

## RECORD OF PROCEEDINGS

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### MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

STERLING HILLS WEST METROPOLITAN DISTRICT

Held: Thursday, January 14, 2021, at 6:30 p.m. via Zoom Online Meeting at <https://bit.ly/37TvpwV> or by telephone conference Dial-In Number: 1-346-248-7799; Meeting ID: 992 8356 3800, Passcode: 632207 in order to preserve the health, safety, and welfare of the public in light of the imminent threat caused by the COVID-19 pandemic and due to the state of emergency declared by Governor Polis, as amended and extended, corresponding executive orders and public health orders, as amended and extended, and CDC recommendations against gathering in large groups in order to mitigate the spread of the COVID-19 virus. Notices advising members of the public of the login URL and call in-number to join the meeting were posted on the District's website and at the District's regular posting locations.

Attendance:

A special 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.

The following directors were in attendance:

Juliet Uhlott, President (*via zoom/telephone conference*)  
Michael Lenz, Treasurer (*via zoom/telephone conference*)  
Alberteen Ransom, Secretary (*via zoom/telephone conference*)  
CJ Matthews, Asst. Secretary (*via zoom/telephone conference*)  
Christine Hatter, Director (*via zoom/telephone conference*)

Also present were:

Jennifer L. Ivey, Icenogle Seaver Pogue, P.C. (*via zoom/telephone conference*); Edward W. (Ted) Laves, Colorado Special District Management and Operations (*via zoom/telephone conference*); Debra Sedgely, CliftonLarsonAllen LLP (*via zoom/telephone conference*); Andrew Earles, Wright Water Engineers, Inc. (*via*

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*zoom/telephone*); and Chris Loftus, Steam Design, LLC.

1. Call to Order / Declaration or Quorum: Director Uhlott, noting the presence of a quorum, called to order the special meeting of the Board of Directors (the “Board”) of the Sterling Hills West Metropolitan District (the “District”) at approximately 6:30 P.M.
2. Approval of/Additions to/ Deletions from Agenda: After review and discussion, upon the motion of Director Matthews and second of Director Lenz, the Board unanimously approved the agenda with the addition of “Detention Pond Project – Status Update”.
3. Director Matters - Conflicts of Interest: 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 nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting.
4. Public Comment for Matters Not on Agenda: None.

*Dr. Earles and Director Ransom joined the meeting during Agenda Item 5.*

5. Presentation and Discussion of Initial Landscaping Concepts for the District’s Detention Pond by Landscape Architect: Mr. Loftus presented to the District Board, four initial landscaping conceptual options for the detention pond along with sample vegetation.
  - Concept “A” utilizes only appropriate grasses in most of the pond and wetland plants near the pond’s exit works.
  - Concept “B” involves grasses on the upland embankments, a mixture of grasses, flowers and shrubs in the bottom of the pond and wetland plantings near the pond’s exit works.
  - Option “C” is similar to Concept “A” with the addition of shrubs and trees on the upland slopes.
  - Option “D” is a combination of Options “B” and “C” with shrubs in the bottom and trees and shrubs on the upland slopes.

After extensive discussion the Board, Stream and Wright Water Engineering agreed on having trees and shrubs on the upland slopes and to plant some water consuming bushes in the pond bottom

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along with flowers and grasses with the objectives of reducing water in the bottom of the pond while enabling access for machinery entering the pond for maintenance. Dr. Earles noted that in particular, the pond's access slope needs to be kept clear of bushes that could impede equipment access for inspections and maintenance.

The Board noted that they favor drought tolerant vegetation to minimize irrigation needs. The Board also stated that they would like to utilize vegetation that deters prairie dogs and prevents cattails. Director Matthews inquired about the use of cotton wood trees given that they are a common allergen. Mr. Loftus stated that the variety recommended is a native species and that the varietal(s) recommended are not blooming and therefore do not have the same allergen effects.

The group discussed irrigation and whether it should be temporary to support planting or permanent for future drought conditions. There was also discussion of whether irrigation on the pond's side of Sterling Hills Parkway (south side) has XCEL power available or whether an irrigation system would require a battery driven controller. Wright Water Engineers will check their blueprints to verify the current power situation and report back to Mr. Laves. The Board determined that permanent in-ground irrigation should be implemented given the cost of installing temporary irrigation. Mr. Loftus clarified that his company does not design irrigation systems or implement landscape plans, they only serve as design architects. The Board requested Mr. Loftus provide to Mr. Laves recommendations for landscaping/irrigation companies to implement the landscaping and irrigation design plans.

The Board discussed when the planting should be done and Mr. Loftus replied that optimally planting would happen by May or June. Dr. Andrews said that he anticipates that will be possible.

Mr. Loftus will also provide the names of landscape firms that are familiar with maintaining detention ponds. Director Matthews suggested terminating Keesen's maintenance of the pond after reconstruction.

Mr. Loftus will finalize his 80% landscape design plan by mid-February and will provide any questions to Mr. Laves. The Board directed that any selection of plant materials be directed to the

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Landscape Committee by Mr. Laves for decisions.

The Board determined it would hold a Special Meeting on February 18, 2021 to approve the 80% landscape design plan and authorize issuances of requests for proposals for the landscape/irrigation implementation work.

*Mr. Loftus departed the meeting at this time.*

6. Approval of Meeting Minutes: After review and discussion, upon the motion of Director Matthews and second of Director Ransom, and unanimous vote the Board approved the minutes of the November 12, 2020 special meeting of the Board of Directors as presented.
7. Approval of Proposal to Augment the Playground Safety Mulch: Mr. Laves reviewed with the Board, Keesen Landscaping's proposal to augment the playground safety mulch to enhance safety. The Board discussed the high cost of Keesen's proposal and whether there were other options that would be more cost-effective. Director Uhlott requested that Mr. Laves inquire of the playground inspection company, Playground Safety Consultants for recommendations for contractors to do the work. Director Matthews requested that the proposal from Keesen Landscape be broken out to specify the type of material that will be used and the volume of material. The Board tabled this matter for further consideration at its February meeting and requested Mr. Laves to bring revised/additional proposals to that meeting. Ms. Sedgeley confirmed that money is available in the budget to cover this expense.
8. Approval of Proposal to Provide Winter Watering of the District's Trees: Mr. Laves reviewed the proposal from SavATree to provide additional plant/tree care, including, but not limited to, winter watering of the District's trees with the Board.  
  
After review and discussion, upon the motion of Director Matthews and second of Director Ransom, and unanimous vote the Board approved the proposal for winter watering only in the amount not-to-exceed \$3,115.00.
9. Other Business: Detention Pond Project – Status Update: Dr. Earles reviewed the status report he provided on February 8, 2021 which was included in the meeting packet. He further reported that construction is underway at the Detention Pond and that Edge Construction had been working on the connection of the Underdrain to Aurora's

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storm water manhole and is now working on trenching. The connection has been inspected by Aurora and work is proceeding well and according to schedule. Director Matthews inquired why only 9 of the 13 submittals have been reviewed and approved. Dr. Earles stated that this is a matter of timing and is not atypical or causing any delays in the project. Directors Matthews and Lenz inquired about the construction activity and gravel that was dumped and partially spread near Water Drive. Dr. Earles will inquire and report back to Mr. Laves to report back to the Board.

The Board determined that it would hold a special meeting on Thursday, February 18, 2021 at 6:30 p.m. via zoom.

10. Adjourn:

There being no further business to come before the Board, upon motion of Director Matthews, second of Director Ransom and majority vote, the meeting was adjourned at 8:22 P.M.

DocuSigned by:  
  
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Secretary of the Meeting