

## 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  
OCTOBER 4, 2023

A regular meeting of the Board of Directors of the Heritage Hills Metropolitan District (referred to hereafter as the “Board”) was convened on Wednesday, October 4, 2023, at 5:00 p.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:

Shaun Seales, President  
Christina Epling, Treasurer  
Jerome Dyck, Secretary

Bradley Dodds, Vice President, and Todd Griffin, Assistant Secretary, were absent and excused.

#### Also In Attendance Were:

Nicholas Carlson and Ashley Heidt; CliftonLarsonAllen LLP (“CLA”)  
Elizabeth Dauer, Esq.; Seter & Vander Wall, P.C. (“SVW”)  
Leigh Dufresne and Mike Crespin; BrightView Landscaping (“BrightView”)  
Carson Besgrove; Merrick & Company (“Merrick”)  
Karl Bruce; Heritage Hills HOA  
Steve Fromm; Homeowner  
Bob and Janet Boraz; Homeowner  
Bob Borbin; Homeowner

### ADMINISTRATIVE MATTERS

**Call to Order:** The meeting was called to order at 4:58 p.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:** Mr. and Mrs. Boraz reported a sewer issue to the Board, that is causing constant drainage on the street to the point that algae has grown, and safety has become a concern.

Mr. Borbin asked the Board about the use of taxpayer's money, what is being planned for 2024 expenditures, the opportunity to lower the mill levy and the longevity of the streets.

Mr. Fromm asked the Board if a survey has been sent to the community to determine the priorities of homeowners.

**Agenda:** Following review, upon a motion duly made by Director Seales, seconded by Director Dodds and, upon vote, unanimously carried, the Board approved the agenda, as presented.

### LANDSCAPING MATTERS

**Updates:** Ms. Dufresne provided an update to the Board, noting that monthly services are decreased in frequency as the seasons change.

The Board discussed algae treatment and Mr. Crespin and Ms. Dufresne reviewed their efforts thus far.

### **Proposals, if any:**

**BrightView Proposal for Holiday Lights 2024 in the amount of \$56,600.03:** Ms. Dufresne reviewed the proposal with the Board, noting the difference between warm versus cool lights. The Board directed BrightView to proceed with the majority of what the lights were. Following discussion, upon a motion duly made by Director Seales, seconded by Director Dodds and, upon vote, unanimously carried, the Board approved the BrightView Proposal for Holiday Lights 2024 in the amount of \$56,600.03.

**BrightView Proposal for Irrigation Repairs in the amount of \$5,224.50:** Ms. Dufresne reviewed the proposal with the Board. The Board deferred action on this item until February 2024.

**BrightView Proposal for Fall Turf Program in the amount of \$2,600:** Ms. Dufresne reported the Fall Turf Program was completed. No action was taken.

**Snow Removal Plan:** Discussion ensued regarding snow removal capabilities, where to store excess plowed snow and expectations of the timing of snow removal services. Following discussion, upon a motion duly made by Director Seales, the Board determined to maintain the trigger depth of four inches in the neighborhood and a trigger depth of two inches on Heritage Hills

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Parkway. The Board directed BrightView to clear the sidewalks and plow curb to curb and add extra slicer at the mailboxes. The Board directed BrightView to not store snow in parking lots and use windrows, if necessary. Discussion followed regarding adding a storage container to the Overlook parking lot for equipment to have a faster response time.

### ENGINEERING MATTERS

#### **2023 Roadway Improvement Project:**

**Bids to Fix Concrete Curbs along Heritage Hills Parkway:** Mr. Besgrove reviewed the curbing project with the Board, noting that maps and details are prepared for the bids. Following discussion, upon a motion duly made by Director Seales, seconded by Director Dyck and, upon vote, unanimously carried, the Board authorized Mr. Besgrove to solicit bids to fix concrete curbs and restriping along Heritage Hills Parkway and award the contract in an amount not to exceed \$70,000.00 prior to the November 3, 2023 Board meeting.

**Change Order to 2023 Roadway Improvement Project:** Mr. Besgrove reviewed the Overlook project to date with the Board, noting that there are asphalt and subgrade issues that increased the original contract amount. Mr. Besgrove will finalize a Change Order upon finalizing the actual costs.

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

Mr. Besgrove reported to the Board that the South Metro Fire Rescue (“SMFR”) chief rejected the proposed raised intersection improvements. Mr. Besgrove presented two options to proceed based on the feedback from SMFR. The Board directed Merrick to suspend future design and construction work on this project until further notice.

**Proposals for Paver Repair Project:** Mr. Carlson presented two proposals to the Board for the paver repair project. Following discussion, upon a motion duly made by Director Seales, seconded by Director Epling and, upon vote, unanimously carried, the Board approved the Dream Makers proposal for paver repairs in the amount of \$33,666.40.

**2024 Capital Projects Updates:** Mr. Besgrove reviewed the schedule of 2024 capital projects, including the Overlook pavilion, clubhouse, brick walls and concrete and asphalt repairs, with the Board. The Board directed CLA to schedule a special meeting to interview architects for the clubhouse renovation.

Additionally, Mr. Besgrove reviewed the Pavement Assessment Report with the Board.

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### DIRECTOR MATTERS

**Security and Gate Matters:** Mr. Carlson reported that Wizard Works has been on site making repairs. Discussion ensued regarding the MyQ App and securing the community on Halloween.

**Internet:** Director Seales presented a proposal from BrightLinq to provide residents with Wi-Fi at the Clubhouse. No action was taken.

Director Epling asked about a shared file space for the Board to access documents as needed. No action was taken.

Director Seales provided an update on the dissolution of the District and requested Attorney Dauer to provide more information on the feasibility of turning over assets to Heritage Hills Homeowners Association via contract.

### FINANCIAL MATTERS

**Interim Claims:** Mr. Carlson reviewed the interim claims with the Board. Following discussion, upon a motion duly made by Director Seales, seconded by Director Dyck and, upon vote, unanimously carried, the Board approved the interim claims totaling \$154,755.15.

The Board discussed ways to thank the lifeguards for their service over the summer.

### MANAGER MATTERS

None.

### LEGAL MATTERS

**Temporary License Agreement with SEFNCO Communications, Inc.:** Attorney Dauer reviewed the agreement with the Board, noting that the agreement previously approved by the Board has since expired, necessitating the need to approve again. Mr. Carlson noted there are no changes to the scope of work. Following discussion, upon a motion duly made by Director Seales, seconded by Director Epling and, upon vote, unanimously carried, the Board approved the Temporary License Agreement with SEFNCO Communications, Inc.

### CONSENT AGENDA

**Minutes from September 1, 2023 Regular Board Meeting and September 15, 2023 Special Board Meeting:**  
**Trafficalm Proposal for LED Crosswalk Equipment in the amount of \$2,684.00:**

The Board reviewed the consent agenda and requested a change to the September 2, 2023 Regular Board Meeting Minutes. Following review and discussion, upon a motion duly made by Director Seales, seconded by Director Dyck and, upon vote, unanimously carried, the Board approved the Consent Agenda, as amended.

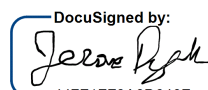
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### ADJOURNMENT

There being no further business to come before the Board at this time, the Board adjourned the meeting at 7:39 p.m.

Respectfully submitted,

DocuSigned by:  


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Secretary for the Meeting