

MINUTES OF A REGULAR MEETING OF THE BOARD OF  
DIRECTORS OF

WHEATLANDS METROPOLITAN DISTRICT

Held: October 13, 2016, 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  
Mike Dempsey  
Josh Deupree  
Paulette Martin

All Director absences are deemed excused unless otherwise noted in these minutes.

Also present were Clint C. Waldron, Esq., White Bear Ankele Tanaka & Waldron, general counsel; Kimberly Armitage and Lori Walker, YMCA; Kevin Cox, COX Landscaping, Inc.; Rick Gonzales, Marchetti & Weaver, District accountant and Susie Ellis, Community Preservation Specialists, Inc.

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 by the Directors may be required prior to taking official action at the meeting. The Directors reviewed the agenda for the meeting, following which each Board member confirmed the contents of any written disclosures previously made stating the fact and summary nature of any matters as required under Colorado law to permit official action to be taken at the meeting. Additionally, the Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

Written disclosures of conflicts of interest were filed with the Secretary of State at least 72 hours prior to the meeting.

Agenda

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

**Public Comment**

Several members of the public commented on the use of the Clubhouse and noted the current playground outside the Clubhouse is not large enough to accommodate large groups.

**Consent Agenda**

Upon motion duly made and seconded, the Board unanimously approved all items on the consent agenda as follows:

- a. Approve August 11, 2016 Regular and Special Meeting Minutes
- b. Approve Claims Payable in the amount of \$244,755.06 represented by bills paid since the last approval, from August 3 through October 5, 2016
- c. Accept Water Usage Tracking Report
- d. Approve and Ratify Covenant Enforcement Committee Recommendations – None
- e. Approve and Ratify Architectural Review Committee Recommendations – None
- f. Accept August Financial Statements
- g. Approve Work Order No. 23 to COX Contract for Renovation of Monument Area in the amount of \$9,977.50
- h. Ratify Approval of Annual Compliance Certificate
- i. Consider Approval of Assignment and Assumption Agreement for Tract D Landscape Maintenance – Rothe
- j. Consider Approval of Assignment and Assumption Agreement for Tract D Landscape Maintenance – Martinez

**Landscape Maintenance**

**Landscape Maintenance Report**

Mr. Deupree and Mr. Cox reviewed the Landscape Maintenance Report with the Board. No action was taken.

**Work Orders and Proposals**

Mr. Cox review and discussed the following work orders with the Board. Following discussion, upon motion duly made and seconded, the Board authorized the Landscape/Property Management Committee to approve and finalize the following work orders:

Work Order No. 25 to COX Contract for River Rock Border/New Turf and Irrigation at 6129-6137 So. Harvest Court in the amount of \$1,945

Work Order No. 26 to COX Contract for Replacement of Dead Turf and Ornamental Grass at Powhatan Road and Langdale Court in the amount of \$4,885

Work Order No. 27 to COX Contract for Renovation of Islands in the amount of \$750

Work Order No. 29 to COX Contract for West Side Monument Renovation in the amount of \$9,209.30

Work Order No. 30 to COX Contract for Vegetation and Debris Removal in the amount of \$3,410

Work Order No. 31 to COX Contract for Cut-through in Area between 25421 and 25441 E. Orchard Drive in the amount of \$4,653

2016 Weed Control Plan      The Board engaged in general discussion. No action was taken.

Other Landscape Maintenance      Addendum A (Snow Removal) to the COX Pro Landscaping Services, LLC Contract was presented to the Board for consideration. Following discussion, upon motion duly made and seconded, the Board approved the addendum.

### **District Management and Operations**

District Management Report      Ms. Armitage and Ms. Walker provided a general update to the Board and noted that they would be coordinating with the school on snow removal at the Clubhouse.

Clubhouse/Pool Operations      Ms. Armitage noted that the VGBA sumps in the pool will be replaced in the Spring.

Community Activities/Programming      Ms. Armitage noted that she will be gauging interest for the creation of a competitive swim team.

YMCA Day Camp:  
Playground Usage –  
Coverage of Wear and Tear      It was noted that the YMCA will install additional mulch at the playground.

