made by Director Bailey, seconded by Director Hargett and, upon vote, unanimously carried, the Board awarded the 2022 Overlay and Concrete Replacement project to Chavez Construction in the amount not to exceed \$380,000.00.

2022 Intersection Improvements Plan: Mr. Rome provided an update to the Board, noting that IMEG will begin the bidding process.

Brick Wall Assessment Recommendations: Mr. Goertz provided an update to the Board, noting that Mr. Rome has inspected the walls and recommends engaging Mr. Donald Harvey for further evaluation and recommended maintenance.

Other: None.

LANDSCAPING ITEMS

Updates: The Board reviewed the BrightView report provided in the packet. No additional updates were provided at the meeting.

Proposals, if any:

Proposed Entrance Design Concepts: Ms. Dufresne reviewed the proposal with the Board. She will provide the cost proposal for the Board's review at the April Board meeting.

Proposal for Hand Weeding in an Amount Not to Exceed \$9,360.00: This item was moved for discussion after the Executive Session. Following review, upon a motion duly made by Director Lew, seconded by Director Biernat and, upon vote, unanimously carried, the Board approved the BrightView proposal for hand weeding in an amount not to exceed \$9,360.00.

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Proposal for 2022 Grub Treatment on Turf in the amount of \$6,700.00:

This item was moved for discussion after the Executive Session. Following review, upon a motion duly made by Director Biernat, seconded by Director Lew and, upon vote, unanimously carried, the Board approved the BrightView proposal for 2022 grub treatment on turf in the amount of \$6,700.00.

FINANCIAL ITEMS

Interim Claims: Ms. Beacom reviewed the Interim Claims with the Board. Following discussion, upon a motion duly made by Director Hargett, seconded by Director Lew and, upon vote, unanimously carried, the Board approved the interim claims in the amount of \$102,518.21, as presented.

December 31, 2021 Unaudited Financial Statements: Ms. Beacom reviewed the Financial Statements with the Board. Following discussion, upon a motion duly made by Director Hargett, seconded by Director Biernat and, upon vote, unanimously carried, the Board accepted the December 31, 2021 Unaudited Financial Statements, as presented.

Other: None.

LEGAL ITEMS

Resolution Amending and Restating Pool Rules: This item was moved for discussion prior to the Executive Session. Attorney Johnson presented to and reviewed with the Board the Resolution Amending and Restating Pool Rules, noting that it incorporates the new hours and dates of operations. Following discussion, upon a motion duly made by Director Lew, seconded by Director Hargett and, upon vote, unanimously carried, the Board approved the Resolution Amending and Restating Pool Rules, as presented.

Executive session, pursuant to C.R.S., Sections 24-6-402(4)(b) and 24-6-402(4)(e) for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and instructing negotiators regarding District landscaping investigations and related matters. Attorney Johnson introduced the Executive Session to the board. Upon a motion duly made by Director Tucker, seconded by Director Biernat and, upon vote, unanimously carried, the Board opened the Executive Session at 3:39 p.m.

Upon a motion duly made by Director Bailey, seconded by Director Biernat and, upon vote, unanimously carried, the Board closed the Executive Session at 4:09 p.m.

Discussion followed regarding spring landscaping matters. After discussion, the consensus was for a newsletter to be distributed to the community, followed by an informational meeting to provide an opportunity for public input. The Board

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asked CLA to find a date in mid-April to hold an open house style meeting, on a Saturday morning from 9:00 a.m. to 11:00 a.m. Residents will receive an email invitation to the meeting.

Other: None.

MANAGER ITEMS

Gate Alternatives: Mr. Carlson reviewed community access options regarding gates. Following discussion, upon a motion duly made by Director Lew, seconded by Director Bailey, and upon vote, the Board directed CLA to pursue upgraded access and video controls including upgraded access to CAPXL, upgraded WiFi and the installation of a new camera on Lincoln Avenue. Directors Lew, Bailey and Tucker were in favor. Directors Biernat and Hargett were opposed.

CDR Construction LLC Proposal to Install Vent Fans in an amount not to exceed \$2,400.00: Following discussion, action was deferred. The Board directed CLA to follow up for more information.

Other: None.

DIRECTOR ITEMS

Other: None.

NEXT REGULAR MEETING

The next Board meeting was rescheduled for April 20, 2022 at 12:30 p.m. at the Heritage Hills Clubhouse. A quorum was confirmed.

ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned at 5:00 p.m.

Respectfully submitted,

DocuSigned by:



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Secretary for the Meeting