

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
HERITAGE HILLS METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
JULY 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 Friday, July 8, 2022, at 8:30 a.m., at the Heritage Hills Clubhouse, 9201 S. Heritage Hills Parkway, Lone Tree, CO 80124.

ATTENDANCE

Directors In Attendance Were:

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

Also In Attendance Were:

Denise Denslow and Carrie Beacom; CliftonLarsonAllen LLP (“CLA”)
Shannon Smith Johnson, Icenogle, Seaver Pogue P.C. (“ISP”)
Leigh Dufresne; BrightView Landscaping
Taylor Goertz; IMEG Corp. (“IMEG”)
Joyce Lew; Resident

ADMINISTRATIVE MATTERS

Call to Order: The meeting was called to order at 8:33 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.

Public Comment: None.

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CONSENT AGENDA

July 8, 2022 Agenda

Minutes from June 8, 2022 Special Board Meeting

Good Plumbing Service Co. Proposal for Pool and Clubhouse Repairs in the amount of \$2,320.00

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 approved the Consent Agenda, as presented.

ENGINEERING MATTERS

2022 Intersection Improvements Plan: Mr. Goertz provided an update to the Board regarding the Intersection Improvements Plan. He stated that no bids were received in response to the District's Invitation for Bids. Discussion followed regarding the bid process and the need to be able to assess the installation of the first raised intersection prior to proceeding with the additional ones. Ms. Johnson discussed provisions of the contract document as well as protection of the District's need for flexibility.

Following discussion, upon a motion duly made by Director Griffin, seconded by Director Seales and, upon vote, unanimously carried, the Board directed Ms. Johnson to modify the contract document accordingly and directed IMEG to solicit contractors' proposals directly given the lack of response to the District's published solicitation.

Brick Wall Assessment Recommendations: Mr. Goertz presented to the Board a proposal, broken into two geographical areas, for the brick wall assessment. Director Dodds informed the Board that he had attended a comprehensive property walk with Mr. Goertz to better understand the issues around the wall and noted for the rest of the Board that he believes the assessment is necessary. Discussion followed regarding potentially breaking the assessment into smaller areas.

Following discussion, upon a motion duly made by Director Dodds, seconded by Director Tucker and, upon vote, unanimously carried, the Board authorized an assessment to be done, gate to gate, on Heritage Hills Parkway, upon receipt of a revised cost proposal.

Improvement Survey Proposal: Mr. Goertz distributed a proposal for a site survey to help identify District-owned property in relation to walls and fences. Discussion followed regarding timing and necessity as it related to safety issues, as well as future partnership with the Lone Tree Police Department. The Board deferred this matter until a future meeting.

Other: None.

LANDSCAPING MATTERS

Updates: Ms. Dufresne reviewed the BrightView report with the Board.

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Next Steps for Pesticide Applications: The Board discussed potential next steps for pesticide applications. It was determined that one or two board members would meet with Brightview and Jessica Johnson, along with an arborist, to discuss alternative options for pest and weed control. No action was taken at this time.

Proposals, if any:

BrightView Proposal for Tree Care 2022: The Board deferred action on this proposal.

BrightView Proposal to Plant Trees in Overlook Park in the amount of \$10,360.82: Director Griffin noted for the rest of the Board that he had met with Brightview at Overlook Park to identify locations for additional trees. Discussion among the Board ensued. Following discussion, upon a motion duly made by Director Tucker, seconded by Director Seales and, upon vote, unanimously carried, the Board approved the BrightView proposal to plant trees in Overlook Park in the amount up to \$10,360.82 and authorized Director Griffin to finalize the number and location of the tree plantings.

Director Seales additionally mentioned the need for additional trash cans in the Overlook Park and pool area. Discussion among the Board ensued. Following discussion, upon a motion duly made by Director Seales, seconded by Director Tucker and, upon vote, unanimously carried, the Board authorized the purchase and installation of five additional trash cans. Director Seales will work with CLA to determine the locations of each installation.

BrightView Proposal for Yosemite Gate Additions in the amount of \$13,428.69: Director Griffin briefed the Board on his site walks and discussions with Brightview regarding making improvements to the landscaping areas at the gates. Ms. Dufresne presented the Board with a proposal to add landscaping enhancements at the Yosemite gate. 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 Yosemite gate additions in the amount of \$13,428.69.

BrightView Proposal for Lincoln Gate Additions in the amount of \$33,250.37: The Board determined to wait until the Yosemite gate enhancements were completed prior to taking action on this matter.

BrightView Proposal for Additional Hand Weeding Hours in the amount of \$13,500.00: Following discussion, upon a motion duly made by Director Tucker, seconded by Director Griffin and, upon vote, unanimously carried, the Board approved the BrightView proposal for additional hand weeding hours in the amount of \$13,500.00.

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FINANCIAL MATTERS

Interim Claims: Ms. Beacom reviewed the Interim Claims with the Board, noting the addition of a payment to MPM Recreation and Management in the amount of \$75,151.20, that was not captured in the claims list. Following discussion, upon a motion duly made by Director Seales, seconded by Director Griffin and, upon vote, unanimously carried, the Board approved the interim claims in the amount of \$461,321.32, as amended to include the additional payment to MPM Recreation and Management.

2021 Audit: Ms. Beacom presented the draft 2021 audit to the Board, stating that the audit will be completed and filed prior to the July 31, 2022 deadline. It is anticipated that the auditor will issue a clean opinion. Following discussion, upon a motion duly made by Director Seales, seconded by Director Griffin and, upon vote, unanimously carried, the Board approved the draft 2021 audit, subject to receipt of a clean and unmodified opinion from the auditor.

Other: None.

LEGAL MATTERS

Other: None.

MANAGER MATTERS

Temporary Construction License Agreement with SEFNCO Communications Inc.: Ms. Denslow briefed the Board on the purpose of this Temporary Construction License Agreement. Ms. Johnson followed with discussion regarding the need for SEFNCO to obtain permission from the private property owners impacted and noted that this Agreement does not imply access to those privately owned areas. Following discussion, upon a motion duly made by Director Griffin, seconded by Director Seales and, upon vote, unanimously carried, the Board approved the Temporary Construction License Agreement with SEFNCO Communications Inc., subject to clarification regarding the access to private property.

Wifi Booster in an amount not to exceed \$250.00: Discussion among the Board ensued, and Ms. Johnson answered questions. No action was taken at this time.

Other: None.

DIRECTOR MATTERS

Pickleball Court and Pool Hours: It was noted that the pool hours had been changed and that the pickleball groups had been contacted about starting games later.

Gates: Director Seales provided an update to the Board, noting that he is working with Mr. Carlson and Wizard Works Security Systems on a process to consolidate the community access components.

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Open Board Position – Next Steps: It was noted that there were nine candidates for the HOA Board position that recently opened up. Given the amount of interest in the community, the Board directed CLA to send an email to the community regarding the District Board vacancy. Interested parties should supply a letter stating information about themselves and their reasons for wanting to join the Board.

Other: The Board briefly discussed community amenities. No action was taken at this time.

The Board requested Ms. Denslow solicit a new date and time for the August Board meeting and ensure that it is appropriately captured on the District's website and calendar.

ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned at 11:10 a.m.

Respectfully submitted,

DocuSigned by:

B46DC9115B6940D
Secretary for the Meeting

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