

## 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 10, 2023, at 6:30 p.m., via video conference at <https://us06web.zoom.us/j/82340481658?pwd=T1hhZHFpY1N1d0VKMjJRakp2MWkyZz09> or via telephone conference at Dial-In Number: 1-719-359-4580; Meeting ID: 823 4048 1658, Passcode: 534708. 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  
Michael Lenz, Treasurer  
Alberteen Ransom, Secretary  
CJ Matthews, Assistant Secretary

Also present were:

Jennifer L. Ivey, Icenogle Seaver Pogue, P.C.; Edward W. (Ted) Laves, Colorado Special District Management and Operations; and Jenna Trujillo, CliftonLarsonAllen LLP; and three members of the public, Barb Lucas, Barb Flowers, and Ester Ford.

1. Call to Order /  
Declaration or 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 6:33 P.M.

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

After review and discussion, upon the motion of Director Lenz, second of Director Uhlott, the Board unanimously approved the agenda, as presented.

3. Director Matters -

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- 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.
- Candidates for Board Vacancy: Mr. Laves noted that there is currently a vacancy on the Board of Directors. At this time, no members of the Board are aware of any members of the public interested in serving on the Board.
4. Public Comment:
- Ms. Flowers inquired about landscape maintenance around the entry monuments and flowerbeds. Mr. Laves advised that Keesen Landscape Management, Inc. ("Keesen") advised that they were taking care of these areas.
- Ms. Flowers also requested that the meeting minutes be updated on the website. Mr. Laves advised that these are up to date on the website.
- Ms. Ford stated that there was a section of fence in Green Park that is missing. Director Lenz stated that a section of the fence were intentionally not replaced after children removed it to gain access to the playground area.
- Ms. Flowers requested information about which trees are District-owned and which are homeowner-owned. Mr. Laves volunteered to provide a map of the District-owned trees and greenbelts
- Ms. Ford made note that there were errors on the website related to the meeting link in one of the locations, although it was correct in the other location. Ms. Flowers asked for the A-frame board with the meeting notice to be made larger so passersby can read the notice without leaving their car.
5. Approval of Minutes -  
June 8, 2023 Regular Meeting:
- Ms. Ivey presented to and reviewed with the Board minutes of its June 8, 2023 regular meeting, which was included in the meeting packet. After review and discussion, upon motion of Director Uhlott, second of Director Lenz, the Board approved its June 8, 2023 regular meeting minutes.

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### 6. Financial Matters -

#### Financial Report:

Ms. Trujillo reviewed the financial report with the Board. The Board requested that Ms. Trujillo provide the comparison charts regarding water costs that Ms. Sedgley previously provided.

#### Landscape Claims Hold:

Ms. Trujillo reviewed with the Board the landscape claims which are currently on hold. Director Matthews noted that payment should not be made for services that were not satisfactorily performed and currently there are several landscape beds that are full of weeds. After review and discussion, upon motion of Director Matthews, second of Director Lenz, and unanimous vote, the Board approved releasing the landscape claims which are currently on hold except for the August, 2023 claim which will be held until Keesen performs the services satisfactorily.

#### Claims:

Ms. Trujillo presented to and reviewed with the Board the interim and current claims of the District from the period June 1, 2023 through August 1, 2023, totaling \$42,681.63. After review and discussion, upon motion of Director Matthews, second of Director Lenz, and unanimous vote, the Board ratified approval of the interim claims and approved the current claims, as presented.

#### Financial Statements:

Ms. Trujillo presented to and reviewed with the Board the June 30, 2023 unaudited financial statements. After review and discussion, upon motion of Director Matthews, second of Director Lenz, and unanimous vote, the Board accepted the June 30, 2023 unaudited financial statements.

### 7. 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:

#### Pond Status Update:

Mr. Laves reviewed with the Board the condition of the Pond and options for remediating the Pond as set forth in the meeting packet. After review and discussion, the Board directed Mr. Laves to continue working with Martin-Martin engineers to obtain Aurora's approval of either enlarging the holes in the outlet plate or increasing the pre-pond water diversion flows by reworking the current diversion path.

#### Pond Fence Update:

Mr. Laves provided an update to the Board on the pond fence, noting that after publication of the meeting packet the City of

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	Aurora had responded to his requests and are in the process of considering a permit for the fence.
Landscaping Status Update: Aurora Backflow Inspection Situation:	Mr. Laves reviewed the information in the meeting packet related to the backflow prevention devices and advised that this matter is still pending.
Water Meter Status Update:	Mr. Laves advised that he met with Keesen on site on August 9, 2023 and they were not prepared to install the meter at that time. Director Matthews will follow-up with another vendor to perform the work instead of Keesen.
Landscape Bid Update:	Mr. Laves reviewed with the Board the revised landscape bids that have been received since the June 8, 2023 meeting. Director Matthews noted a discrepancy in pricing for the ATV with a blade snow removal line item. Director Matthews also noted that any contract needs to have line-item pricing for each service that is being provided. After review and discussion, upon motion of Director Uhlott, second of Director Lenz, and unanimous vote, the Board directed Mr. Laves to go back to Arrowhead Landscape Services to clarify the cost of the pond maintenance services by adding a per-event pricing and per-service costs for the pond maintenance services, and conditioned upon those costs being acceptable in Mr. Laves reasonable discretion, approved entering into a contract with Arrowhead Landscape Services for landscape, snow removal, and pond maintenance services and terminating the existing contract with Keesen.
Blue Park Pavilion Painting:	Mr. Laves discussed with the Board the Blue Park pavilion painting needs. After review and discussion, upon motion of Director Matthews, second of Director Lenz, and unanimous vote, the Board approved contracting for services in an amount not-to-exceed \$750.00.
Website ADA Compliance:	Mr. Laves provided an update to the Board regarding website ADA compliance and liability for failure to comply with same. After review and discussion, upon motion of Director Matthews, second of Director Ransom, and unanimous vote, the Board approved entering into an agreement with Streamline to transition the District's website to the Streamline platform.

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8. Legal Matters: Ms. Ivey reviewed with the Board the 2023 Legislative Memorandum and new laws that would impact the District. Ms. Ivey presented to and reviewed with the Board the notice requirements in House Bill 23-1105 regarding the Metropolitan District Homeowner's Rights Task Force. Mr. Laves will post the suggested notice in the same manner that the District provides notice of its meetings for purposes of Section 24-6-402(2)(c)(I), C.R.S.
9. Other Business: Director Uhlott requested Mr. Laves sign her up for the online SDA Conference. The Board authorized Mr. Laves to attend the SDA Conference.
10. Adjournment: There being no further business to come before the Board, upon motion of Director Matthews, second of Director Lenz, and unanimous vote, the meeting was adjourned at 8:31 p.m.

DocuSigned by:

*Alberten Ransom*

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Secretary of the Meeting