

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

WHEATLANDS METROPOLITAN DISTRICT

Held: October 11, 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, COX Landscaping, Inc.; Rick Gonzales, Marchetti & Weaver, District Accountant; and Sharon Sulzle, AMI – Advanced Management, LLC.

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 presented.

Public Comment

None.

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 August 9, 2018 Meeting and September 7, 2018 Meeting
- Approval of Claims Payable in the amount of \$406,183.76 represented by payments made from August 3, 2018 to October 5, 2018

**District Management,
Operations and Landscape
Maintenance**

Work Orders and Proposals

Consider Approval of Estimate No. 887 (Work Order No. 56) to the Landscape Maintenance Contract in the Amount of \$615.00

The Board engaged in general discussion regarding Estimate No. 887 from Cox Landscaping. Following discussion, upon a motion duly made and seconded, the Board approved Estimate No. 887 in the amount of \$615.00 for over-seed in native area between 25421 E. Orchard Dr. and 25441 E. Orchard Dr.

Consider Approval of Estimate No. 884 to the Landscape Maintenance Contract in the Amount of \$2,000.00

The Board engaged in general discussion regarding Estimate No. 884 from Cox Landscaping. Following discussion, upon a motion duly made and seconded, the Board unanimously approved Estimate No. 884 in the amount not to exceed \$2,000.00 for cul-de-sac improvements on North end of South Ider Street, with the landscape committee authorized to approve the final amount up to \$2,000.

Consider Approval of Estimate No. 834 (Work

The Board engaged in general discussion regarding Estimate No. 834 from Cox Landscaping. Following discussion, upon a

Order No. 58) to the Landscape Maintenance Contract in the Amount of \$1,690.00

motion duly made and seconded, the Board unanimously approved the Estimate in the amount of \$1,690.00 for turf removal and installation of river rock adjacent to 6564 South Harvest Street.

Consider Approval of Work Order No. 895 (Work Order No. __) to the Landscape Maintenance Contract

Deferred.

Consider Holiday Lighting Proposal in the amount of \$9,551.00

The Board engaged in general discussion regarding the Holiday Lighting Proposal. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal in the amount of \$9,551.00.

Other Landscape Maintenance and Management/Operations Matters

None.

Legal Matters

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

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 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.

Update on Recreation Facility

Deferred

Other Legal Matters

None.

Financial Matters

Consider Acceptance of Unaudited Financials

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

Discuss Date for Public Hearing on 2019 Budget

The Board engaged in general discussion regarding the Public Hearing on the 2019 Budget. Following discussion, the Board determined to hold the public hearing on December 5, 2018 at

6:00pm.

Other Financial Matters

None.

Other Business

The Board engaged in general discussion regarding district communication matters.

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.


Secretary for the Meeting

The foregoing minutes were approved on the 6th day of December, 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 October 11, 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.



Clint C. Waldron, Esq.