

MINUTES OF A SPECIAL MEETING OF THE BOARD OF
DIRECTORS

OF

WHEATLANDS METROPOLITAN DISTRICT

Held: April 8, 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 (for a portion)
Sameer Bhatnagar
Brooke Holliman

Also present were Clint C. Waldron, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Rick Gonzales, Marchetti & Weaver, District Accountant; Lori Walker and Isabell Rodau, YMCA; Lesanne Dominguez, The Architerra Group; 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.

Public Comment

Sharon Wasson – would like to propose a sand volleyball court for girls be installed by the clubhouse. This would serve many of the younger girls in the neighborhood that don't play basketball. The Board asked if the City of Aurora courts at Red Tailed Hawk Park could be set to women's height. Ms. Dominguez said she has a contact at Aurora she will ask about lowering the nets.

Julia and Kevin Rossi – have surveyed neighbors, and are calling for a more modern color scheme for the neighborhood. Motioning for the Board to allow the darker paint colors in the neighborhood. Other neighbors have requested a more modern scheme and have been denied. It seems like a good time to allow for a more modern, darker color scheme.

Michael Renella - commercial general contractor, and believes darker color schemes bring a richer context to the neighborhood.

Ram Parashar – general agreement that darker, modern colors should be allowed.

Ralynn Sparks – in support of additional color choice as well.

James - also in favor of darker color scheme, and would like a new modern color scheme as well. The current color choices are outdated. The Rossi's colors are great.

Terra Young. Neighbor of Rossi's – colors are amazing. Brings different sense to neighborhood. Moved in when entire community was brown. Rossi's home is gorgeous.

Larry Payton - house is more of a modern take, and the colors Rossi's picked add to the value of the neighborhood, and is the way design is going this day. Shocked still going through all this with the color. Rossi's take great care of their house. Clubhouse matches Rossi's house. Recreation facility is really dark, and looks just like Rossi's house.

James – will the Board allow the community to have voice on paint schemes?

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:

- March 11, 2021 Special Meeting Minutes
- March 25, 2021 Special Meeting minutes
- Claims Payable in the amount of \$153,384.75
- Independent Contractor Agreement (Restroom Work) with Norton Building and Remodel Inc.
- Work Order No. 2 under the Independent Contractor Agreement (Plant Care Services) with ArborScape Inc. for 2021 Tree Care
- Independent Contractor Agreement (Fence Repair) with A+ Fencing Company, LLC
- Shared Use Agreement (Wheatlands Metropolitan District Recreation Field) with Wheatlands Park and Recreation Authority

**Covenant
Enforcement/Design Review**

Review Covenant
Enforcement Report

Ms. Suzle reviewed the covenant enforcement report with the Board. There are currently 109 violations open. Fence stain notices will go out in April. On the operations summary report, it was noted new architectural review requests are picking up. Information on spring cleanup and new tree replacements will be included in the May newsletter.

Community members asked if the Board would be willing to survey the community on whether an update on the color scheme is warranted. The community members would like to be a part of the discussion.

Director Romero joined the meeting.

Financial Matters

Review and Consider
Acceptance of Unaudited
Financials for the period ended
February 28, 2021.

Mr. Gonzales reviewed the February 28, 2021 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

No new updates.

Discuss District as Co-Signor
on Wheatlands Park &
Recreation Authority Cardio
Lease Equipment

Mr. Gonzales discussed the District as Co-Signor on Wheatlands Park & Recreation Authority Cardio Lease Equipment with the Board. The Recreation Facility was declined primarily because it is a new business and does not have an operating history. The leasing company noted if there was a co-signor, it would likely be approved. Following discussion, upon a motion duly made and seconded, the Board approved co-signing the lease with Wheatlands Park & Recreation Authority.

Other Financial Matters None.

Landscape Maintenance

Review Landscape

Maintenance Report /Status of Approved Work Orders

Mr. Cox reviewed the landscape maintenance report. Pruning and cleanup is underway. Winter watering has been substantial, due to the dry winter. With spring here, trash cans and pet waste stations will be checked more frequently. The Park and Recreation Authority did bore through some of the Wheatland's irrigation wiring, but is working on getting them repaired. Portions of the mainline have been activated. Cox doesn't know if the recreation facility work damaged any of the mainline. With the incoming weather, the mainline may need to be drained. Aeration, fertilization, weed control, repair of snow damage, will all be underway shortly. The high winds have caused a lot of trash and debris, but Cox is trying to stay on top of it.

Review Water Usage Tracking Report

No discussion.

Discuss Engagement of Arborist for Tree Plan

The Board reviewed proposals and discussed the engagement of an Arborist. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the engagement of Tree Analysis Group.

Review and Consider Approval of Work Orders/Proposals

None.

Other Landscape Matters

- Mr. Waldron and Mr. Cox provided an update on the violation notices from the City that the District feels are not District property. They will continue to work with the City.

- Ms. Barela asked about the line of site at the park, where there are big pine trees blocking the site corner. The Board asked that the trees be trimmed to improve the line of site at Wheatlands Parkway and S. Kewaunee.

- Mr. Cox noted the detention pond cleanups will also begin as soon as conditions permit.

