

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

WHEATLANDS METROPOLITAN DISTRICT

Held: September 14, 2023 at 6:00 p.m., via Zoom teleconference.

**Attendance**

The 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 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; Isabell Rodau, YMCA, District Manager, and Sharon Sulzle, AMI HOA.

**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**

Member of the public presented questions regarding the status of fencing dispute, non-resident clubhouse rental fee, and landscape violations.

**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:

Approval of Minutes from August 10, 2023 Meeting and August 22, 2023 Joint Meeting  
Ratify Proposal #406040 from Cox Professional Landscape Services LLC for Boulder Relocation in the Amount of \$5,157.90.

**Covenant Enforcement/Design Review**

Review Architectural Review and Covenant Enforcement Reports

Ms. Sulzle reviewed the architectural and covenant enforcement reports with the Board. It was noted that Ms. Sulzle will work on review of guidelines for the next meeting.

**Financial Matters**

Review Unaudited Financial Statements and Approve Payment of Claims

Mr. Shultz reviewed the financial statements and claims payable with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the financial statements and claims payable.

Discuss Scheduling Budget Workshop

The Board discussed holding the budget workshop on October 12, 2023 at 5pm.

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.

Proposal #40741 for Restroom Cleaning for 2024	The Board reviewed proposal 40741 in the amount of \$12,000. Following discussion, upon motion duly made and seconded, the Board approved the proposal.
Proposal #40814 for Replacement of Wheatgrass in Median Strip	The Board reviewed proposal 40814 in the amount of \$1,994. Following discussion, upon motion duly made and seconded, the Board approved the proposal.
Proposal #40767 for Wheatlands Park Water Pooling	The Board deferred action on this item.
Proposal #40750 to Repair Native Area at the End of Ider Street	The Board deferred action on this item.
Proposal #40744 for Irrigation System Improvements	The Board reviewed proposal 40744 in the amount of \$1,325. Following discussion, upon motion duly made and seconded, the Board approved the proposal.
Proposal #40858 for SW Pathway at Ider Street	The Board deferred action on this item.
Review Water Use Tracking Report	Mr. Cox reviewed the water use tracking report with the Board.
Other Landscape Maintenance Matters	Director Barela asked for repairs to the weather damaged area of the soccer field.
<b>Legal Matters</b>	
Discuss Trash and Recycling Services (Contract Ends March 1, 2024)	The Board discussed the trash and recycling contract and requested Ms. Rodau solicit proposals.
Discuss Aurora Snow Plowing Agreement	Mr. Waldon provided an update and presented the Aurora Snow Plowing Agreement. Following discussion, upon motion duly made and seconded, the Board approved the agreement. Director Barela voted against this item.
Consider Renewal of Contract with Cox Professional Landscape Services for Snow Removal on Wheatlands Park and	The Board reviewed the Contract with Cox Professional Landscape Services for Snow Removal on WPRA Recreation Facility Site. Following discussion, upon motion duly made and seconded, the Board approved the contract.

Recreation Authority  
(WPRA) Recreation Facility  
Site (Renewal to April 20,  
2024)

Discuss Insurance  
Requirements for J&J  
Karaoke LLC and Other Low  
Contract Amount Vendors

The Board engaged in a general discussion and authorized lower insurance in the amount of \$1,000,000.00.

Discuss Imposition of  
Outside User Fees

The Board deferred action on this item.

Other Legal Matters

None.

### **District Management**

Review District Manager's  
Report

Ms. Rodau presented the District Manager's report.

Discuss Security for Rentals  
and New Security Contractor

The Board discussed security for clubhouse rentals and the new security contractor. Following discussion, upon motion duly made and seconded, the Board approved the security for clubhouse rentals and the new security contractor. It was noted that security is required before alcohol enters the building.

Review Pool Doctor Estimate  
for Check Valve Installation

The Board reviewed the Pool Doctor Estimate for Check Valve Installation in the amount of \$2,575.45. Following discussion, upon motion duly made and seconded, the Board approved the estimate.

Review Estimates for Pool  
Vacuum

The Board reviewed the estimates for the vacuum. Following discussion, upon motion duly made and seconded, the Board approved the Wildcat G3 vacuum.

Review Proposal for Holiday  
Lighting from Mile High  
Lighting and Events -  
\$9,390.00

Ms. Rodau is to get another quote. The Board authorized approval of holiday lighting services in amount not to exceed \$10,000. Director Barela and Director DeWalt will be the committee to approve.

Review Proposal for Monthly  
Park Inspections and  
Consider Approval of  
Independent Contractor  
Agreement with Rocky  
Mountain Playground

The Board deferred action on this item.

Services and Termination of Agreement with Playground Safety Solutions

Discuss Waiver of Rental Fees Request from Forest Trace Metropolitan District Nos. 1-3

Other Management Items

The Board engaged in a general discussion regarding fee waivers for rentals. Following discussion, upon motion duly made and seconded, the Board approved waiver of rental fees for Trace Metropolitan District Nos. 1-3.

The Board engaged in a general discussion regarding pool waiver changes, sign repair, and concrete pillar estimates.

**Capital Projects**

Urban Soccer Fields Update

Proposals for Soccer Field Lighting

It was noted that the soccer fields will be completed September 21, 2023, and the pickleball courts are currently in commission.

The Board deferred action on this item.

**Director’s Items**

South Aurora Regional Improvement Authority (SARIA) Update

Wheatlands Park and Recreation Authority (WPRA) Update

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

Other Director Items

The Board discussed the next SARIA Meeting.

Ms. Rodau noted to the Board that Ms. Armitage is working on WPRA revenue projections.

There Board discussed a noise complaint regarding the clubhouse music.

None.

**Other Business**

**Executive Session**

None.

Upon motion of Director Bhatnagar, seconded by Director Barela, and upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session pursuant to Section 24-6-402(4)(b), C.R.S., conference with an

attorney for the District for the purpose of receiving legal advice on the Wheatlands Park and Recreation Authority property, recreation facility, and the outstanding loan on the recreation facility, and pursuant to Section 24-6-402(4)(e), C.R.S., for the purposes of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators related to the Wheatlands Park and Recreation Authority property, recreation facility, and the outstanding loan on the recreation facility.

Pursuant to § 24-6-402(2)(d.5)(II)(B), C.R.S., no record will be kept of the portion of this executive session that, in the opinion of the District's attorney, constitutes privileged attorney-client communication pursuant to § 24-6-402(4)(b), C.R.S.


Also pursuant to § 24-6-402(4), C.R.S., the Board did not adopt any proposed policy, position, resolution, rule, regulation or take formal action during execution session.

The Boards reconvened in regular session at 9:03 P.M.

## **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 (Oct 19, 2023 07:39 MDT)

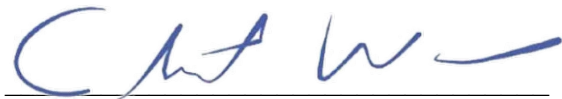
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Secretary for the Meeting

The foregoing minutes were approved the 12<sup>th</sup> day of October 2023.

ATTORNEY STATEMENT  
REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing Wheatlands Metropolitan District, I attended the executive session at the regular meeting of Wheatlands Metropolitan District convened on September 14, 2023 for the sole purpose of discussing Wheatlands Park and Recreation Authority property, recreation facility, and the outstanding loan on the recreation facility. as authorized by Section 24-6-402(4)(b), C.R.S. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(b), C.R.S. or Section 24-6-402(2)(d.5)(II)(B), C.R.S.



Clint C. Waldron, Esq.