

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

WHEATLANDS METROPOLITAN DISTRICT

Held: July 14, 2022 at 6:00 p.m., Wheatlands Clubhouse
6601 S. Wheatlands Parkway, Aurora.

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:

Paulette Martin
Kathy Barela
Sameer Bhatnagar

Rodney DeWalt and Brooke Holliman were excused absent.

Also present were Erin K. Stutz, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Eric Weaver, Marchetti & Weaver, District Accountant; Isabell Rodau, YMCA, District Manager; Sharon Suzle, 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

Ms. Stutz 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. Ms. Stutz 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 None.

Consent Agenda The Board reviewed the items on the consent agenda. Ms. Stutz advised the Board that any item may be removed from the consent agenda to the regular 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, ratified and adopted:

- Approval of Minutes from June 9, 2022 Regular Meeting and June 23, 2022 Special Meeting
- Approval/Ratification of Claims Paid in the amount of \$271,682.19

Financial Matters

Review Unaudited Financial Statements for the period ended May 31, 2022 Mr. Weaver reviewed the May 31, 2022 unaudited financial statements. Following discussion, upon motion duly made and seconded, the Board approved the financial statements.

Conduct Public Hearing on 2022 Amended Budget Mr. Weaver opened the public hearing on the 2022 Budget Amendment. Ms. Stutz noted that the notice of public hearing was provided in accordance with Colorado Law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of Resolution Adopting 2022 Amended Budget Ms. Weaver reviewed the Resolution Amending the 2022 Budget with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution amending the General Fund to \$3,234,779 and the Park Fund to \$4,611,048.

Other Financial Matters None.

Landscape Maintenance

Review Landscape Maintenance Report and Status of Approved Work Orders Mr. Cox reviewed the landscape maintenance report. Mr. Cox noted that Phase II project area main line has been hit twice and Richdell is repairing.

Review and Consider
Approval of Work
Orders/Proposals

The Board reviewed Work Order 1554. Following discussion, upon motion duly made and seconded, the Board approved the work order.

The Board reviewed Work Order 1540. Following discussion, upon motion duly made and seconded, the Board approved the work order.

Discuss Wheatlands 2022
Tree Planting and Warranty
Replacement List and
Review and Consider
Approval for Tree
Replacement

The Board reviewed Work Order 1550. Following discussion, upon motion duly made and seconded, the Board approved the work order.

Discuss Entryway Planting
Warranty Walk and Punchlist

Mr. Cox provided an update on Entryway Planting Warranty Walk and Punchlist. It was noted that there were a number of plants that need to be replaced. Mr. Cox is waiting on Ms. Dominquez from Architerra Group for the design change.

Other Landscape
Maintenance Matters

Director Bhatnagar asked about the trees on the south side of Powhaton Street and noted he would like to discuss trees during budgeting. Director Bhatnagar would like to walk and discuss options for privacy.

Ms. Rodau noted there is an aphid infestation of one of the plants by the boy's bathroom and the infestation is attracting wasps and yellow jackets. Mr. Cox doesn't recommend spraying chemicals. Mr. Cox advised the issue is due to the nature of the plant; he recommends removal. The Board directed Cox Landscaping to remove the plant. Cox Landscaping will remove plant in a couple weeks. The Board discussed options for the resulting empty space. Mr. Cox to come up with proposals for options.

Mr. Cox provided a spreadsheet for shrub replacement for dead shrubs and plant shrubs where shrubs are missing. The Board reviewed and discussed as possible item for next year's budget. Cox Landscaping to provide separate estimate for each area and take a phased approach. The Board will review and decide priority. The Board will start with community center replacement for now. Following discussion, upon motion duly made and seconded, the Board approved shrub replacement at the community center.

Mr. Cox discussed possible rate change for snow removal contract. Mr. Cox stated there were 23 snow events for three months and would like to modify the contract to reflect time and materials cost after a specific number of events. Board directed Mr. Cox to provide proposal at the next meeting. Director Barela asked about the City's pilot program with Blackstone. Legal Counsel to follow up with the City.

Legal Matters

None.

