

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

WHEATLANDS METROPOLITAN DISTRICT

Held: March 9, 2023 at 6:00 p.m., at the Wheatlands Clubhouse, 6601 S. Wheatlands Parkway, Aurora, Colorado

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

Also present were: Clint C. Waldron, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; James Shultz, Marchetti and Weaver, District Accountant; Isabell Rodau, YMCA, District Manager; and Kevin Cox, Cox Professional Landscape Services, LLC.

Directors Sameer Bhatnagar and Brooke Holliman were absent and excused.

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 presented.

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

- a. Minutes from February 9, 2023 Regular Meeting (*approved, as revised*);
- b. Independent Contractor Agreement with Courtesy Plumbing & Heating for Water Heater Replacement in the amount of \$28,643.00;
- c. First Amendment to Independent Contractor Agreement with YMCA for District Management Services and Clubhouse Management & Programming;
- d. First Amendment to Independent Contractor Agreement with YMCA for Pool Maintenance and Staffing;
- e. First Amendment to Independent Contractor Agreement with Apex Plumbing for Water Meter Installation Services;
- f. Independent Contractor Agreement with Saquimux Services, LLC for Clubhouse Cleaning Services;
- g. First Amendment to Independent Contractor Agreement with LEO Renovations, LLC for Clubhouse Remodel Services; and
- h. Pay Application No. 10.

Covenant Enforcement/Design Review

Review Architectural Review and Covenant Enforcement Reports The Board reviewed the Architectural Review and Covenant Enforcement Reports.

Financial Matters

Review Unaudited Financial Statements and Approve Payment of Claims

Mr. Shultz reviewed the claims payable in the amount of \$214,517.51 with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the claims. Mr. Shultz reviewed the January 31, 2023 unaudited financial statements with the Board.

Other Financial Matters

None.

Landscape Maintenance

Review Landscape Maintenance Report and Status of Approved Work Orders

Mr. Cox reviewed the Landscape Maintenance Report dated February 23, 2023 with the Board noting that the pots around the a./c. fencing are waiting to be ordered once payment is received (invoice #34382) and scheduled delivery is 4-6 weeks once the order is placed. The annual flower order has been placed which includes soil and preparation for the flower beds. Mr. Cox noted the beds need to be rejuvenated every year to maintain vibrancy of annual plantings. The replacement of perennial plantings at the monuments are due to begin as soon as the nurseries commence stocking with plant material and once the weather stabilizes. Mr. Cox noted the tree that was damaged due to a resident accident will be planted once material is available from the nursery in about 4 weeks and there will not be a charge for this. Mr. Cox informed the Board the tree well/mulch bed replenishments are due to be completed once the weather stabilizes which is currently on the schedule in the next 4-6 weeks.

Mr. Cox discussed the City of Aurora water restrictions and Cox's watering plan. The Board requested he prepare a map of areas for potential turf reduction along with proposals for additional technologies to reduce water usage.

Review and Consider Approval of Work Orders/Proposals

Mr. Cox reviewed Estimate (invoice 34299) for the soil amendment in the amount of \$8,594.50 with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the estimate.

Mr. Cox reviewed Estimate No. 1738 to repair the damage done by Lowe's in the amount of \$638.75 with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the estimate.

The Board discussed the services for the Wheatlands Park Phase II noting they would like the same service frequency as on the existing Cox maintained park areas.

Other Landscape Maintenance Matters None.

Legal Matters

Update on May Director’s Election Mr. Waldron noted that as there were not more candidates than positions available, the May 2, 2023 director’s election has been cancelled as previously authorized by the Board. Directors Martin, DeWalt and Bhatnagar are reelected by acclimation.

Other Legal Matters Mr. Waldron provided an update on the Murphy Creek Trail project to the Board. The City recently selected JR Engineering to design the project, and they are just getting started. The City anticipates completing the design and construction documents for the trail in the fall of 2023. Once the design is complete, the legal descriptions will be created so that the City’s Real Property Division can assist with temporary and permanent easements for the trail since it crosses multiple property lines. After the easements are recorded, the City can send the project out to bid and hopefully begin construction in spring of 2024.

Mr. Waldron provided an update on the Radar Dome Park. PROS is planning to put out a request for proposal for consultant services for the Radar Dome Park master plan this year; however, it has not yet gone out.

District Management

Review District Manager’s Report Ms. Rodau reviewed the District Manager’s Report with the Board.

Other Management Items None.

Capital Projects

Update on Kitchen and Bathroom Remodel Ms. Rodau noted the kitchen and bathroom remodel project has been completed.

Urban Soccer Fields Update Ms. Rodau updated the Board that the City had approved the plans, and she has sent the plans to multiple contractors for proposals.

Director’s Items

Wheatlands Park and Recreation Authority Update The YMCA sent the Wheatlands Park and Recreation Authority (WPRA) marketing updates to the Board. Ms. Barela noted that

the WPRA Board held its quarterly meeting, and they are looking to have the YMCA and bank negotiate directly on a possible restructuring.

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.


Brooke Holliman (Apr 20, 2023 14:11 CDT)

Secretary for the Meeting

The foregoing minutes were approved the 13th day of April, 2023.