

## 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  
MARCH 10, 2021

A special meeting of the Board of Directors of the Heritage Hills Metropolitan District (referred to hereafter as the “Board”) was convened on Wednesday, March 10, 2021, at 12:30 p.m. **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 held via Zoom. The meeting was open to the public.**

### ATTENDANCE

#### Directors In Attendance Were:

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

#### Also In Attendance Were:

Denise Denslow & Nic Carlson; CliftonLarsonAllen LLP (“CLA”)  
Rick Rome & Taylor Goertz; IMEG Corp.  
Tamara Seaver, Esq.; Icenogle Seaver Pogue, P.C.  
Rangler Stuckey, BrightView Landscaping

### CALL TO ORDER

The meeting was called to order at 12:35 p.m.

### 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

There was no public comment.

### LANDSCAPING AND SNOW REMOVAL ITEMS

**Updates:** Mr. Stuckey provided an update to the Board, noting that crews have been trimming back grasses and completing spring cleanup. Winter watering is scheduled for the end of March or early April. Irrigation startup will begin in the next month. CLA will coordinate a meeting for the Board to take a landscape walk of the community and consider landscape design concepts in the coming weeks.

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**Status of Backflows:** Mr. Stuckey reviewed two proposals for back flow locks and cages. Upon a motion duly made by Director Lew, seconded by Director Biernat and, upon vote majority carried, the Board approved the proposal in the amount of \$15,883. Director Tucker was opposed.

**Proposals, if any:**

**Proposal to Install Backflow Preventer in Pool House:** Mr. Carlson and Mr. Stuckey reviewed the proposals, noting a backflow preventer is required in the pool before opening the pool this spring. Upon a motion duly made by Director Lew, seconded by Director Bailey and, upon vote unanimously carried, the Board approved the proposal to install a backflow preventer in the pool house in the amount of \$1,204.59.

**Proposal for Fence Repairs:** Mr. Stuckey reviewed the proposal for fence repairs. Upon a motion duly made by Director Bailey, seconded by Director Lew and, upon vote unanimously carried, the Board ratified approval of the proposal for temporary fence repairs on the north end of the retention pond and accepted the cost for repairs in the amount of \$711.00.

**CONSENT AGENDA**

**March 10, 2021 Agenda:**

**Minutes from February 10, 2021 Special Meeting:**

Ms. Denslow reviewed the consent agenda with the Board. Director Lew requested a correction in the February minutes. Upon a motion duly made by Director Hargett, seconded by Director Bailey, and upon a vote unanimously carried, the Board approved the minutes from the February 10, 2021 Special Meeting as amended.

**FINANCIAL ITEMS**

**Interim Claims:** Ms. Denslow reviewed the claims with the Board. Upon a motion duly made by Director Lew, seconded by Director Hargett, and upon a vote unanimously carried, the Board approved the Interim Claims in the amount of \$52,535.47.

**February 28, 2021 Cash Position Report:** Ms. Denslow reviewed the Cash Position Report with the Board. Director Hargett requested Ms. Pangindian follow up on higher yield savings accounts. Upon a motion duly made by Director Hargett, seconded by Director Lew, and upon a vote unanimously carried, the Board accepted the February 28, 2021 Cash Position Report.

**Other:** None.

**MANAGER ITEMS**

**Update on Fob Project:** Mr. Carlson provided an update on the fob project to the Board and stated that the project is still underway and will be wrapped up next week. Communication will be sent to residents to test their fobs after the

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project is concluded.

**Discuss Resident Request for Clubhouse Reservations:** The Board discussed the resident request to reserve the Clubhouse and determined that Clubhouse reservations will continue to be suspended until Douglas County restrictions have been lifted.

**Discuss Tennis Court Rules:** Mr. Carlson reported to the Board regarding a written complaint the District received related to Ms. Linda Schley and the provision of unapproved tennis lessons. The Board discussed the matter and, given due process considerations, determined to hold a hearing on the complaint. The Board directed management to set the hearing at a special meeting on March 31, 2021 at 12:30 and provide notice of the hearing to Ms. Schley. Upon a motion duly made by Director Lew, seconded by Director Hargett and, upon vote unanimously carried, the Board approved setting the hearing.

**Other:** Mr. Carlson reviewed the damage to the Lincoln gate. Upon a motion duly made by Director Tucker, seconded by Director Bailey and, upon vote unanimously carried, the Board approved the proposal from Doors West to repair the Lincoln gate in the amount of \$2,489.96.

### ENGINEERING ITEMS

**Road Condition Assessment Report – Scope and Fee Estimate:** Mr. Rome updated the Board on the Hillside road repair evaluation. The Board discussed prioritization of upcoming road maintenance items.

Upon a motion duly made by Director Bailey, seconded by Director Biernat and, upon vote unanimously carried, the Board approved IMEG to prepare a scope of work and issue an Invitation to Bid on the District's behalf for the Hillside neighborhood mill and overlay project as well as the crack repair on South Shadow Hills Drive and East Lost Hill Trail with final approval of the invitation to Bid delegated to District Management and Legal Counsel.

Upon a motion duly made by Director Hargett, seconded by Director Bailey and, upon vote unanimously carried, the Board authorized additional services under the District's contract with IMEG for the above-mentioned work in an amount not to exceed \$10,000.

**Traffic Calming Improvements – Heritage Hills Pkwy:** Mr. Rome reviewed the traffic calming improvements with the Board. The estimate for improvements is not to exceed \$25,000; this is not including landscape rehabilitation. Upon a motion duly made by Director Lew, seconded by Director Biernat and, upon vote unanimously carried, the Board approved IMEG to solicit proposals for work on behalf of the District. IMEG will obtain traffic surveying equipment this week and begin the traffic study next week.

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**Phase 2 Drainage Permit Submittal Summary:** Mr. Goertz provided an update to the Board. The annual report has been submitted to the State.

### LEGAL ITEMS

**Other:** None.

### DIRECTOR ITEMS

**Review and Consider Approval of Proposals from Leisure Creations for Lounge Chairs:** Ms. Lew reviewed the proposals with the Board. Upon a motion duly made by Director Bailey, seconded by Director Tucker and, upon vote unanimously carried, the Board approved both proposals from Leisure Creations for lounge chairs in the amounts of \$7,750.56 and \$10,334.08.

**Discuss Fundraiser Request with Tall Tales Ranch:** Following review, upon a motion duly made, seconded and upon vote unanimously carried, the Board denied the request since no residents are involved.

**Other:** The Board directed CLA to update the signs at the tennis courts to indicate no unauthorized private lessons.

### NEXT REGULAR MEETING

A quorum was confirmed for the next regular meeting on April 14, 2021 at 5:30 p.m.

### ADJOURNMENT

There being no further business to come before the Board at this time, Director Lew adjourned the meeting at 3:21 p.m.

Respectfully submitted,

DocuSigned by:

*Ann Hargrett*

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Secretary for the Meeting

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