District Management

District Manager's Report

Ms. Rodau presented the Manager Report. She noted that the Girl's bathroom is officially finished. The guard room has a shelf now. The playground damage has been repaired. The submeter install is still in process.

Ms. Rodau has received resident mineral rights and fracking inquiries. Ms. Stutz noted these requests relate to private property, not district property and suggested that each resident should review their title and consult their attorney regarding the same. Legal Counsel is to provide email response language to Ms. Rodau.

Ms. Rodau provided update on designated smoking area. Ms. Rodau will wait to order a bench for the smoking area until the destroyed benches issue is resolved. The Board engaged in a general discussion regarding a smoking pole. Following discussion, upon motion duly made and seconded, the Board authorized Ms. Rodau to purchase smoking pole not to exceed four hundred dollars (\$400).

Ms. Rodau reported that several light poles in the district have been vandalized. The copper wiring from two poles has been stolen. Ms. Rodau is obtaining an estimate for that repairs. Director Martin and Director Barela suggested adding information into the newsletter about the light pole vandalism and to request residents report incidents.

Ms. Rodau provided an update on the clubhouse kitchen remodel. Ms. Rodau noted there would be additional costs such as higher insurance premiums to add a range to the clubhouse and suggests foregoing the range for now. Director Martin would still like to pursue the rest of the kitchen update. Director Barela suggested adding the update to next year's budget.

Ms. Rodau asked if the Board would like to update the pool furniture. Following general discussion, Ms. Rodau is to obtain proposals on new pool furniture and disposal of the old one.

Ms. Rodau provided an update on Wheatlands Park and Recreation Authority.

Review and Consider
Approval of Work
Orders/Proposals

None.

Discuss Surveillance Camera
Installation by Clubhouse
Dumpster

Ms. Rodau noted trash is being dumped outside the clubhouse dumpster. Ms. Rodau to obtain proposals for the surveillance camera.

Other District Management
Matters

Ms. Suzle reviewed the covenant enforcement matters and executive summary. Director Martin asked asked if the District is caught up on design matters. Ms. Suzle confirmed all design matters are caught up. Ms. Suzle noted a possible hearing may be required in August. Director Barela asked for a reminder in the newsletter about landscaping maintenance for covenant enforcement and options to improve resident lawns.

Capital Projects

Wheatlands Park Phase II
Update

Ms. Stutz provided update on Wheatlands Park Phase II. Ms. Stutz reviewed an email from Architerra, reporting that the old park benches were destroyed, additional compaction testing is needed, and additional lighting for shelters is needed. The Board would like compensation for those benches. Legal Counsel to work with Architerra on options.

The Board reviewed compaction testing. Following discussion, upon motion duly made and seconded, the Board testing not to exceed to seventy five hundred dollars (\$7,500).

The Board reviewed lighting for shelters. Following discussion, upon motion duly made and seconded, the Board approved moving forward with the additional lighting design work.

The Board reviewed Pay Application No. 2. Following discussion, upon motion duly made and seconded, the Board approved the pay application.

The Board reviewed Pay Application No. 3. Following discussion, upon motion duly made and seconded, the Board approved the pay application.

WPRA Facility – Soccer Fields Update

Ms. Stutz provided an update on the soccer fields installations. The project has been publicly bid. It was noted that the District received three inquiries to date and bidding closes July 21, 2022 at 2:00pm.

WPRA Facility – Water Usage Billing

Ms. Stutz provided an update on water usage billing. The District and Authority previously discussed that the District will pay for all irrigation water that runs through the meter for the Authority. Legal Counsel to check with the Authority on the submeter agreement.

Director’s Items

SARIA Update General discussion

Ms. Stutz provided an update on SARIA bonds. SARIA is having a special Meeting on July 20, 2022.

Review and Discuss Board Emails Received

None.

Other Director Items

Director Bhatnagar would like to renegotiate the swim team contract next year. Director Barela agreed.

Other Business

Director Barela asked about providing outdoor games for the park. Ms. Rodau cautioned the Board about costs for lost items.

Director Barela would like to have the umbrella pole bolted to ground by pool removed. Ms. Rodau to look into removal.

Director Barela provided an update on Y Your Way.

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.



Secretary for the Meeting

The foregoing minutes were approved the 11th day of August, 2022.