

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

WHEATLANDS METROPOLITAN DISTRICT

Held: May 13, 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

Director Holliman was absent and excused.

Also present were Clint C. Waldron, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Rick Gonzales, Marchetti & Weaver, District Accountant; Sharon Sulzle, AMI – Advanced Management, LLC; and, Lori Walker and Isabell Rodau, YMCA, District Managers

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

Julia Rossi noted she would like to see documented follow up on the petition to allow darker/more modern color schemes, as the community needs to see clear next steps; parking needs to be a main priority, with the YMCA open and spring, there will be a significant increase in parking along sidewalks, and the Board needs to prioritize discussions with the City regarding parking and using neighborhood roads. Ms. Barela noted that the Board has asked for trees to be trimmed back to enhance site lines, and the City is responsible for the streets, parking, and street crossings. Ms. Rossi also requested that the covenant enforcement engagement not be ratified, and the allocated funds used for remedies (such as a tree fund community members can use to replace trees) instead of selective enforcement, and requested that board meetings be recorded – both audio and video.

Amy Orr: Expressed her agreement with Julia Rossi.

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:

- April 29, 2021 Special Meeting minutes
- Claims Payable in the amount of \$182,825.77
- Engagement of Altitude Community Law for Covenant Enforcement Services

Covenant Enforcement/Design Review

Review Covenant Enforcement Report

Ms. Suzle reviewed the covenant enforcement report and operations summary with the Board. She noted fence staining letters have gone out, AMI is working with homeowners to assist with compliance, and because of the rain, AMI will work with homeowners on scheduling delays.

Ms. Suzle is working with Sherwin Williams on updating the color schemes for Board review, and Ms. Suzle will go through the community to get the community colors to be added to the palette. She is also working with Sherwin Williams on putting together additional color schemes for Board approval.

Financial Matters

Review and Consider
Acceptance of Unaudited
Financials for the period ended
March 31, 2021.

Mr. Gonzales reviewed the March 31, 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

Mr. Gonzales noted two additional payment requests have come in leaving 8 out of 21 remaining.

Discuss Adding Authority
Trash Collection to District
Account and Reimbursement
for Costs

Mr. Gonzales noted the Authority’s trash collection services were included with the District clubhouse’s bill, subject to reimbursement by the Authority. Ms. Rodau noted this was likely due to the lack of a physical address. The Board would like the bills to be billed separately, as soon as possible, once the physical address is setup.

Consider Acceptance of 2020
Audit

Mr. Gonzales reviewed the draft 2020 Audit with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Audit, subject to final legal review.

Other Financial Matters

Mr. Gonzales requested information about the reimbursement for the restroom repairs. Ms. Rodau will follow up with Ms. Walker.

Ms. Rodau discussed accepting payments for the snack shack. She would like to setup a Venmo, Square or similar account so as not to deal with cash, as Clover is no longer an option. Ms. Rodau will present additional options for Board discussion.

Landscape Maintenance

Review Landscape
Maintenance Report /Status of
Approved Work Orders

The Board reviewed the landscape maintenance report and engaged in discussion regarding the status of the detention pond maintenance.

Review Water Usage Tracking
Report

No discussion.

Review and Consider
Approval of Work
Orders/Proposals

None.

Other Landscape Matters

The Board engaged in discussion regarding the potential work order for work along Powhaton. Following discussion, upon a motion duly made and seconded, the Board unanimously approved

proposal number 1368 from Cox Landscaping, subject to review and approval by directors Martin and Romero.

Legal Matters

Update on Streetlight
Ownership and Maintenance

No update.

Discuss Murphy Creek Trail

Mr. Waldron provided an update on the City funding the Murphy Creek Regional Trail. The city portion of the Xcel funds were designated for use on three trails (Tallyn's Reach, Eagle Bend, Murphy Creek) and a parking lot at Red-tailed Hawk. The allocation was not sufficient to fully fund all of these projects so the City will have to identify additional funding sources. Currently the City is working on the trail section to connect Eagle Bend and Inspiration. They have been coordinating with Inspiration Metropolitan District which is contributing funds for design and construction. The design for the parking lot is also nearly complete and will likely be put out to bid this spring. The next step is to begin design for the remaining two trail segments to refine the scope and costs. The City noted their staffing levels are down due to COVID 19 budget reductions so they can't say for certain, but hopefully will have a consultant team on board by this fall. Once the City has a conceptual design and cost estimate, they will be better prepared for grants and other funding opportunities. The Board requested legal counsel reach out to the City to discuss funding options.

