

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

WHEATLANDS METROPOLITAN DISTRICT

Held: April 11, 2019, at 6:00 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  
Kathy Barela  
Paulette Martin  
Robert Romero  
Andrew Roper

Also present were Clint C. Waldron and Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Lori Walker and Kimberly Armitage, YMCA, District Manager; Kevin Cox and Jerry 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 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.

**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 special agenda upon the request of any director. No items were requested to be removed from the consent agenda. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved and adopted or ratified:

- Minutes from January 17, 2019 Special Meeting and Work Session and Special Meeting
- Claims Payable in the amount of \$484,236.20
- Progress Billing Nos. 1, 2, 3 and 4 with Public Restroom Company in the amounts of \$12,994
- \$55,639, \$40,386 and \$7,992.
- Agreement with GoodLand Construction, Inc. for Wheatlands Park
- Contract Addendum with GR Marolt and Associates, LLC for Wheatlands Park Shelter in the amount of \$74,646
- Independent Contractor Agreement with Rocky Mountain Recreation Inc. for Construction, Shipping and Installation of Wheatlands Park Playground Equipment
- Independent Contractor Agreement with Integrated Design Solutions, LLC d/b/a ID Sculpture for Construction, Shipping and Installation of Wheatlands Park Climbing Wall and Custom Equipment
- Contract Addendum with Artcraft Sign Company for Wheatlands Park Signs (materials and installation) in the amount of \$6,419.44
- Contractor Agreement with ATOZ Recreation for Construction, Shipping and Installation of Wheatlands Park Playground Equipment
- Assignment of Independent Contractor Agreement with J3 Engineering Consultants, Inc. to Dewberry | J3
- Extension No. 3 to Independent Contractor Agreement with Cox Professional Landscape Services, LLC
- Work Order No. 48 Estimate No. 745 with Cox Landscaping in the amount of \$742.29

**District Management,  
Operations and Landscape  
Maintenance**

Work Orders and Proposals      Mr. Cox reviewed the ArborScape Proposal for Beetle Treatment with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal from ArborScape in the amount of \$7,285.00.

Mr. Cox reviewed Estimate No. 26026 for 2019 Annual Flower Installation from Cox Landscaping with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal in the amount of \$7,820.00.

Ms. Walker reviewed the proposal from Pool Doctors for pipe repairs in the woman’s restroom. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal in the amount of \$2,621.98.

Other Landscape      None.  
Maintenance and  
Management/Operations  
Matters

Approve Revised Residential      Deferred.  
Improvement Guidelines and  
Site Restrictions

Termination of Norris Design      The Board engaged in general discussion regarding the  
Contract      Termination of the Norris Design Contract. Following  
discussion, upon a motion duly made and seconded, the Board  
unanimously approved the termination of the Norris Design  
Contract for Wheatlands DRC Review – Home Architecture and  
Landscape Review dated June 15, 2012.

**Legal Matters**

Discuss 2019 Service      Mr. Waldron reviewed the 2019 Service Contract Tracking with  
Contracts      the Board.

Mr. Waldron reviewed the Second Amendment to Independent Contractor Agreement with AMI-Advanced Management, LLC for Covenant Enforcement Service with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously ratified the amendment.

Mr. Waldron reviewed the First Amendment to Independent Contractor Agreement with YMCA of Metropolitan Denver for District Management Services and Clubhouse Management & Programming with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously ratified the amendment.

Review Proposals for Landscape Maintenance Services and Consider Award of Contract

Ms. Walker noted that Cox Landscaping was the only contractor who submitted a proposal for Landscape Maintenance Services. Ms. Walker reviewed the proposal from Cox Landscaping with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the proposal and directed legal counsel to draft the contract for final Board approval.

Other Legal Matters

None.

### **Financial Matters**

Consider Acceptance of Unaudited Financials

Mr. Gonzales reviewed the March 31, 2019 Financials with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the March 31, 2019 Financials.

Other Financial Matters

Mr. Gonzales noted that the audit will be presented to the Board at the May meeting for approval.

### **Other Business**

The Board engaged in general discussion regarding the Clubhouse rental with Ms. Armitage. Mr. Waldron informed the Board that they must allow both residents and non-residents to rent the Clubhouse but the District can charge non-residents a different rate. Following discussion, upon a motion duly made and seconded, the Board unanimously authorized the Operations Committee to set both the resident and non-resident fee for clubhouse rentals.

### **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.

*Paulette Martin*

Secretary for the Meeting

The foregoing minutes were approved on the 9th day of May,  
2019.