

## 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  
MAY 12, 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, May 12, 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 & Gigi Pangindian; CliftonLarsonAllen LLP (“CLA”)  
Tamara Seaver; Icenogle Seaver Pogue, P.C.  
Rick Rome & Taylor Goertz; IMEG Corp.  
Rangler Stuckey, BrightView Landscaping  
Jen Bakken; Resident

### CALL TO ORDER

The meeting was called to order at 12:31 p.m. 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

There was no public comment.

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### CONSENT AGENDA

#### **May 12, 2021 Agenda:** **Minutes from April 14, 2021 Special Meeting and April 21, 2021 Special Meeting:**

Ms. Denslow reviewed the consent agenda with the Board. Upon a motion duly made by Director Lew, seconded by Director Biernat and, upon a vote, unanimously carried, the Board approved the May 12, 2021 Agenda and minutes from the April 14, 2021 Special Meeting and April 21, 2021 Special Meeting.

### ENGINEERING ITEMS

**Road Condition Assessment Report:** Mr. Rome provided an update to the Board regarding the road condition assessment report. IMEG is including a new engineer to the project to help with the assessment and proposed budget for the capital improvement program.

**Heritage Hills Parkway / Star Hill Circle Intersection Improvements:** Mr. Rome advised the Board that the formerly approved proposal from Three Brothers was subsequently amended by Three Brothers for missing scope, increasing the Board-approved price. Therefore, Mr. Rome solicited additional proposals for the Board to review and among those additional proposals, he recommended the proposal provided by Chavez Construction Inc. Following Board discussion, and upon a motion duly made by Director Biernat, and seconded by Director Bailey, the Board unanimously approved increasing the total project cost by \$10,000.

Thereafter, following discussion, upon a motion duly made by Director Lew, seconded by Director Biernat and, upon vote, unanimously carried, the Board approved the Chavez Construction Inc. proposal in an amount not to exceed \$15,892.00.

**Heritage Hills Parkway Traffic Calming (Speed Study):** Mr. Goertz reviewed the Heritage Hills Parkway Speed Study results. He noted 85% of speeds on Heritage Hills Parkway are 34% - 45% higher than the posted speed limits. There were zero incidents of pedestrian/vehicle conflict at the intersections. Numerous cases of "slow and roll" through stop signs were noted. Mr. Goertz also noted that unwarranted stop signs cause excessive speeds between intersections.

IMEG proposed several alternatives for improvement. Following discussion, IMEG was directed to bring schematics and cost estimates for pedestrian crossing improvements to the June Board meeting for Board consideration.

**2021 Road Improvements:** Mr. Rome reported that the project would be advertised for bid next week in the Douglas County News Press. He noted that he will bring proposals for crack seal and road repair for outstanding cracks in the community to the June Board meeting for Board consideration.

### LANDSCAPING AND SNOW REMOVAL

**Updates:** Mr. Stuckey provided an update to the Board, noting that the turf has received the first round of fertilizer and broadleaf. The grub application will

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### ITEMS

begin in May. The Japanese beetle application is scheduled for this month. BrightView is identifying dead trees for removal throughout the community. He noted that the irrigation mainline has been charged and the portion near Star Hill Circle has been moved to accommodate sidewalk repair.

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

**2021 Annual Color Proposal:** Mr. Stuckey reviewed with the Board the 2021 Annual Color installation proposal. Following discussion, upon a motion duly made by Director Lew, seconded by Director Bailey and, upon vote, unanimously carried, the Board approved the 2021 Annual Color Installation Proposal in an amount not to exceed \$25,836.00.

### FINANCIAL ITEMS

**Interim Claims:** Ms. Pangindian reviewed the claims with the Board. Upon a motion duly made by Director Bailey, seconded by Director Lew and, upon vote, unanimously carried, the Board approved the Interim Claims in the amount of \$143,693.95.

**March 31, 2021 Financial Statements:** Ms. Pangindian reviewed the March 31, 2021 Financial Statements with the Board. Upon a motion duly made by Director Hargett, seconded by Director Bailey and, upon vote, unanimously carried, the Board accepted the March 31, 2021 Financial Statements.

**Higher Yield Alternatives for Colotrust Account:** Ms. Pangindian reviewed with the Board higher yield alternative investment accounts for the Colotrust account. Upon a motion duly made by Director Bailey, seconded by Director Biernat and, upon vote, unanimously carried, the Board approved Ms. Pangindian to solicit more accurate rates and work with Directors Hargett and Lew for final determination.

**Other:** None.

### 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 regarding potential tennis lesson contracts.:** Upon a motion duly made by Director Lew, seconded by Director Bailey and, upon vote, unanimously carried, the Board entered Executive Session at 2:59 p.m. Upon a motion duly made by Director Biernat, seconded by Director Bailey and, upon vote, unanimously carried, the Board exited Executive Session at 3:15 p.m.

No action was taken.

**Contract with Linda Schley for the Use of District Facilities for the Purpose of Tennis Lessons:** No action was taken.

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**Other:** None.

### MANAGER ITEMS

**Proposal for Tennis Court and Pool Signs:** Mr. Carlson reviewed with the Board, the proposal to revise the current tennis court and pool signs and replace the old signs before the pool opens. Following discussion, upon a motion duly made by Director Biernat, seconded by Director Hargett and, upon vote, unanimously carried, the Board approved the proposal in an amount not to exceed \$1,200.00.

**Proposals for Security Cameras from Security Central:** Mr. Carlson reviewed the proposals for security cameras with the Board. Following discussion, upon a motion duly made by Director Biernat, seconded by Director Bailey and, upon vote, unanimously carried, the Board approved the two proposals for security cameras from Security Central in the amounts of \$2,417.30 and \$2,407.33.

**Invoice from Chavez Services LLC for Pothole Repairs:** Mr. Carlson reviewed with the Board the invoice from Chavez Services LLC for pothole repairs. The Board ratified the invoice previously in the meeting with the claims.

**Pool Opening:** Mr. Carlson provided an update, noting the pool will be filled this week and will be ready to be opened by Memorial Day weekend.

**Other:** None.

### DIRECTOR ITEMS

**Other:** None.

### NEXT REGULAR MEETING

A quorum was confirmed for the next regular meeting on June 9, 2021 at 12:30 p.m.

### ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned at 3:48 p.m.

Respectfully submitted,

DocuSigned by:

*Ana Hargett*

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Secretary for the Meeting

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