District Management

District Manager's Report and
Status of Approved Work
Orders

Ms. Rodau reviewed the management report with the Board, which included the following updates:

Boys bathroom renovation is underway; fence at the residence home and pool fence have been fixed; awning installed; lock has been placed on the dumpster; Clubhouse staining; light in parking lot being fixed; portable table rack has been delivered and is put together in the clubhouse; Sergio is working on the mushroom, fireplace and repairing speaker holes and also covering up the wires on the brick pillars; update on crime stats – Ms. Rodau will discuss additional neighborhood watch signs within the District with the City; pool reservations/Covid regulations and restrictions - the Board would like to follow State and Tri-County health regulations; field reservations; Family Evening Swim Nights dates; First three Saturday's in July, pool open until 9:00 pm to offset use by swim team.

The Board discussed pool rentals. Following discussion, upon a motion duly made and seconded, the Board unanimously approved

pool rentals between the hours of 8:00 a.m.- 9:30 p.m./dusk (out by 10pm) for a charge of \$25.00 per guard per hour, plus a \$100.00 fee; one rental per day, no alcohol, two weeks advance notice, speaker sound lower around pool during this time. Ms. Walker will work on the rental contract. The Board also requested the rental form be updated to include number of people attending and credit card deposit.

Discuss Community Events

Ms. Radou provided a recap of the April Beer Tasting Event and an overview of upcoming events including the following:

- Summer Art Camps with Kidcreate Studio Parker
- First Food Truck Night, May 26
- “Welcome to Summer” Grand Re-opening of the Clubhouse, May 29th 1-4pm
- Neighborhood Garage Sale - Friday, June 11 - Saturday, June 12
- SHRED AND DUMPSTER DAY - June 19th 2-5pm
- Concert in the Park July 17th

The Board discussed the request from a neighborhood Boy Scout Troop. They would like to set up a booth at some of the Wheatlands Summer Food Truck Nights. They would like to try and fundraise by selling first aid kits and fire extinguishers as their popcorn sales have been very low over the past year. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the request.

The Board discussed a proposal from Ms. Winn, a fitness instructor and nutritionist, who is interested in teaching a class for \$10 for the community. As commercial use of clubhouse is not allowed, the Board denied her request.

Approve Safety and Loss Prevention Grant Allocation

The Board discussed the allocation. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the allocation and authorized Mr. Gonzales to review the COVID Safety equipment purchased and submit for reimbursement.

Review and Consider Approval of Work Order/Proposal

Following discussion, upon a motion duly made and seconded, the Board unanimously approved the purchase of a curtain to hide the tables and chairs.

The Board reviewed the proposal from American Mechanical Services for Unit Heater Motor Replacement with a budget of \$811.00. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal.

Other District Management Matters The Board discussed adding additional cameras in the parking lot area to address illegal dumping and incidents in the parking lot. The Board requested Ms. Rodau solicit proposals for Board review.

Capital Projects

Update on Pool Restroom Remodel Previously discussed.

WPRA Recreation Facility Update Ms. Barela provided an update on the opening of the recreation facility.

Update on Entryway Enhancement Project The contract has been approved and the project is waiting to be scheduled.

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

Update on Wheatlands Park Phase II No update.

Director's Items

Review and Discuss Board Emails Received Email received regarding painting extension for Rossi's. Request is for an extension from May 31 and confirmation from contractor of a date. Mr. Rossi noted they have reached out to additional contractors. He also noted they have agreed to paint the trim, and this is an unfortunate situation. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the extension subject to written documentation of when the house will be painted.

Email from resident having a hard time accessing pool forms. Ms. Barela will respond.

Public Comment

Phil Barnard- Fair Drive – commented on the Rossi's home, and feels the colors make the house look cooler and more modern. Really looks good. A little concerning so many resources are being put into enforcement.

Anne Barnard – commented that the color scheme of Rossi home very attractive and elevates community. Disappointing so much is going into making them change the trim color.

Kevin Rossi – commented that the board meetings need to be recorded. In discussing paint colors with the community, hoping someone would say no, but no one did. Wanted to clarify comment regarding Sharon’s husband’s information on website. It is a conflict of interest and bad look for Board. Not personal. But if holding people accountable, which 100% agree with, need to do the right thing all the time.

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 (Jun 23, 2021 16:53 MDT)

Secretary for the Meeting

The foregoing minutes were approved on the 10th day of June, 2021.