

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

WHEATLANDS METROPOLITAN DISTRICT

Held: August 9, 2018, at 6:45 p.m., at 6601 S. Wheatlands Parkway, Aurora, Colorado.

Attendance

A regular meeting of the Board of Directors of Wheatlands Metropolitan District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following Directors, having confirmed their qualification to serve, were in attendance:

Jack Lent  
Paulette Martin  
Robert Romero  
Kathy Barela

Director Andrew Roper was absent. All Director absences are considered excused unless otherwise noted in these minutes.

Also present were Clint C. Waldron, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District general counsel; Lori Walker and Kimberly Armitage, YMCA; Kevin Cox and Jerri Maness, COX Landscaping, Inc.; and Rick Gonzales, Marchetti & Weaver, District accountant.

Call to Order

It was noted that a quorum of the Board was present and the meeting was called to order.

Disclosure Matters

Mr. Waldron advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Waldron reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. Waldron noted that a quorum was present and inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Board determined

that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

## Agenda

The Board reviewed the agenda. Following discussion, upon motion duly made and seconded, the Board approved the agenda, as amended.

## Consent Agenda

Mr. Waldron presented the items on the consent agenda to the Board for consideration. Mr. Waldron advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any director. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved and adopted:

- Approval of Minutes from June 7, 2018 Work Session and Special Meeting, and Special Meeting
- Approval of Claims Payable in the amount of \$752,909.27 represented by payments made from June 1, 2018 through August 2, 2018.
- Ratification of First Amendment to ICA for Covenant Enforcement Services with AMI – Advances Management, LLC
- Approval of Architerra Fee Proposal for Additional Fees
- Approval of Landscape Maintenance and Ownership Agreement (East Calhoun Drive)
- Approval of Independent Contractor Agreement with JBL Pest Control, Inc. d/b/a Terminix
- Ratification of Work Order No. 48 to Landscape Maintenance Contract - \$742.29

## District Management, Operations and Landscape Maintenance

### Work Orders and Proposals

Consider Approval of Estimate No. 758 (Work Order No. 49) to the Landscape Maintenance Contract in the Amount of \$28,512.50

The Board engaged in general discussion regarding Estimate No. 758 from Cox Landscaping. Following discussion, upon a motion duly made and seconded, the Board approved Estimate No. 758 in the amount of \$22,632.50 for 2018 tree replacements.

Consider Approval of Estimate No. 796 (Work Order No. 50) to the

The Board engaged in general discussion regarding Estimate No. 796 from Cox Landscaping. Following discussion, upon a motion duly made and seconded, the Board unanimously

Landscape Maintenance  
Contract in the Amount of  
\$464.94

approved the Estimate in the amount of \$464.94 for cobblestone  
at the northwest corner of Smoky Hill Road and Ider Street.

Consider Approval of  
Estimate No. 824 (Work  
Order No. 51) to the  
Landscape Maintenance  
Contract in the Amount of  
\$25,754.00

The Board engaged in general discussion regarding Estimate  
No. 824 from Cox Landscaping. Following discussion, upon a  
motion duly made and seconded, the Board unanimously  
approved the Estimate in the amount of \$25,754.00 for  
replacing the wood mulch along S. Ider St between Smoky Hill  
Rd. and Wheatlands Parkway.

Consider Approval of Work  
Order No. 825 (Work Order  
No. 52) to the Landscape  
Maintenance Contract in the  
Amount of \$69,281.15

The Board engaged in general discussion regarding Estimate  
No. 825 from Cox Landscaping. Following discussion, upon a  
motion duly made and seconded, the Board unanimously  
approved the Estimate in the amount of \$69,281.15 for  
topdressing of colored mulch and installing river rock in beds  
along Wheatlands Parkway from Harvest Street to Ider Street.

Consider Approval of  
Estimate No. 823 (Work  
Order No. 53) to the  
Landscape Maintenance  
Contract in the Amount of  
\$18,688.88

The Board engaged in general discussion regarding Estimate  
No. 823 from Cox Landscaping. Following discussion, upon a  
motion duly made and seconded, the Board unanimously  
approved the Estimate in the amount of \$18,688.88 for  
installation of river rock.

Consider Approval of  
Estimate No. 804 to  
Landscape Maintenance  
Contract in the Amount of  
\$3,307.50

The Board engaged in general discussion regarding Estimate  
No. 804 from Cox Landscaping. The Board did not approve the  
estimate as the YMCA paid for the work to be completed.

Consider Approval of  
Estimate No. 831 (Work  
Order No. 54) to the  
Landscape Maintenance  
Contract in the amount of  
\$1,787.56

The Board engaged in general discussion regarding Estimate  
No. 831 from Cox Landscaping. Following discussion, upon a  
motion duly made and seconded, the Board unanimously  
approved the Estimate in the amount of \$1,787.56 for rock  
mulch on Harvest Street.

Consider Approval of  
Estimate No. 832 to the  
Landscape Maintenance  
Contract in the amount of  
\$6,940.00

Deferred.

Consider Approval of  
Estimate No. 833 to the

Deferred.

Landscape Maintenance  
Contract in the amount of  
\$1,122.00

Consider Approval of  
Estimate No. 834 to the  
Landscape Maintenance  
Contract in the amount of  
\$2,215.00

Deferred.

Other Landscape  
Maintenance and  
Management/Operations  
Matters

None.

### **Financial Matters**

Consider Acceptance of  
Unaudited Financials

Mr. Gonzales reviewed the June 30, 2018 unaudited financials with the Board. Following discussion, upon a motion made and duly seconded, the Board accepted the unaudited financials.

Other Financial Matters

None.

### **Legal Matters**

Consider Approval of Special  
Disclosure of Fees for Legal  
Services in Connection with  
SARIA Bonds

The Board engaged in general discussion regarding the Special Disclosure of Fees for Legal Services in Connection with SARIA Bonds. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Special Disclosure of Fees for Legal Services in Connection with SARIA Bonds.

Consider Approval of First  
Amendment to South Aurora  
Regional Improvement  
Authority Establishment  
Agreement

The Board engaged in general discussion regarding the First Amendment to South Aurora Regional Improvement Authority Establishment Agreement. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the First Amendment to South Aurora Regional Improvement Authority Establishment Agreement.

Other Legal Matters

None.

**Public Comment**

None.

Executive Session 24-6-  
402(4)(b) for the purpose of  
obtaining legal advice related

A motion was made, seconded and passed on the affirmative vote by all Board members to go into executive session pursuant to § 24-6-402(4)(b), C.R.S. for the purpose of

to drainage matters.

obtaining legal advice related to drainage matters. The Board did not adopt any proposed policy, position, resolution, rule, regulation, or formal action. The executive session was adjourned on a motion duly made and seconded and passed on the affirmative vote by all Board members.

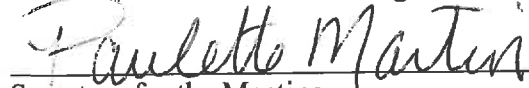
**Other Business**

None.

**Adjourn**

There being no further business to come before the Board, upon motion, second and unanimous vote, the meeting was adjourned.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

  
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Secretary for the Meeting

The foregoing minutes were approved on the 11th day of October, 2018.

ATTORNEY STATEMENT  
REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing Wheatlands Metropolitan District, I attended the executive session meeting of Wheatlands Metropolitan District convened August 9, 2018, which executive session was for the sole purpose of the Board obtaining legal advice related to drainage matters, as authorized by §24-6-402(4)(b). I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(b), C.R.S. or Section 24-6-402(2)(d.5)(II)(B), C.R.S.

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Clint C. Waldron, Esq.