

# RECORD OF PROCEEDINGS

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## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

STERLING HILLS WEST METROPOLITAN DISTRICT

Held: Thursday, August 9, 2018, at 6:30 p.m. at the Balterra Clubhouse, 2654 South Danube Place, Aurora, Colorado 80013.

### Attendance:

A regular meeting of the Board of Directors of the Sterling Hills West Metropolitan District was scheduled in compliance with the laws of the State of Colorado, with the following directors in attendance:

Juliet Uhlott, President  
Michael Lenz, Treasurer  
Alberteen Ransom, Assistant Secretary  
Alan Duncan, Secretary  
CJ Matthews, Assistant Secretary

### Also present were:

Jennifer L. Ivey, Icenogle Seaver Pogue, P.C.  
Debra Sedgeley, CliftonLarsonAllen, LLP  
Ted Laves, Colorado Special District Management  
and Operations  
Barb Flowers, District resident and HOA Board  
Member

### 1. Call to Order/ Declaration of Quorum:

Director Uhlott, noting the presence of a quorum, called to order the regular meeting of the Board of Directors (the "Board") of the Sterling Hills West Metropolitan District (the "District") at approximately 6:30 p.m.

### 2. Directors Matters/Disclosure Matters:

Ms. Ivey advised the Board that pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board then reviewed the agenda for the meeting, following which each Board member confirmed the contents of any written disclosure previously made, stating the fact and summary

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nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting.

3. Approval of/Additions to/Deletions from Agenda:

After review and discussion, upon the motion of Director Duncan and second of Director Ransom, the Board unanimously approved the agenda with the addition of Item 10(a) – Townhomes and Sign.

4. Public Comment for Matters Not on Agenda:

Ms. Flowers voiced concern about weed issues around the monument at LaSalle and Tower. Director Lenz concurred. Mr. Laves said he would ask Keesen to take care of the problem.

5. Approval of Meeting Minutes:

After review and discussion and upon the motion of Director Duncan and second of Director Lenz, the Board unanimously approved the July 12, 2018 regular meeting minutes as presented.

6. Financial Matters:

Ms. Sedgeley reviewed the financial ledgers, including the, cash requirement report, schedule of cash position, and claims represented by Check Numbers 1056 through 1066 which total \$41,318.86.

After review and discussion and upon the motion of Director Matthews and second of Director Ransom, the Board unanimously accepted the financial report and approved the claims as presented.

7. District Manager Report:

Mr. Laves discussed with the Board items detailed in his District Manager's Report, including avoiding late fees for the Aurora water bills, remediation efforts for the Detention Pond, installing boulders in the planned blue park garden, swing set planning and implementing a District website. In addition he provided updates regarding tree maintenance, securing the basketball court height adjustment mechanism, retrofitting bollards in Blue, Red and Green Parks, new District address, phone & email signs in the three parks, miscellaneous repairs, updating the District's insurance coverage and director reservations for the September SDA meeting.

After review and discussion and upon the motion of Director Matthews and second of Director Uhlott, the Board

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unanimously approved retrofitting the bollards at the red and green park (a total of 9) for a cost not-to-exceed \$2,500.00.

Mr. Laves and Ms. Ivey briefed the Board regarding the refusal of Brightview Landscape Services Inc, to initiate the work contemplated by the November 16, 2017 Detention Pond Services Contract. Mr. Laves voiced concerns that even if the District could force Brightview to perform the work under the Contract that it might not be up to the standards the District would like and that a landscape contractor may not be best suited to perform the work. Mr. Laves recommended having Keesen Landscape Management, Inc. (Keesen) remove grass and cattail vegetation under its existing maintenance contract over the coming weeks and issuing a Request for Proposals (RFP) to excavating vendors for removal of the excess dirt, larger vegetation and for leveling the pond under the oversight of Wright Water Engineering. He noted that Wright Water Engineering had prepared a draft RFP that covered the technical aspects of the project. Ms. Ivey noted that the Wright Water prepared RFP included in the meeting packet is a draft and will require legal revisions. After review and discussion and upon the motion of Director Matthews and second of Director Uhlott, the Board unanimously approved terminating the contract with Brightview in accordance with Section 8.1.2 of the Contract, requesting Keesen to remove the smaller vegetation under its existing maintenance contract over the coming weeks and issuing an RFP for removal of the excess dirt, larger vegetation and for leveling the pond after review and revisions to the termination letter to Brightview and Request for Proposals by Ms. Ivey.

