

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

STERLING HILLS WEST METROPOLITAN DISTRICT

Held: Thursday, March 18, 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: 970 5351 6496, Passcode: 771813 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 location.

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:

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

The following directors were absent (*absence excused*):

Juliet Uhlott, President

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*);

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Debra Sedgeley, CliftonLarsonAllen LLP (*via zoom/telephone conference*); Andrew Earles, Wright Water Engineers, Inc. (*via zoom/telephone conference*); and Chris Loftus, Stream Design, LLC (*via zoom/telephone conference*).

1. Call to Order /
Declaration or Quorum: Director Hatter called the meeting to order noting the presence of a quorum, the special meeting of the Board of Directors (the “Board”) of the Sterling Hills West Metropolitan District (the “District”) at approximately 7:08 P.M. (delayed due to technical difficulties and a lack of quorum).

2. Approval of/Additions
to/Deletions from
Agenda: After review and discussion, upon the motion of Director Matthews and second of Director Hatter, the Board unanimously approved the agenda as presented.

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.

5. Detention Pond
Project:
Review and
Consider Approval
of Stream Landscape
Architecture and
Planning’s 100%
Design for the
Detention Pond: Mr. Loftus reviewed the Stream Landscape Architecture and Planning’s 100% design for the detention pond with the Board including changes to the plants on the bottom of the pond, adding additional plants/seed mix to deter prairie dogs, increasing density of the wetlands’ plugs, and increasing the footprint of the landscaping on the west side. The soil test has been submitted to the laboratory for assessment, but results have not yet been received. Mr. Laves is working with the adjacent Homeowners Association to provide them information about the plans and to maintain good organizational relations; there may be 10 – 24 inches of property that is not owned by the District which would require the Homeowners Association’s permission to landscape. There appears to be a HOA owned irrigation line on District

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property that will need to be removed. Dr. Earles reported that the City of Aurora has received the plans and is pleased that the District wants to landscape the pond. The City of Aurora is reviewing the irrigation plans at this time; Dr. Earles reported that the City of Aurora did not realize there is an existing irrigation system, so his team is working with them on that. He does not foresee a problem with receiving their approval. Prior to the irrigation being completed, the City of Aurora will need to sign off on the irrigation plan. After review and discussion, upon the motion of Director Matthews and second of Director Ransom, the Board unanimously approved the 100% design for the detention pond.

Update on Pond
Reconstruction
Project Status:

Dr. Earles provided a status update on the detention pond reconstruction project to the Board. Dr. Earles reported that the weather has caused some delays.. The outlet structure is largely completed. The forebay on the east side has been poured. The new trickle channels, safety railing, well grate, orifice plate and screen along with various other items are in the schedule. Wright Water Engineers is still working with the City of Aurora on the landscape and irrigation plans but does not anticipate any problems. Mr. Laves reviewed the current schedule of the construction project which was included in the meeting packet; the weather has likely delayed this for a week, but the schedule in the packet is otherwise up to date. Based on the current schedule it will be late April or early May when landscaping work can start. It is estimated that landscaping work will take 4 – 6 weeks; Western States Reclamation should be able to give a definitive answer.

Consider Bids
Received for
Landscaping the
Sterling Hills West
Detention Pond
Landscaping
Contract:

Mr. Laves reviewed with the Board the bid received for landscaping the Sterling Hills West detention pond, noting that the bid received and the published notice requesting bids were provided in the meeting packet. After review and discussion, upon the motion of Director Matthews and second of Director Lenz, the Board unanimously approved awarding the contract to Western States Reclamation for landscaping the Sterling Hills West detention pond based on the bid amount of \$79,138.25 and, if needed based on the soil test results, up to an additional \$8,715.00 for a soil amendment for a total of \$87,853.25. Ms. Sedgeley reported that funding these additional costs will require utilizing some District reserve funds.

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Mr. Loftus departed the meeting at this time.

Review and Consider Approval of Request by Wright Water Engineering for Contract Amendment to allow for Additional Compensation:	Dr. Earles reviewed with the Board his March 5, 2021 proposed addendum to the November 14, 2019 contract between the District and Wright Water Engineers, Inc. for additional services and related compensation totaling \$31,100.00 (which includes the \$10,000.00 in additional interim funding approved by the Board on February 25, 2021 for a net additional \$21,100.00 in requested new compensation approval). Upon the motion of Director Matthews and second of Director Ransom, and unanimous vote the Board approved the addendum for additional services and related compensation as presented.
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Dr. Earles departed the meeting at this time.

6. Approval of Meeting Minutes:

January 14, 2021 Special Meeting:	After review and discussion, upon the motion of Director Matthews and second of Director Lenz, and unanimous vote the Board approved the minutes of the January 14, 2021 special meeting of the Board of Directors as presented.
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February 25, 2021 Special Meeting:	After review and discussion, upon the motion of Director Matthews and second of Director Lenz, and unanimous vote the Board approved the minutes of the February 25, 2021 special meeting of the Board of Directors as presented.
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7. Financial Matters:

Financial Report/Ratification/Payment of Claims:	Ms. Sedgeley reviewed the December 31, 2020 schedule of cash position which was updated through March 12, 2021, interim claims represented by Check Numbers 1258 through 1276 and two ACH payments to Aurora, which total \$78,236.99, interim claims represented by Check Numbers 1285 through 1292, and one ACH payments to Aurora, which total \$35,814.13, 18 interim claims from January and February 2021 paid through bill.com which total \$228,560.02, and 22 current claims from January through March 2021 to be paid through bill.com which total \$226,146.29 (Claims represented by Check Numbers 1277 through 1284 were approved by the Board at its November 12, 2020 meeting). After review and discussion, upon the motion of Director Matthews and second of Director Lenz, the Board accepted the schedule of cash position, and ratified the interim
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claims and current claims as presented in the total amount of \$568,757.43.

2020 Audit: Ms. Sedgeley reviewed with the Board the draft 2020 Audit. Ms. Sedgley noted that the field work by the auditor is currently underway and that she expects an unmodified opinion. The Board tabled the matter for further consideration at its May meeting once the auditor's opinion is received and the audit is final.

8. Manager's Report: Mr. Laves discussed with the Board his District Manager's Report which was included in the meeting packet, the following Items were discussed in detail:

Consider Proposal to Upgrade Bollard Lights in the Park: Mr. Laves reviewed the proposal to replace the bollard lights in the park and gazebo with the Board. Director Lenz noted that two additional bollards have failed since he sent his request to Mr. Laves. After review and discussion, upon the motion of Director Matthews and second of Director Lenz, the Board unanimously approved the proposal from the Electrician Inc. to replace bollard lights in the park in an amount not to exceed \$2,500.00.

Consider Approval of proposal to Augment the Playground Safety Mulch: Mr. Laves reviewed the proposal to augment the playground safety mulch with the Board. Director Matthews noted the discrepancy between the number of yards of mulch included in the two proposals. After review and discussion, upon the motion of Director Matthews and second of Director Ransom, the Board unanimously approved the proposal from Playground Safety Consultants to augment the playground safety mulch in an amount not to exceed \$13,000.00 conditioned upon Playground Safety Consultants providing a certification that this augmentation brings the mulch up to safety standards.

9. Legal Matters: None.

10. Other Business: None.

11. Adjourn: There being no further business to come before the Board, upon motion of Director Matthews, second of Director Lenz and majority vote, the meeting was adjourned at 8:54 P.M.

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DocuSigned by:

Alberteen Ransom

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Secretary of the Meeting