

## RECORD OF PROCEEDINGS

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MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
HERITAGE HILLS METROPOLITAN DISTRICT (THE "DISTRICT")  
HELD  
JULY 20, 2021

A special meeting of the Board of Directors of the Heritage Hills Metropolitan District (referred to hereafter as the "Board") was convened on Tuesday, July 20, 2021, at 2:30 p.m. at the Heritage Hills Clubhouse, 9201 S. Heritage Hills parkway, Lone Tree, Colorado 80124. **Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board meeting was also held via Zoom. The meeting was open to the public.**

### ATTENDANCE

#### Directors In Attendance Were:

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

The absence of Director Bailey was noted and excused.

#### Also In Attendance Were:

Denise Denslow, Nic Carlson & Natalie Herschberg; CliftonLarsonAllen LLP ("CLA")  
Tamara Seaver; Icenogle Seaver Pogue, P.C.  
Mike Crespin, Leigh Dufresne & Jeremy Congleton; BrightView Landscaping

#### Members of the Public:

Jessica Johnson  
Katy Mollmann  
Paul Strickland  
Brooke Wilmeth  
Jennifer Hagen  
Marilyn Shaffer  
Karl and Linda Bruce  
Vanessa Rolla  
Magen Koonce  
William McBride  
Jim Marshall  
Laura Dokken  
Kevin and Denise Hawkins

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Mark and Sharon Weston  
Laura Krinhop

### CALL TO ORDER

The meeting was called to order at 2:30 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

Ms. Johnson addressed the Board of Directors and noted she was circulating a petition to District residents, clarifying that the petition auto-fills locations. Thereafter, various members of the public addressed the Board and expressed their views regarding the use of pesticides by the District, the possibility of litigation over the same, and expressing a desire for the use of only organic and manual weed and pest control measures.

Mr. Marshall addressed the Board and expressed support for reasonable pest control measures, following which significant debate ensued among the various members of the public.

During the public comments various Board members made comment on some factual misrepresentations to community members and related matters which were heatedly contested by Ms. Johnson and others. Eventually it was noted by Ms. Seaver, Ms. Denslow, and various members of the Board that (a) the Board members are volunteer neighborhood residents, (b) the Board takes the community comments and concerns seriously, and (b) the Board scheduled the special meeting to begin analyzing the concerns brought forth initially by Ms. Johnson. It was further noted by Ms. Denslow that the Board's consideration and analysis will take some time and it was made clear to all present that all weed/pest spraying had been suspended in response to Ms. Johnson's original outreach and would remain suspended pending further Board investigation and ultimate Board determination on weed and pest control measures on a going-forward basis.

### LEGAL ITEMS

**Executive session pursuant to C.R.S., Section 24-6-402(4)(b) and Section 24-6-402(4)(e) for the purposes of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators regarding a resident complaint to the Colorado Department of Agriculture and attendant investigation:** Upon a motion duly made by Director Biernat, seconded by Director Hargett and, upon vote, unanimously

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carried, the Board entered into Executive Session at 3:31 p.m. Upon a motion duly made by Director Hargett, seconded by Director Biernat and, upon vote, unanimously carried, the Board exited from Executive Session at 4:28 p.m.

### LANDSCAPE ITEMS

**District Landscaping Program & Pesticide Application:** No open session discussion took place.

### CLUBHOUSE ITEMS

**Clubhouse Roof Repair:** Mr. Carlson presented options for the Clubhouse roof repair. Following discussion, the Board directed CLA to pursue updated proposals. Upon a motion duly made by Director Hargett, seconded by Director Biernat and, upon vote, unanimously carried, the Board delegated authority to approve the final dollar amount to Director Tucker, and the Board will ratify approval of the final proposal at the August Board meeting.

### POOL ITEMS

**Pool Plaster Repair:** Mr. Carlson presented the proposal for pool plaster repairs with the Board. Following discussion, upon a motion duly made, seconded and, upon vote, unanimously carried, the Board approved the Supply Station, LLC proposal for pool plaster repairs in the amount of \$60,342.00.

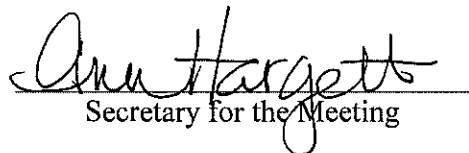
### NEXT REGULAR MEETING

A quorum was confirmed for the next regular meeting on August 11, 2021 at 12:30 p.m.

### ADJOURNMENT

There being no further business to come before the Board at this time, Director Tucker adjourned the meeting at 4:43 p.m.

Respectfully submitted,

  
Secretary for the Meeting