

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

WHEATLANDS METROPOLITAN DISTRICT

Held: February 9, 2023 at 6:00 p.m., held via Zoom.

**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  
Rodney DeWalt  
Sameer Bhatnagar  
Brooke Holliman

Also present were: Clint C. Waldron, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; James Shultz, Marchetti and Weaver, District Accountant; Sharon Sulzle (*for a portion of the meeting*), AMI HOA; and Isabell Rodau, YMCA, District Manager, and Kimberly Armitage, YMCA.

**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 a 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. Upon motion duly made and seconded, the following items on the consent agenda were unanimously approved, ratified and adopted:

- a. Minutes from January 12, 2023 Regular Meeting; and
- b. Proposal for Unit Heater Replacement.

**Covenant Enforcement/Design Review**

Review Architectural Review and Covenant Enforcement Reports

Ms. Sulzle reviewed the executive summary with the Board noting there are currently 66 open violations and there were nine new design review requests. The Board asked that information on the City's drought-tolerant waterwise landscaping rebate program be included in the next newsletter. Ms. Sulzle also noted the tree list had been updated by Mr. Howey. The list and changes to the guidelines will be included in the next meeting packet. The Board discussed the damage to the trees that were topped. The Board requested Ms. Rodau file a police report and pursue restitution for the damage.

**Financial Matters**

Review Unaudited Financial Statements and Approve Payment of Claims

Mr. Shultz reviewed the November 30, 2022 Unaudited Financial Statements and the accounts payable list with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the accounts payable.

Public Hearing on 2022 Budget Amendment

Director Martin opened the public hearing on the 2022 Budget Amendment. 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 Amending 2022 Budget

Mr. Shultz 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 \$4,189,274 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 with the Board. He noted he is still waiting on the freeze damage repairs to the park bathroom and the bathroom is closed until the repairs are complete.

Review and Consider Approval of Work Orders/Proposals

The Board reviewed Estimate #1727 for the purchase of three large pots to be purchased and installed by the air conditioning unit. Following discussion, upon a motion duly made and seconded, the Board unanimously approved Estimate #1727 in the amount of \$4,417.

Other Landscape Maintenance Matters

None.

### **Legal Matters**

Consider Approval of Independent Contractor Agreement with Cox Professional Landscape Services LLC for 2023-2024 Landscape Maintenance Services

Mr. Waldron reviewed the Independent Contractor Agreement with Cox Professional Landscape Services LLC for 2023-2024 Landscape Maintenance Services with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agreement.

Oil and Gas Lease Follow Up

The Board discussed the status of the proposed oil and gas lease and determined to postpone any discussion until a later date. The Board would like to continue to provide the residents information about the proposed drilling as it is received.

Other Legal Matters

None.

### **District Management**

Review District Manager's Report

Ms. Rodau reviewed the District Manager's Report with the Board.

Discussion Regarding Preventative Maintenance on Heaters

The Board reviewed the proposal from Pool Doctor for preventative maintenance on the pool heaters. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Pool Doctor proposal.

Discussion Regarding VGB Drain  
The Board reviewed the proposal for the replacement of the VGB drain. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the VGB drain proposal.

Discussion Regarding Water Heater Replacement  
The Board reviewed the proposal for the water heater replacement. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the water heater replacement not to exceed \$29,970. Ms. Rodau will solicit additional proposals.

Discussion Regarding Pots Around the Bench and Air Conditioning Fence  
The Board addressed this matter while discussing Landscape Matters.

Other Management Items  
None.

### **Capital Projects**

Update on Kitchen and Bathroom Remodel  
Ms. Rodau provided an update on the kitchen and bathroom remodel to the Board.

Wheatlands Park Phase II – Discuss Grand Opening  
The Board reviewed the update from Architerra. It was noted the shelter was finished on February 3, 2023, the final inspection took place February 8, 2023 and the inspection on the shelter will happen today, February 9, 2023. The contractor notified the masons at the beginning of the week and they should be out there in the next couple of weeks. Once the masons are finished, the crusher fines will be touched up and the fence will be removed.

### **Urban Soccer Fields**

Update on Site Work  
The Board reviewed Amendment No. 1 to the Elevation Consulting Contract. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the amendment.

Discussion Regarding Urban Soccer Field Subcommittee  
Ms. Barela noted the subcommittee is recommending all revenue from the fields should go to the Wheatlands Park and Recreation Authority.

### **Director's Items**

Wheatlands Park and Recreation Authority Update  
Ms. Armitage addressed questions from the Board on the program and membership report. She noted that the repairs from the pipe freezing should begin next week. The Board inquired

about any meetings with the bank, and Ms. Armitage responded there have not been any meetings with the bank. The Board also asked about increasing the popular programming. Ms. Barela asked about the website links and required updates. Ms. Armitage noted that they have new software that should fix the issues they've had with the website.

Review and Discuss Board  
Emails Received  
(board@wheatlandsmetro.org)

None.

Other Director Items

None.

**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.

*Banks/He*

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Secretary for the Meeting

The foregoing minutes were approved the 9<sup>th</sup> day of March, 2023.