Work Orders and Proposals      None.

Other Management and Operations      The Board engaged in general discussion regarding the 2017 budget for clubhouse furnishings and homeowner damage to District property.

### **Covenant Enforcement/Design Review**

Report/Update from Community Preservation Specialists, Inc.      Ms. Ellis provided a general update and noted that she would include a note in the newsletter regarding parking on sidewalks.

Welcome Packet      Ms. Ellis discussed the Welcome Packet with the Board.

Norris Design Fees      The Board engaged in general discussion. No action was taken.

Guidelines      The Board discussed revisions to the guidelines to require professional installation of synthetic turf. Ms. Ellis will provide

sample language.

The Board engaged in general discussion regarding a change in policy to allow Norris Design to approve components of a submitted plan even if the entire plan proposal is not approved.

The Board asked that Ms. Ellis confirm that the plant list is current and available on the District's website.

The Board engaged in discussion regarding revisions to the guidelines regarding xeriscape in street lawns.

### **Financial Report/ Financial Matters**

Discuss Fund Categories	Mr. Gonzales reviewed the fund categories with the Board. No action was taken.
Discuss 2017 Budget/2016 Budget Amendment	Mr. Gonzales reviewed the 2017 draft budget and 2016 budget amendment with the Board. No action was taken.
Other Financial Matters	None.

### **Legal Matters**

Discuss Transaction Based Conflict of Interest Letter from White Bear Ankele Tanaka & Waldron and Consider Approval of Waiver of Conflicts of Interest with Respect to the Regional Improvement Authority	Mr. Waldron presented the Transaction Based Conflict of Interest Letter from White Bear Ankele Tanaka & Waldron. The Board engaged in discussion. Following discussion, upon motion duly made and seconded, the Board approved the waiver of conflicts of interest with respect to the Regional Improvement Authority.
Consider Approval of Regional Improvement Authority Establishment Agreement	The Regional Improvement Authority Establishment Agreement was presented and the Board engaged in discussion. Following discussion, upon motion duly made and seconded, the Board approved the agreement.
Discuss Legal Fees Associated with Formation of the Regional Improvement Authority	The Board engaged in discussion. No action was taken.
Consider Appointment of Representative to the Regional Improvement Authority Board	The Board engaged in discussion. Following discussion, upon motion duly made and seconded, the Board appointment Director Deupree as the representative to the Regional Improvement Authority Board
Consider Withdrawal from Aurora Regional Improvement Authority No. 2	The Board engaged in discussion. Following discussion, upon motion duly made and seconded, the Board determined to withdraw from the Aurora Regional Improvement Authority

No. 2, subject to execution of the new ARI agreement.

Update on YMCA Project  
and Consider Approval of  
Eighth Amendment to  
Ground Lease

A general update was provided to the Board regarding the ongoing YMCA project. The Eighth Amendment to the Ground Lease was presented to the Board for consideration. Following discussion, upon motion duly made and seconded, the Board approved the amendment.

Discuss Next Steps on Park  
Master Plan

The Board engaged in general discussion. It was noted that a Board representative would meet with the architect.

Landscape Maintenance  
Responsibilities

The Board engaged in general discussion. No action was taken.

Collections Update

An update was provided. No action was taken.

Other Legal Matters

None.

### **Directors' Items**

Committee Assignments

The Board engaged in general discussion and determined to create a Park Committee. Following discussion, upon motion duly made and seconded the Board appointed Director Martin as the chair and Director Lent as a member of the committee.

Board Vacancy

The Board engaged in general discussion. The Board requested notices of the vacancy be published on the website.

Other Director Items

The Board engaged in discussion regarding the iPad policy. Following discussion, the Board determined that once an iPad has reached its full depreciation value, the value of such iPad is determined to be \$0.00.

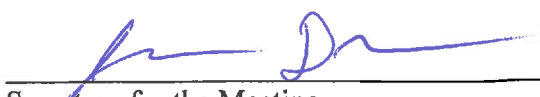
### **Other Business**

The next regular Board meeting is scheduled for December 8, 2016, at 6:45 P.M.

### **Adjournment**

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 8<sup>th</sup> day of December, 2016.