

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
HERITAGE HILLS METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
SEPTEMBER 6, 2024

A special meeting of the Board of Directors of the Heritage Hills Metropolitan District (referred to hereafter as the “Board”) was convened on September 6, 2024, at 8:15 a.m., at the Heritage Hills Clubhouse and via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors in attendance were:

Shaun Seales, President
Brad Dodds, Vice-President
Jerome Dyck, Secretary
Todd Griffin, Assistant Secretary

Christina Epling, Treasurer was absent and excused.

Also, In Attendance Were:

Nic Carlson, Ashley Heidt and Alonso Duran Rodriguez; CliftonLarsonAllen LLP (“CLA”)
Barbara Vander Wall, Esq.; Seter, Vander Wall & Mielke, P.C. (“SVW”)
Leigh Dufresne; Brightview Landscape Services
Steve Fromm and Korbin Fromm; Fromm & Company LLC (“Fromm”)
Carson Besgrove; Merrick & Company (“Merrick”)
Matt Hayes; Wizard Works Security Systems (“Wizard Works”)
Jason Cabay; ASAP Asphalt and Concrete
Jill Clark; Member of the public

ADMINISTRATIVE MATTERS

Call to Order:

The meeting was called to order at 8:21 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 Posting of Meeting Notice:

A quorum was confirmed. The Board meeting was noticed as required.

Public Comment:

None.

Agenda:

Following review and discussion, upon motion duly made by Director Dodds, seconded by Director Griffin and, upon vote, unanimously carried, the Board approved the agenda, as amended to remove item C from Financial Matters.

DIRECTOR MATTERS

The Board agreed to defer discussion of Director Matters to later in the agenda, pending the arrival of the WizardWorks representative.

CONSENT AGENDA

Minutes from June 27, 2024 Special Board Meeting, August 2, 2024 Special Board Meeting and August 7, 2024 Special Board Meeting:

Following review, upon a motion duly made by Director Griffin, seconded by Director Dodds and, upon vote, unanimously carried, the Board approved the consent agenda.

LANDSCAPING MATTERS

Updates:

Ms. Dufresne provided an update for the Board.

Proposals, if any:

Design Options for Yosemite Pool:

Ms. Dufresne reviewed the proposal for landscape design options for the Yosemite pool area for the Board and will provide costs for the proposed design at a later meeting.

Design Options for Entrance Medians:

Ms. Dufresne reviewed the entrance median design proposal with the Board. Discussion ensued regarding the use of mulch versus rubber mulch. Ms. Dufresne will bring back costs for comparison to a future meeting. It was noted that there are approximately 11 entrance medians. Since this is a complete redesign, the Board noted they would like to offer the existing plant material being removed to any residents in the community who may want them.

The Board asked about the tree that is declining and if BrightView is planning on replacing that this fall. The Board noted they want to replace it with an eight-foot tree. Ms. Dufresne will work with Mr. Fromm on this replacement.

Proposal for Fiesta Turf Treatment for September 2024:

Ms. Dufresne reviewed the proposal with the Board. Following discussion, upon a motion duly made by Director Griffin, seconded by Director Dodds and, upon vote, unanimously carried, the Board approved the proposal for fiesta turf treatment for September 2024 in the amount of \$7,860.00.

Proposal for Fall Seeding in Overlook Park:

Ms. Dufresne reviewed the proposal with the Board. Following discussion, upon a motion duly made by Director Griffin, seconded by Director Dodds and, upon vote, unanimously carried, the Board approved the proposal for fall seeding in Overlook Park in the amount of \$2,800.00.

Proposal for Fall Tree Recommendations:

Ms. Dufresne reviewed the proposal with the Board. Following discussion, upon a motion duly made by Director Seales, seconded by Director Griffin and, upon vote, unanimously carried, the Board deferred the canker treatment to the spring and approved the proposal for deep root fertilization in the amount of \$3,500.00.

