

## 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, November 11, 2021, at 6:30 P.M. via Online Meeting at <https://us06web.zoom.us/j/98372378796?pwd=Q1liK2VNaCswQTVFNnlQRmMxdSszQT09> or via telephone at Dial-In Number: 1-346-248-7799, Meeting ID: 983 7237 8796, Passcode: 889386. 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*); and Andrew Earles, Ph.D. Wright Water Engineers, Inc. ["WWE"] (*via zoom/telephone conference*).

Call to Order/Declaration  
or Quorum:

Director Matthews 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 6:30 P.M.

Approval of/Additions  
to/Deletions from Agenda:

After review and discussion, upon the motion of Director Matthews and second of Director Uhlott, the Board unanimously approved the agenda, moving items related to the Detention Pond Status to

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the front of the agenda.

### 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.

#### Public Comment for Matters Not on Agenda:

None.

### Approval of Meeting Minutes -

#### August 12, 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 August 12, 2021 regular meeting of the Board of Directors, as presented.

### Detention Pond Status:

Dr. Earles discussed with the Board the status of the Detention Pond remediation project. Information on this project is also included in the Manager's Report. Dr. Earles stated that the Pond is looking great and the project is close to being complete. At this point the only outstanding item needed from Edge Contracting is the final survey. Dr. Earles reported that this is forthcoming and will allow the final certification from the City of Aurora. Director Lenz inquired about the status of the irrigation system. Mr. Laves stated that he believes winterization has been completed but he will follow-up with Western States Reclamation and noted that they have agreed to provide one-year's maintenance of the pond including the plantings, weed control and irrigation maintenance. Director Matthews requested that the signage related to the work area that was left along Sterling Hills Parkway on Rock Ridge's property be removed. Dr. Earles will follow-up on this. After inquiry from Director Matthews, Dr. Earles stated that he agreed with the recommendation to remove the Russian Olives trees because they are invasive and potentially injurious to the pond. After review and discussion, upon the motion of Director Matthews and second of Director Lenz, and unanimous vote the Board approved removing the Russian Olive trees at a not-to-exceed expense of \$1,000.00. Director Matthews inquired if the WWE

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proposal would include ensuring that the spring plantings are completed. Dr. Earles reported that it does and reviewed the proposal for Stormwater Compliance Inspections in the amount of \$13,977.00. Dr. Earles also reported that the permit being associated with the Pond was transferred to the District and the District had to post a bond with this permit and pay an application fee in the total amount of \$8,951.00. Ms. Sedgeley reported that the bond and permit application fees are included in the November 2021 current claims for approval by the Board. After review and discussion, upon the motion of Director Matthews and second of Director Uhlott, and unanimous vote the Board approved the proposal for additional work under the contract with WWE, transferring the permit, paying the bond, and paying the application fee.

*Dr. Earles departed the meeting at this time.*

### Financial Matters -

Financial Report/  
Ratification/Payment of  
Claims:

Ms. Sedgeley reviewed with the Board the September 30, 2021 unaudited financial statements. After review and discussion, upon the motion of Director Matthews and second of Director Uhlott, and unanimous vote the Board accepted the September 30, 2021 unaudited financial statements, accepted the cash position and ratified approval of claims as presented in the amounts of \$241,954.74 (past claims) and \$40,202.81 (current claims). The Board inquired about discrepancies in the water bills and asked that management follow-up on reconciling these items.

Ratification of 2020  
Audit:

Upon the motion of Director Uhlott and second of Director Lenz, and unanimous vote the Board ratified approval of the 2020 audit.

Public Hearing on  
Proposed 2021 Budget  
Amendment:

Upon motion by Director Matthews, second by Director Uhlott and unanimous vote, the Board of Directors opened a public hearing on the proposed 2021 budget amendment, consistent with published notice. There appearing no member of the public wishing to speak on the budget amendment, upon motion by Director Matthews, second by Director Uhlott and unanimous vote, the Board of Directors closed the public hearing.

Resolution  
Approving  
Proposed 2021  
Budget Amendment

Ms. Sedgeley reviewed with the Board the proposed 2021 budget amendment and Ms. Ivey presented to the Board of Directors a resolution for approval and adoption of the 2021 budget amendment and appropriating funds therefore. After review and

