

MINUTES OF A REGULAR MEETING OF THE BOARD OF
DIRECTORS

OF

WHEATLANDS METROPOLITAN DISTRICT

Held: November 10, 2022 at 6:00 p.m., at 6601 S. Wheatlands
Parkway, Aurora, CO.

Attendance

A 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
Rodney DeWalt
Sameer Bhatnagar
Brooke Holliman (*via Zoom*)

Also present were: Clint C. Waldron, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; James Shultz, Marchetti and Weaver, District Accountant; Kevin Cox, Cox Professional Landscaping; Sharon Sulzle*, AMI HOA (*via zoom*); and Isabell Rodau, YMCA, District Manager.

Call to Order

It was noted that a quorum of the Board was present and the meeting was called to order at 6:00 p.m.

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 proposed 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. Mr. Waldron advised the Board that an 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 motion duly made and seconded, the following items on the consent agenda were unanimously approved, ratified and adopted:

- a. Minutes from October 13, 2022 Regular Meeting;
- b. Claims in the amount of \$501,160.01;
- c. Special District Disclosure Notice Pursuant to §32-1-809, C.R.S.;
- d. Resolution Designating Meeting Notices Posting Location;
- e. Resolution Calling May 2, 2023 Regular Election;
- f. Independent Contractor Agreement (WRPA Site Snow Removal) with Cox Professional Landscape Services, Inc.;
- g. Pay Application No. 7 from Richdell Construction, Inc.; and
- h. Fee Agreement with Hamre Rodriguez, Ostrander & Dingess, P.C. to provide Special Counsel Services related to Oil and Gas Leasing

**Covenant
Enforcement/Design
Review****Review Architectural Review
and Covenant Enforcement
Reports**

Ms. Sulzle reviewed the architectural review and covenant enforcement reports with the Board. There were 60 design review requests this month. 72 covenant violations were resolved during the month.

Ms. Sulzle noted that the City is permitting artificial turf to be installed in front yards, but it is up to the individual communities to determine if they will allow it. She discussed with the Board whether they would like to look into changing the guidelines to allow it. The Board would like to think it over and deferred a decision to a future meeting. Ms. Sulzle will provide additional

*Ms. Sulzle left the meeting

information to the Board for review in advance of the January meeting.

Financial Matters

Review Unaudited Financial Statements for the period ended September 30, 2022	Mr. Shultz reviewed the Unaudited Financial Statements for the period ended September 30, 2022 with the Board.
Conduct Public Hearing on 2022 Budget Amendment	Mr. Shultz noted that this was not needed.
Consider Adoption of Resolution Amending 2022 Budget	Not needed.
Conduct Public Hearing on 2023 Proposed Budget	Director Martin opened the public hearing on the proposed 2023 Budget. Mr. Waldron 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 2023 Budget	
	Mr. Shultz reviewed the 2023 Budget Resolution with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2023 Budget, appropriating funds therefor and certifying mills as shown in the 2023 Budget, subject to receipt of final assessed valuation.
Other Financial Matters	The Board engaged in discussion regarding the 2022 auditor. The Board directed Mr. Shultz to engage an auditor for the 2022 audit.

Landscape Maintenance

Review Landscape Maintenance Report and Status of Approved Work Orders	Mr. Cox reviewed the landscape maintenance report with the Board. Mr. Cox noted that the pool fence will be installed by the end of the month, but the temperatures may not be high enough to paint the fence until next year. There are still some shrubs to be planted and the credit balance will be used to replace a tree across from the pool. The restroom drinking fountain has been winterized. Mr. Cox is checking the restroom heater on an ongoing basis and would like to install a space heater. The Board concurred. The Board would like to install a sign that states if graffiti is seen, to report it.
--	---

Review and Consider
Approval of Work
Orders/Proposals

None.

Review Water Usage
Tracking Report

None.

Other Landscape
Maintenance Matters

None.

Legal Matters

Consider Adoption of 2023
Annual Administrative
Resolution

Mr. Waldron reviewed the 2023 Annual Administrative Resolution with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Discuss and Review
Insurance General Liability
Schedule and Limits and
Property Scheduled,
Consider Authorization to
Bind Coverage

The Board reviewed the current general liability schedule and limits. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the general liability schedule and limits and authorized legal counsel to bind coverage. Ms. Rodau noted she met with T. Charles Wilson in September to review the park property to be added to the property schedule.