Proposal for Turf Conversion Project Fall 2024:

Ms. Dufresne reviewed the turf conversion proposal with the Board, which includes irrigation, soil amendment, labor and removal. Following discussion, upon a motion duly made by Director Seales, seconded by Director Griffin and, upon vote, unanimously carried, the Board approved the proposal for turf conversion project Fall 2024, as amended, in the amount of \$63,285.00.

Director Griffin asked about the snow removal plan for this upcoming season. Director Dodds requested notifying the community on the website if the sidewalks will be cleared by BrightView or not for each storm. Director Dyck asked if it would be the same crew as last year. The Board determined to follow the same plan as last year.

DIRECTOR MATTERS (deferred discussion)

Security and Gate Matters:

Discussion ensued regarding gate repairs. The Board noted they would like the quick close arm to be functional as soon as possible.

MvQ App and LiftMaster Presentation:

LiftMaster was not in attendance so a presentation was not given. It was noted there are some issues with various users at different gates. Director Seales asked if a keypad could be installed by the quick close arm so residents can use their gate code if their transponder does not work. The Board discussed adding a sign further down the Yosemite entrance instructing delivery drivers to use the Lincoln entrance. Director Dodds requested scheduling a working session with Wizard Works prior to the next board meeting.

Discussion ensued regarding various security concerns. Mr. Fromm noted he will look into the cost of overnight security patrol services.

Further discussion ensued regarding the various gate strikes and if there should be additional signage at the gates to stop rushing.

FINANCIAL MATTERS

Interim Claims:

Mr. Duran Rodriguez reviewed the interim claims with the Board. Following review and discussion, upon motion duly made by Director Griffin, seconded by Director Seales and, upon vote, the Board ratified approval of the interim claims.

June 30, 2024 Unaudited Financial Statements:

Mr. Carlson reviewed the financial statements with the Board. Following discussion, upon a motion duly made by Director Griffin, seconded by Director Seales and, upon vote, unanimously carried, the Board accepted the June 30, 2024 Unaudited Financial Statements.

Reserve Study and Follow Up Items:

Historic Reserve Fund Contributions:

Mr. Carlson reviewed the historic reserve fund contributions with the Board. No action was taken.

Memo from Seter, Vander Wall and Mielke, P.C. Regarding Financing Options:

Attorney Vander Wall reviewed the memo with the Board. No action was taken.

MANAGER MATTERS

Project Manager Report:

Mr. Fromm provided an update for the Board. Following discussion, upon a motion duly made by Director Griffin, seconded by Director Dyck and, upon vote, unanimously carried, the Board approved repainting the split rail fence in an amount not to exceed \$5,000.00.

Following discussion, upon a motion duly made by Director Seales, seconded by Director Dodds and, upon vote, unanimously carried, the Board approving painting the lane lines in an amount not to exceed \$4,700.00.

The Board requested a laminated picture of how to use the “see me” crossing flags to be posted at each station.

Proposal for Crack Seal Maintenance:

Mr. Cabay, with ASAP, reviewed his information handout with the Board Discussion ensued regarding roadway maintenance options. No action was taken.

Supply Station Quote to Fix Clubhouse Pool Heater:

Mr. Carlson reviewed the quote with the Board. Director Seales requested the heaters be checked in March or April to ensure everything is working properly following the repairs and prior to pool opening. Following discussion, upon a motion duly made by Director Seales, seconded by Director Griffin and, upon vote, unanimously carried, the Board approved fixing the clubhouse pool heater in an amount not to exceed \$5,000.00 and directed staff to get two alternative quotes for the work.

ENGINEERING MATTERS

Update on 2024 Capital Projects:

Brick Wall Repair and Maintenance Budget:

Mr. Besgrove noted this item is on hold until the Board completes a budget review.

Overlook Park Project and Budget:

Mr. Besgrove provided an update for the Board, noting that Merrick is coordinating with a utility consultant to submit an application with Xcel to relocate their underground electric line.

Mr. Besgrove reviewed a proposal from Clanton to complete the electrical and lighting design for the pavilion in an amount not to exceed \$17,500.00. No action was taken.

