

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

STERLING HILLS WEST METROPOLITAN DISTRICT

Held: Thursday, August 12, 2021, at 6:30 p.m. via Zoom Online Meeting at <https://bit.ly/3nSaIZY> or by telephone conference Dial-In Number: 669-900-6833, Meeting ID: 944-4877-8597, Passcode: 882794. 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 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.

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, Asst. Secretary (*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 Sedgeley, CliftonLarsonAllen LLP (*via zoom/telephone conference*); Jeff Nelson, Wright Water Engineers, Inc. (*via zoom/telephone conference*); and the following members of the public: Barb Flowers and Nicole Plybon (*via zoom/telephone conference*).

1. Call to Order /
Declaration or Quorum:

Director Uhlott called the meeting to order, noting the presence of a quorum, the regular meeting of the Board of Directors (the "Board") of the Sterling Hills West Metropolitan District (the "District") at approximately 6:40 P.M.

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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: Ms. Flowers inquired about the corner where the new houses are being built. Mr. Laves noted that the District does not have any control over the land development, but it appears that the developer is currently installing infrastructure.
5. Detention Pond Review – Wright Water Engineers: Mr. Nelson reported to the Board regarding the status of the detention pond remediation project, stating that the work is nearing completion and that he is reviewing the punch list items. It is estimated that the contractor's work will be completed around August 23rd and the last significant outstanding item will be completing the as-built survey.
- Mr. Laves reviewed the final draft of Change Order No. 6 in the estimated amount of -\$18,678.55 (there is a \$42,880.25 credit due to removing the revegetation work that will be performed by a separate contractor). Director Matthews inquired if the City of Aurora should be responsible for the cost of the sidewalk repair since it is their sidewalk. Mr. Laves explained that it was the District's construction activity that necessitated the repair and therefore it is the District's responsibility. Director Matthews inquired about the new bars for the gap above the orifice plate that is being planned for safety reasons. Messrs. Laves and Nelson discussed this requirement as well as boulder edging for improved erosion control and changes to the step at the outlet structure at the southwest corner. Ms. Sedgely advised that even with this estimated Change Order the District would still be within its budget. After review and discussion, upon the motion of Director Matthews and second of Director Laves, and unanimous vote the Board authorized Mr. Laves to approve individual items list on the Draft Change Order No. 6 up to the amount of \$21,158.70 which

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will be offset by the listed landscaping change order credit of \$39,837.25.

Messrs. Laves and Nelson reviewed the punch list items in detail with Director Matthews.

Ms. Flowers inquired if the residents would be assessed a fee for this project. Directors Matthews and Uhlott reported that this will not be covered by a fee; it is being covered by the mill levy and revenues that were already generated.

Ms. Plybon departed the meeting during the preceding agenda item.

Mr. Nelson and Ms. Flowers departed the meeting at this time.

6. Approval of Meeting

Minutes -

May 13, 2021

Regular Meeting:

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 May 13, 2021 regular meeting of the Board of Directors, as presented.

7. Financial Matters -

Financial Report/
Ratification/Payment
of Claims:

Ms. Sedgeley reviewed the June 30, 2021 unaudited financial statements, June 30, 2021 schedule of cash position, which was updated through August 6, 2021, and interim and current claims totaling \$304,767.71 as detailed in the meeting packet. After review and discussion, upon the motion of Director Matthews and second of Director Lenz, the Board accepted the June 30, 2021 unaudited financial statements, accepted the schedule of cash position, and ratified the interim claims and approved the current claims as presented in the total amount of \$304,767.71.

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:

Detention Pond
Status:

This item was discussed in detail as part of Item 5. Mr. Laves discussed the communications with Sterling Hills Condos regarding landscaping and alleged sinking of a homeowner's stoop. Mr. Laves has asked for evidence of any damage for assessment and has not received anything to date. Mr. Laves also visually inspected the stoop and saw no evidence of any damage.

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- Landscaping Status: Mr. Laves discussed with the Board performance issues with Keesen Landscaping, which has been increasingly problematic over time, and their relatively high cost. Mr. Laves reported that their contract for landscaping, maintenance, and snow removal will be up for renewal in 2022 and recommended that the Board solicit other bids for consideration for landscaping going forward. Director Hatter reported that based on her experience costs for these types of services have increased around 30% in the last year and will continue to rise. Director Hatter offered to provide the names of landscaping firms that in her occupation as a property manager, she has successfully utilized. The Board directed that Mr. Laves work with Ms. Ivey to develop a Request for Proposals and solicit bids from alternate contractors. The Board did not approve Keesen Landscaping's proposal for additional services for sod. Mr. Laves will look into seeding options.
9. Legal Matters -
2021 Legislation: Ms. Ivey reviewed with the Board the 2021 legislation related to special districts.
10. Other Business: None.
11. Adjournment: 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 8:10 P.M.

DocuSigned by:

Alberteen Ransom

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Secretary of the Meeting