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- and Appropriate Sums of Money: discussion, upon motion by Director Matthews, second by Director Ransom and unanimous vote, the Board of Directors approved the resolution adopting the 2021 budget amendment and appropriating the funds to the approved budget.
- Public Hearing on Proposed 2022 Budget: Upon motion by Director Matthews, second by Director Uhlott and unanimous vote, the Board of Directors opened a public hearing on the proposed 2022 budget, consistent with published notice. There appearing no member of the public wishing to speak on the budget, upon motion by Director Matthews, second by Director Uhlott and unanimous vote, the Board of Directors closed the public hearing.
- Resolution Approving Proposed 2022 Budget, Certification of Mill Levy, and Appropriate Sums of Money: Ms. Sedgeley reviewed with the Board the proposed 2022 budget and Ms. Ivey presented to the Board of Directors a resolution for approval and adoption of the 2022 budget, appropriating funds therefore and certification of a mill levy thereunder. The Board discussed making improvements to the Green Park or other parks and discussed what type of improvements could be made that would not be subject to vandalization. The Board discussed the need for an irrigation study and directed Mr. Laves to obtain a proposal(s) for a study. The Board further directed that the Reserve for Irrigation Replacement be decreased by \$15,000 and a line item be added for Irrigation Work in the amount of \$15,000. The Board further directed that the line item for Landscaping-Contract be increased from \$55,000 to \$60,000. The Board also directed that a line item be added in for Reserve For Park Improvements in the amount of \$50,000. The Board directed that \$10,000 be added to the budget for cameras and/or other security measures. After review and discussion, upon motion by Director Matthews, second by Director Uhlott and unanimous vote, the Board of Directors approved the resolution adopting the 2022 budget and appropriating the funds to the approved budget and certifying the mill levies as provided in the budget.
- 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 earlier in the meeting. After review and discussion, upon motion by Director Matthews, second by Director Uhlott and unanimous vote, the Board of Directors approved advertising for the final payment under the contract, once Wright Water Engineers, Inc. provides a recommendation for final

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acceptance. Ms. Ivey and Mr. Laves were directed to handle the final payment process.

Vandalism to Red Park Glass Backboard and to Red Park pavilion gutter downspout:

Mr. Laves discussed the recent vandalism events and discussed options for a cellular based camera system in Red Park which would include three cameras. The cost associated with this system would be approximately \$8,000. Director Hatter stated that she has some vendors that may also be willing to provide a bid for a cellular based camera system; she will email this information to Mr. Laves. The Board directed that Mr. Laves get additional quotes and bring these back to the Board for review at a future meeting. Director Lenz inquired about the possibility of installing metal backboards that cannot be broken. Mr. Laves reported that he suspects this would be a large additional cost. Director Matthews advised that there is a graffiti paint that can be used to cover the graffiti on the Red Park pavilion. Mr. Laves will have such a product used in the future. After review and discussion, upon motion by Director Ransom, second by Director Hatter, and unanimous vote, the Board of Directors approved the bid of \$1,056 from Sport Court of the Rockies, LLC for the replacement of the broken backboards.

RFP for Landscaping for Distribution:

Mr. Laves reviewed the draft RFP and the changes between the new Scope of Services with the Scope of Services under the current contract. The Board directed removal of the pet station clean-up and requested contracting this service with a specialty service provider such as Pet Scoop. After review and discussion, upon motion by Director Matthews, second by Director Ransom and unanimous vote, the Board of Directors approved release and advertising of the RFP with the revision to remove the pet station clean-up.

Possible New Development Behind Balterra:

Mr. Laves reported on conversations with a possible developer of the property behind Balterra, regarding developing rental apartments, which has expressed interest in meeting with him and/or the Board but had not been in touch recently. There are no specific updates at this time.

Legal Matters -  
CLA Service Agreement:

Ms. Sedgeley reviewed with the Board of Directors the Master Services Agreement and Statement(s) of Work with CliftonLarsonAllen LLP. Ms. Ivey reported that her firm is working with CliftonLarsonAllen LLP on some revisions to the Agreement. After review and discussion, upon motion by Director

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Matthews, second by Director Lenz, and unanimous vote, the Board of Directors approved the Master Services Agreement and Statement(s) of Work with CliftonLarsonAllen LLP subject to revisions to be negotiated by legal counsel.

Annual Resolution,  
Election of Officers  
and Regular Meeting  
Date/Location:

Ms. Ivey presented to and reviewed with the Board a resolution, prepared annually to handle the District's ongoing operation and business. After review and discussion, upon motion by Director Matthews, second by Director Uhlott, and unanimous vote, the Board of Directors approved the resolution including the election of the following officers to the Board of Directors and regular meeting date/location:

President/Chairman:	Juliet Uhlott
Treasurer:	Michael Lenz
Secretary:	Alberteen Ransom
Assistant Secretary:	CJ Matthews
Assistant Secretary:	Christine Hatter

Second Thursday of March, May, August and November 2022 at 6:30 P.M. via Online Zoom Meetings.

Election Resolution:


Ms. Ivey presented to and reviewed with the Board the 2022 Regular Special District Election Resolution. Following discussion and upon motion by Director Matthews, second by Director Uhlott and unanimous vote, the Board of Directors approved the 2022 Regular Special District Election Resolution, selecting posting the call for nominations on the District's website

Other Business:

None.

Adjournment:

There being no further business to come before the Board, upon motion of Director Matthews, second of Director Ransom and unanimous vote, the meeting was adjourned at 8:29 P.M.

DocuSigned by:  
  
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 Secretary of the Meeting