

## 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  
JANUARY 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, January 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:

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

#### Also In Attendance Were:

Nicholas Carlson and Ashley Heidt; CliftonLarsonAllen LLP (“CLA”)  
Tamara K. Seaver; Icenogle Seaver Pogue LLP  
Michael Crespini; BrightView Landscaping (“BrightView”)  
Taylor Goertz; IMEG Corp.  
Donald Harvey; Atkinson-Noland and Associates (“ANA”)  
Jerome Dyck, Tom Evans and Alecia Brown; Members of the Public

### ADMINISTRATIVE MATTERS

**Call to Order:** The meeting was called to order at 5:00 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.

**Public Comment:** Jerome Dyck, resident, commented on the retaining walls bordering his property and property owned by South Suburban Parks and Recreation District, including any potential support from the District. Director Tucker and other Board members expressed their support for Mr. Dyck, and

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noted that they understood his issues, supported him and asked Ms. Seaver to review the plat notes referenced by Mr. Dyck for any potential District support.

Alecia Brown, resident and HOA board member, introduced herself to the Board.

Tom Evans, resident, requested permission to place a roll off dumpster in the street in front of his home for upcoming home renovations. He reported on the extreme grade of his driveway, creating a situation in which the roll off dumpster cannot safely be placed there. He also noted he has spoken with several neighbors who did not object. Discussion ensued and the Board did not object to the dumpster placement. It was requested that Mr. Evans remove the dumpster as expeditiously as possible in favor of community aesthetics.

### CONSENT AGENDA

#### **January 4, 2023 Agenda**

#### **Minutes from December 5, 2022 Special Board Meetings**

The Board reviewed the Consent Agenda. Following discussion, upon a motion duly made by Director Griffin, seconded by Director Dodds and, upon vote, unanimously carried, the Board approved the Consent Agenda, as presented.

### DIRECTOR MATTERS

**Brick Wall Assessment:** Mr. Goertz introduced Donald Harvey with ANA. Mr. Harvey presented the Brick Wall Assessment and Report to the Board. Discussion ensued. No action was taken.

**Overlook Park Redesign:** Director Griffin provided an update for the Board, noting that he has reached out to several companies and has one meeting this week.

**Proposals for District Engineering Services:** Mr. Carlson reviewed the proposals received for District Engineering Services. Following discussion, the Board directed CLA to invite Mulhern MRE Inc. and Merrick & Company to attend the February Board meeting.

**Security and Gate Matters:** Mr. Carlson provided an update regarding security and gate matters to the Board. He is working through contracting issues with Flock Group Inc. The Board directed legal counsel to work through the contracting issues with Flock Group Inc and provided direction if terms cannot be agreed upon.

### LEGAL MATTERS

**Fencing Rebate Policy:** This item was deferred.

**Election of Officers:** Ms. Seaver shared the current slate of officers. Following review, upon a motion duly made by Director Seales, seconded by Director Tucker and, upon vote, unanimously carried, the Board approved maintaining the current slate of officers.

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**Resolution Regarding 2023 Annual Administrative Matters:** Ms. Seaver reviewed the Resolution with the Board. Following discussion, upon a motion duly made by Director Seales, seconded by Director Tucker and, upon vote, unanimously carried, the Board adopted the Resolution Regarding 2023 Annual Administrative Matters, as amended to include 2023 regular Board meeting information as the first Friday of the month at 8:15 a.m. except for the first month of each quarter in which meetings will be held on the first Wednesday at 5:00 p.m., at the District Clubhouse, 9201 S. Heritage Hills Parkway, Lone Tree, Colorado 80124.

**Other:** None.

### LANDSCAPING MATTERS

**Updates:** Mr. Crespin provided an update for the Board and answered questions regarding fertilizer.

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

**BrightView Proposal to Install Summer Annual Color 2023:** Mr. Crespin reviewed the proposal with the Board. Following discussion, upon a motion duly made by Director Griffin, seconded by Director Tucker and, upon vote, unanimously carried, the Board approved the BrightView Proposal to Install Summer Annual Color 2023.

**BrightView Proposal for Edging Repair:** The Board deferred action.

**BrightView Proposal for Irrigation Repairs:** The Board deferred action.

**BrightView Proposal for Tree Pruning:** Mr. Crespin reviewed the proposal with the Board. Following discussion, upon a motion duly made by Director Griffin, seconded by Director Tucker and, upon vote, unanimously carried, the Board approved the BrightView Proposal for Tree Pruning.

The Board discussed snow removal efforts from the recent storm at length.

### FINANCIAL MATTERS

**Interim Claims:** Mr. Carlson reviewed the interim claims with the Board. Following discussion, upon a motion duly made by Director Dodds, seconded by Director Seales and, upon vote, unanimously carried, the Board ratified approval of the interim claims in the amount of \$128,677.45, as presented.

**Financing Options for Potential Clubhouse Renovations:** The Board tabled discussion.

**Other:** The Board discussed pool improvements and additional amenities for children. No action was taken.

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MANAGER  
MATTERS

**2023 Pool Hours:** The Board discussed pool hours for 2023 and directed CLA to negotiate with M.P.M. Recreation to keep the same pool hours as 2022.

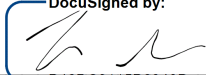
**Wizard Works Proposal for Pedestrian Gate Rework at Main Entrance:** Mr. Carlson reviewed the proposal with the Board. Director Seales asked about a motorized opener option for the south pedestrian gate to remain open for times of high foot traffic. Mr. Carlson will follow up with Wizard Works. The Board tabled action regarding the proposal.

**Other:** Director Dodds reviewed the draft e-blast to the community regarding safety and requested fellow Board members to review and provide feedback before sending to the community.

ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director Dodds, seconded by Director McClure and, upon vote, unanimously carried, the meeting was adjourned at 8:02 p.m.

Respectfully submitted,

DocuSigned by:  
  
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Secretary for the Meeting