Independent Contractor
Agreement (Pool
Maintenance and Staffing)
with the YMCA of
Metropolitan Denver

The Board reviewed the Independent Contractor Agreement (Pool Maintenance and Staffing) with the YMCA of Metropolitan Denver. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agreement with the revisions discussed.

Independent Contractor
Agreement (District
Management Services and
Clubhouse Management and
Programming) with the
YMCA of Metropolitan
Denver

The Board reviewed the Independent Contractor Agreement (District Management Services and Clubhouse Management and Programming) with the YMCA of Metropolitan Denver. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agreement.

Status of Oil and Gas Lease

Mr. Waldron noted they are awaiting the final lease documents. Following discussion, upon a motion duly made and seconded, the Board approved scheduling a special meeting with special counsel to review the documents and discuss the lease.

Pool Usage Agreement
(Wheatlands Sharks Swim

Director Holliman reviewed the proposed agreement. Director DeWalt expressed concern regarding the parking situation during

Team – 2023 and 2024 Swim Season)	swim meetings. He also asked about use of the storage closet and what happens if something is stolen from the closet. Following discussion, upon a motion duly made and seconded, the Board approved the agreement, subject to the revisions discussed.
-----------------------------------	---

Other Legal Matters	None.
---------------------	-------

District Management

District Manager’s Report	Ms. Rodau reviewed the management report with the Board.
----------------------------------	--

Review and Consider Approval of Work Orders/Proposals	
---	--

Consider Approval of Be Happy Interiors Work Order	Ms. Rodau reviewed the work order from Be Happy Interiors with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the work order.
--	--

Consider Approval of Proposal for Kitchen and Bathroom Remodel	The Board reviewed the proposal from Leo Renovations LLC for the clubhouse kitchen and bathroom remodel. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal and authorized Director Martin to approve the final contract amount once received.
--	---

Asphalt Patching	The Board engaged in discussion regarding asphalt patching and reviewed the proposal from Front Range Asphalt Maintenance, LLC. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal for asphalt patching.
------------------	---


Other District Management Matters	
-----------------------------------	--

Capital Projects

Wheatlands Park Phase II – Discuss Grand Opening	Mr. Cox noted that an irrigation walkthrough with Architerra was completed. The irrigation was found to be acceptable from a maintenance perspective. The Grand opening is anticipated for next spring or early summer.
--	---

Urban Soccer Field	The Board was provided a general update regarding the urban soccer fields.
--------------------	--

Status of Production	No update.
----------------------	------------

Discuss Specifications for Site Preparation and Bidding of Site Work	The Board engaged in general discussion regarding the status of the specifications for site preparation and the bidding of site work. Ms. Rodau noted that she is working with the engineer on a proposal. The Board authorized a Board Member to approve and sign the proposal once received.
SARIA Update	The Board was provided a general update regarding SARIA.
Wheatlands Park and Recreation Authority Update	The Board engaged in general discussion regarding the Wheatlands Park and Recreation Authority.
Review and Discuss Board Emails Received (board@wheatlandsmetro.org)	None.
Other Director Items	The Board engaged in general discussion regarding an open house to discuss covenants with the community.
Other Business	<p>The Board engaged in discussion regarding the December Meeting. After discussion, the Board cancelled the meeting.</p> <p>The Board engaged in discussion regarding the district website and the potential liability of a Board Member being responsible for the website. The Board requested proposals from web companies. The Board also discussed a Facebook page. The Board determined to no longer be part of the Facebook group and will just keep a Facebook page.</p>
Collections	Mr. Waldron engaged in discussion with the Board regarding the collections department. Mr. Waldron noted that White Bear Ankele Tanaka & Waldron, P.C. will no longer be handling collection matters and will be providing information to the Board at the January board meeting regarding a transition.
Adjourn	<p>There being no further business to come before the Board, upon motion, second and unanimous vote, the meeting was adjourned.</p> <p>The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.</p> <p> Brooke Holliman (Jan 15, 2023 11:23 MST)</p> <hr/> <p>Secretary for the Meeting</p>

The foregoing minutes were approved the 12th day of January, 2023.