Clubhouse Renovation and Budget:

Mr. Besgrove noted this item is on hold until the Board completes a budget review.

J.M.G. Concrete Services LLC Proposal for Additional Concrete Work in The Ridge:

Mr. Besgrove reviewed the concrete work proposal with the Board for three locations in The Ridge. Following discussion, upon a motion duly made by Director Griffin, seconded by Director Dodds and, upon vote, unanimously carried, the Board approved the J.M.G.

Concrete Services LLC proposal for additional concrete work in The Ridge in the total amount of \$7,500.00.

Ground Engineering Proposal for Pavement Investigation at Yosemite Entrance:

Mr. Besgrove reviewed the proposal with the Board. He noted the work is expected to be done the week of September 16, 2024. Following discussion, upon a motion duly made by Director Griffin, seconded by Director Dodds and, upon vote, the Board approved the Ground Engineering proposal for pavement investigation at Yosemite entrance in the amount of \$8,400.00.

Willow Creek Trail Connection Lighting:

Mr. Besgrove provided an update for the Board, noting that there is an existing underground electric line along the back of a lot. Merrick will coordinate with Xcel to see if Xcel can install a meter in that area and the estimated cost. Mr. Besgrove will obtain a proposal from Clanton for lighting.

Speed Reduction Recommendations:

Mr. Besgrove noted he has reviewed the speed study completed by FHU in 2017. He noted Merrick recommends the addition of two speed humps in locations where there is not a median and adding stop signs at the Heritage Hills Parkway and East Cedar Hill Place intersection. Board determined to table this until the full Board is present.

LEGAL MATTERS

Legal Status Report:

Attorney Vander Wall reviewed the legal status report with the Board. No action was taken.

Resolution Adopting Records Retention Schedule:

Attorney Vander Wall reviewed the resolution with the Board. Following discussion, upon a motion duly made by Director Dodds, seconded by Director Griffin and, upon vote, the Board adopted the Resolution Adopting a Records Retention Schedule.

Executive Session to Consult with Legal Counsel on Matters Regarding Perimeter Fencing Ownership and Maintenance Responsibilities Pursuant to C.R.S. § 24-6-402(4)(b):

Following discussion, upon a motion duly made by Director Dodds, seconded by Director Griffin and, upon vote, the Board entered into executive session at 11:17 a.m. The Board exited from executive session at 11:41 a.m.

The Board directed District management to reach out to the homeowner on the outcome of the latest email. Director Seales will reach out to the Heritage Hills HOA president regarding the enforcement of the guidelines.

OTHER BUSINESS

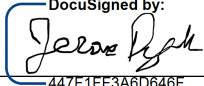
Quorum for October 4, 2024 Board Meeting:

A quorum was confirmed.

ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned at 11:43 a.m.

Respectfully submitted,

By  _____
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Secretary for the Meeting

Certificate Of Completion

Envelope Id: D9A552D3668040C0A334F2353EDF073F	Status: Completed
Subject: Complete with DocuSign: HHMD - Minutes 09-06-2024.pdf	
Client Name: HHMD	
Client Number: A519870	
Source Envelope:	
Document Pages: 7	Signatures: 1
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
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Time Zone: (UTC-06:00) Central Time (US & Canada)	220 S 6th St Ste 300
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10/10/2024 1:55:54 PM	Natalie.Herschberg@claconnect.com	

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 Security Level: Email, Account Authentication (None)

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DocuSigned by:

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Sent: 10/10/2024 1:58:48 PM
 Viewed: 10/16/2024 3:51:43 AM
 Signed: 10/16/2024 3:53:43 AM

Electronic Record and Signature Disclosure:
 Accepted: 10/16/2024 3:51:43 AM
 ID: ba157d31-628e-4ebc-989c-0ff6079f3c24

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
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Witness Events	Signature	Timestamp

Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Signing Complete	Security Checked	10/16/2024 3:53:43 AM
Completed	Security Checked	10/16/2024 3:53:48 AM

Payment Events	Status	Timestamps
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