- A homeowner requested if more trees could be planted along Powhatan on South Aberdeen between S. Ider Ct. and S. Jamestown Ct. Some of the trees are also browning and encroaching on his property. Director Bhatnagar would like to walk the area with Mr. Cox, as the area is looking a little rough and needs additional maintenance.

- The Board discussed annuals at the entryways. The Board determined to defer until after the renovation project is complete.

Legal Matters

Update on Streetlight
Ownership and Maintenance

Mr. Waldron noted he is awaiting a response from the City on streetlight ownership and maintenance and will follow up with them again. No Board action taken.

District Management

District Manager's Report and
Status of Approved Work
Orders

Ms. Rodau reviewed the management report with the Board.

Status of Purchase of Pool
tables

Ms. Radou informed the Board that the pool tables have been purchased and delivered.

Status of Fence Repair

Ms. Radou informed the Board that work on the fence should begin in the next week.

Discuss Pool Fence (leaning)

Ms. Radou indicated she will have the fence contractor make a site visit to assess the leaning pool fence.

Discuss Community Events

Ms. Radou reported that the Easter event was a huge success and she has received very positive community feedback. She discussed upcoming community events, including the concerts, neighborhood garage sale, and dumpster event.

Discuss Swim Team
Agreement

Ms. Walker provided an update on the agreement. It will go before the swim team board on April 13th. She noted all swim meets will be virtual meets – no spectators or kids from other teams - which should cut down on some of the issues that have occurred in the past. She also noted the Swim Team has agreed to all of the Board's requests.

Update on License Plate
Camera Systems and Meeting
with City of Aurora Police
Department

Tabled. The Board determined to check in with other communities after a year.

Update on Park Restroom
Freezing and Repairs

Mr. Cox provided an update on the park restroom freezing. Repairs have been completed, and the restroom company will cover the entire cost under its warranty, and the warranty will be extended for another year on new heater. Cox will also monitor the restroom temperature more closely.

Review and Consider
Approval of Work
Order/Proposals

Consider Proposal for
Additional IT/Security
Equipment (to be housed in
Recreation Facility)

Tabled.

Other District Management
Matters

Ms. Radou informed the Board that the outdoor games have been ordered. The Board agreed the games may be rented out for free to residents, with a deposit check. Ms. Walker has a bounce house rental agreement they will use.

An update on the minor clubhouse repairs was provided.

Ms. Radou discussed purchasing a portable table rack with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved purchasing the table rack.

The Board discussed the one-time fee for purchasing equipment to be able to accept credit card payments. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the purchase.

The Board discussed the staining of the clubhouse. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the staining of the clubhouse not-to-exceed \$8,500.

Ms. Radou informed the Board that the second shade sail is scheduled to be installed, and the welding on the dumpster is complete, with the lock scheduled to be placed tomorrow.

Capital Projects

Update on Pool Restroom
Remodel

Ms. Walker informed the Board that the contract with Norton Building and Remodel Inc has been signed, the deposit has been made and product is being ordered. Ms. Walker will follow up on a timeline.

WPRA Recreation Facility
Update

The Recreation Facility is opening May 3rd; the first 2 weeks, Monday-Friday will be soft opening. There will be limited pool hours until fully opened. VIP Event scheduled for May 11th, the facility will be closed to the public. The Grand Opening is May 15th from 10am-2pm.

Update on Entryway
Enhancement Project

Ms. Dominguez noted the bid packages are available, and have been sent out to a number of contractors. The bid deadline is April 23rd.

Wheatlands Park Phase I -
Warranty Period Ends August
24, 2021; Plantings to be
reviewed Spring 2021

Ms. Dominguez indicated she would like to wait until mid-May to conduct the warranty walk.

Update on Wheatlands Park
Phase II

Ms. Dominguez provided background on Phase II, including the proposed amenities in the neighborhood patio area as well as the court area. She also reviewed the construction document set. In terms of progress, more detail is needed, but design work is substantially complete. The plan is to get back to the City within about a month, with a 3-4 week City review time, and then a period to respond to the City comments. Architerra would like to be in a position to bid late summer, and start construction early fall. No Board action taken.

Director's Items

Review and Discuss Board
Emails Received

The Board engaged in general discussion.

Public Comment

- Kevin Rossi – to be 100% transparent, when walking the neighborhood to see how neighbors would react to an updated color scheme, thought he would be met with opposition, but not a single person was opposed to the revised color palette. Covenants in neighborhood are somewhat vague, and updates could be more helpful to residents. Most folks want to keep a modern neighborhood. Over time color tastes have changed. Other neighborhoods have homes that are similar, and if stay current home prices could go up. Many of the neighbors attending the meeting today are here because of the concern over paint colors. Board should sit down and have hard conversations on these topics. Instead of threatening people with lawsuits, perhaps put it out there first for community input. In the future, rather than jumping through legal hoops, let's talk to the community first. Feels like he hasn't been heard though this entire conversation. YMCA recreation facility is more modern. Colors on house are most popular colors of 2020. Really thought about colors, and more of a misunderstanding than anything. Even in Board meeting feels like not being heard.

- Michael Renella – would love to see the Board have a survey of the neighborhood to develop community consensus regarding colors.

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 (May 3, 2021 12:23 MDT)

Secretary for the Meeting

The foregoing minutes were approved on the 29th day of April, 2021.