

MINUTES OF A SPECIAL MEETING OF THE BOARD OF
DIRECTORS

OF

WHEATLANDS METROPOLITAN DISTRICT

Held: February 11, 2021 at 6:00 p.m.

Due to Executive Orders issued by Governor Polis and Public Health Orders implementing the Executive Orders issued by the Colorado Department of Public Health and Environment, and due to the risks posed by Covid 19, this meeting was held via teleconferencing.

Attendance

A special 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:

Paulette Martin
Kathy Barela
Robert Romero
Sameer Bhatnagar
Brooke Holliman

Also present were Clint C. Waldron, Esq., and Laura S. Heinrich, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Rick Gonzales, Marchetti & Weaver, District Accountant; Lori Walker and Kimberly Armitage, YMCA, District Manager; Sharon Sulzle, AMI - Advanced Management, LLC; and, Kevin Cox, Cox Landscaping.

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 reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of 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 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 unanimously approved the agenda, as amended.

Consider Request from Ms. Davidson and Brownie Troop 68622 for cookie booth at Wheatlands Park

The Board discussed the request from Ms. Davidson and Brownie Troop 68622 to put up a Girl Scout cookie booth at the Wheatlands Park. Due to COVID, they have chosen not to participate in the normal booths. They would like to set up a booth at Pinewood Drive and S. Wheatlands Parkway, but would be far enough away from the park to not interfere with the park. They are looking at doing popup booths in communities. They would like to set up a table on Saturday from 12-2 during the last two Saturdays in February and the first Saturday in March. They will follow all COVID guidelines. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the request and asked that they coordinate with Ms. Walker.

Public Comment

None.

Consent Agenda

The Board reviewed the items on the consent agenda. 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, ratified and adopted:

- January 14, 2021 Special Meeting Minutes
- Claims Payable in the amount of \$98,987.14
- Second Amendment to Independent Contractor Agreement (Landscape Maintenance and Snow Removal) with Cox Professional Landscape Services, LLC

Covenant Enforcement/Design Review**Review Covenant Enforcement Report**

Ms. Sulzle reviewed the executive summary and operations summary covenant enforcement reports with the Board. She noted violations are up slightly. She is still working on the design review information for the welcome letter.

Landscape Maintenance**Review Landscape Maintenance Report /Status of Approved Work Orders**

Mr. Cox reviewed the landscape maintenance report.

Review Water Usage Tracking Report	The Board reviewed the Water Usage Tracking Report.
Review and Consider Approval of Work Orders/Proposals	The Board reviewed the Arborscape proposal, and following discussion determined to table it until the next meeting. The Board also reviewed the proposal from Cox Landscape for detention pond maintenance, Estimate 1313. Following discussion, the Board determined to defer the matter.
Other Landscape Matters	Ms. Walker noted one of the signs at the park was vandalized. A police report has been filed. She is working with Mr. Cox on a possible repair. Ms. Barela also noted that the trash can tops are not being reinstalled after trash service. Ms. Walker will discuss with Mr. Cox.
Legal Matters	None.
District Management	
District Manager's Report and Status of Approved Work Orders	Ms. Walker reviewed the District Manager's Report with the Board. Ms. Walker is continuing to work with the designer on the pool restrooms. The dumpster repair work has been completed.
Review and Consider Approval of Work Order/Proposals	The Board reviewed the proposal for a keypad/deadbolt on the dumpster from A Straight Up Fence. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal.
Other District Management Matters	None.
Parks, Recreation and Community Activities	
Discussion Regarding District Parks, Pool and Clubhouse – COVID 19	Ms. Walker informed the Board that with the County moving to level yellow, the capacity of the clubhouse can be increased.
Discussion Regarding Combined Pool/COVID 19 Waiver	Ms. Barela discussed with the Board the plan to combine the pool and COVID waivers, and the Board agreed it would make it simpler.
WPRA Recreation Facility Update	Ms. Armitage provided the Board with an update and noted that the project is about two weeks delayed, with a soft opening May 1, and a grand opening May 15.