After review and discussion and upon the motion of Director Uhlott and second of Director Matthews, the Board unanimously approved the proposal from Bjorn Environmental Services in an amount not-to-exceed \$3,500.00 for advising the District on work related to tree maintenance and damage remediation, including marking trees for different types of treatment, prioritization of tree maintenance, and for providing consulting to the District on tree maintenance, new tree selection and new tree planting.

After review and discussion and upon the motion of Director

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Uhlott and second of Director Matthews, the Board unanimously approved contracting with Sav-A-Tree at a cost of \$120.00 per tree to air-spade, root-trim and create a two-foot mulch ring for 12 trees with root girdling in an amount not-to-exceed \$1,500.00.

After review and discussion and upon the motion of Director Uhlott and second of Director Matthews, the Board unanimously approved Additional Services for Keesen for installing a mulch ring around trees and tree removal on a schedule to be provided by Bjorn Environmental Services (BES) in amounts not to exceed \$1,500.00 for tree removal and \$8,000.00 to create a two-foot diameter mulch ring around trees not treated by Sav-A-Tree. Oversight and direction to be provided by Bjorn Environmental Services .

After review and discussion and upon the motion of Director Matthews and second of Director Lenz, the Board unanimously approved putting the payment of water bills from the City of Aurora on auto-pay with the ratification of each payment to occur at the subsequent meeting of the Board in order to avoid late fees as a result of the timing of their billing cycle vis-à-vis the District's meetings.

After review and discussion and upon the motion of Director Uhlott and second of Director Duncan, the Board unanimously approved entering into a Task Order Services Contract with Pioneer Sand Company, Inc. for boulder purchase and placement in the Blue Park and other construction, playground and landscape enhancement services that might be required from time to time in the total contract amount not-to-exceed \$20,000.00 and an initial Task Order price not-to-exceed \$3,000.00 for the boulders and Additional Services to be performed by Pioneer Sand for landscape services related to the Blue Park garden in an amount not-to-exceed \$3,000.00.

The Board directed that Mr. Laves pursue a website and come back to the Board in October with additional information and decision points.

Director Lenz requested that Mr. Laves have Keesen investigate the water coming out of the flower bed in the Blue

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Park and to make appropriate adjustments and repairs to avoid wasting water.

8. Green Park Planning:

Director Lenz reported that he went to the Aurora Water Park on Jewell and found out that it was funded in part by GOCO grants. Director Lenz recommended that this might be a park to look at for layout ideas for the Green Park and any changes to the other parks.

9. Legal Matters:

Ms. Ivey briefly reviewed the information contained in the memorandum regarding Summary of 2018 Legislation with the Board.

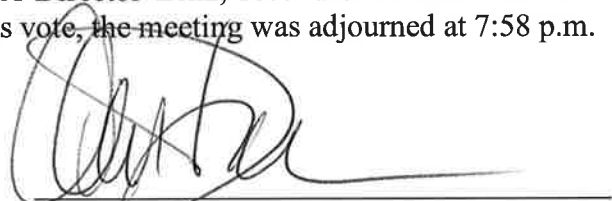
Director Uhlott distributed proposed revised park rules. After review and discussion, the Board directed that Ms. Ivey review and revise the proposed rules and prepare a permit and waiver/release for review by the Board at its next regular meeting.

10. Other Business:

Director Matthews noted that the larger-print side of the meeting notice sign on Sterling Hills near Tower Road needs to face towards the east. Director Matthews noted that the Sterling Hills Townhomes may become part of Sterling Ridge so there might be some upcoming development.

11. Adjourn:

There being no further business to come before the Board, upon motion of Director Lenz, second of Director Duncan and unanimous vote, the meeting was adjourned at 7:58 p.m.



Secretary of the Meeting