Update on Wheatlands Park Phase II No update.

Update on Entryway Renovations No update.

Discuss Community Events Ms. Walker updated the board on a possible Zoom cooking class. Ms. Walker is meeting with the instructor next week.

Ms. Armitage discussed a proposal from the Wheatlands Park and Recreation Authority to use the turf field at Wheatlands Park (across from new facility) for youth sports and to set up pop-up goals for youth soccer. Following discussion, upon a motion duly made and seconded, the Board approved the proposal, with Directors Barela and Martin abstaining.

The Board discussed a request from the Wheatlands Park and Recreation Authority to tie into the District irrigation system, with the cost to be paid for by the Authority. A submeter would be installed, and the irrigation use would be metered and paid for by the Authority. Following discussion, upon a motion duly made and seconded, the Board approved the proposal, with Directors Barela and Martin abstaining.

The Board discussed a request from the Wheatlands Park and Recreation Authority to hold an overflow summer camp at the Wheatlands clubhouse. The Board discussed the concern of continuing to allow summer camp to use the clubhouse. Following discussion, upon a motion duly made and seconded, the Board denied the proposal.

The Board engaged in discussion regarding whether renters and homeowners both get memberships to the new recreation facility. After discussion, the Board determined that one or the other would get the membership, but not both. The Board discussed the proposed membership structure. The YMCA defines a Family Membership as one household with two adults with dependent children up to age 23. Following discussion, the Board agreed to use the YMCA membership categories.

Financial Matters

Review and Consider Acceptance of Unaudited Financials for the period ended December 31, 2020. Mr. Gonzales reviewed the December 31, 2020 unaudited financials with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the financials.

Update on Xcel Powerline Mitigation Payments	Mr. Gonzales provided an update on the status of payment of the mitigation payments.
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Other Financial Matters	None.
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Director's Items

Discuss License Plate Camera	Ms. Martin discussed looking into a license plate camera system with the Board. The Board would like to request an analysis and presentation from the provider.
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Discuss Street Lights	Ms. Martin discussed the state of the streetlights in Wheatlands. Many of the poles are in poor condition, caps damaged, and the lighting is not good. The Board asked legal counsel to discuss with Xcel and the City.
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Review and Discuss Board Emails Received	A request to put information on the website regarding water conservation was received. As the information provided is from Tennessee, Ms. Walker will reach out to the requestor and thank him, but let him know the Board would prefer to use information pertinent to Colorado.
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Public Comment	None.
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Executive Session pursuant to § 24-6-402(4)(b), C.R.S., conference with an attorney for the District for the purpose of receiving legal advice as it relates to the Painting Violation at 25368 E Fair Dr., and pursuant to § 24-6-402(4)(e), C.R.S., for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators related to the Painting Violation at 25368 E Fair Dr.	Upon a motion duly made and seconded, followed by an affirmative vote of at least two-thirds of the quorum present, the Board enter into executive session pursuant to § 24-6-402(4)(b), C.R.S., conference with an attorney for the District for the purpose of receiving legal advice as it relates to the Painting Violation at 25368 E Fair Dr., and pursuant to § 24-6-402(4)(e), C.R.S., for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators related to the Painting Violation at 25368 E Fair Dr., pursuant to Section 24-6-402(4)(e), C.R.S.
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Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., no record will be kept of the portion of the executive session that, in the opinion of legal counsel to the District, constitutes privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

Pursuant to Section 24-6-402(4), C.R.S., the Board did not adopt any proposed policy, position, resolution, rule, regulation or take formal action during execution session.

The Board reconvened in regular session.

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.


Robert Romero (Mar 15, 2021 13:49 MDT)

Secretary for the Meeting

The foregoing minutes were approved on the 11th day of March, 2021.