

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

HIGH PLAINS METROPOLITAN DISTRICT

Held: Thursday, January 24, 2019, at 6:00 p.m. at 7777 S. Country Club Parkway, Aurora, Colorado.

Attendance

A special meeting of the Board of Directors of the High Plains Metropolitan District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve on the Board, were in attendance:

Josie O'Neill
Drew Messerli
Trevor Garbers
Frank McGuinn

Director McGlynn was absent. All Director absences are deemed excused unless otherwise noted in these minutes.

Also present were Clint C. Waldron, Esq. and Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Ben Houghton, CliftonLarsonAllen, LLP, District Accountant; Lexi Ritter, Summit Management & Consulting, District Manager; Lesanne Dominguez, The Architerra Group, Construction Manager; and Jerry Maness, Cox Professional Landscape Services, LLC.

Call to Order

Director Messerli noted that a quorum of the Board was present and called the meeting to order.

Declaration of Quorum/Director Qualification/Reaffirmation of Disclosures

Mr. Waldron advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Waldron reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. Waldron noted that a quorum was present and inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Board determined that the participation of the members present was necessary to obtain

a quorum or to otherwise enable the Board to act.

Agenda

The Board reviewed the proposed agenda. Following discussion, upon motion duly made and seconded, the Board unanimously approved the agenda as amended.

Public Comment

Mr. Stone inquired about Tract O. It was noted that once the Board receives a response from the City, they will reach out to the residents that live next to this tract.

A resident commented that the median located at South Blackstone Parkway and East Mineral Drive was landscaped unattractively and inquired as to the plan moving forward. The Board is working with Lennar on several landscaping items.

Discuss Status of Park Design
(Architerra)

Ms. Dominguez provided the Board with an update on the status of the park design. She informed the Board that Architerra is working on minor modifications to the final construction documents. It was noted that Architerra plans on replacing the existing shelter with a new shelter that will increase in size. Ms. Dominguez also stated that Architerra plans to increase the size of the plaza, adding picnic tables with steel umbrellas and bench seating, the plaza may also include a fire pit. It was noted that if the Board does not want the fire pit, the size of the plaza can either be reduced or additional picnic tables can be added as an alternative. Director Garbers stated that the user should assume the risk of using the fire pit and the Board agreed to explore additional risk factors. Following discussion, the Board directed Architerra to include the larger shelter and fire pit in the park design with an alternative design that does not include the fire pit. Ms. Dominguez will provide the final cost of project to the Board.

Ms. Dominguez noted that she will submit the final design to the City in February and the City will take 4-6 weeks to review. The goal is to bid the project in the beginning of summer. Ms. Dominguez also noted that the playground equipment has been finalized.

Review Proposals and Consider
Award of Contract for Blackstone
Monument Sign

Ms. Dominguez reviewed the bid from Divinci for the Blackstone Monument Sign with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously rejected the proposal from Divinci and instructed Ms. Dominguez to explore additional companies to provide bids. The Board also directed Mr. Waldron to inquire with the developer across the road about possibly combining any signage they are installing with the Blackstone Monument Sign.

Consent Agenda

Mr. Waldron presented the items on the consent agenda to the Board. Mr. Waldron advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any director. No items were requested to be removed from the consent agenda. Upon motion duly made and seconded, the following items on the consent agenda were unanimously approved and adopted:

- Approve November 15, 2018 Regular Meeting Minutes and December 10, 2018 Special Meeting Minutes
- Ratification and Approval of Payment of Claims represented by checks and online payments in the amount of \$144,118.04

Landscape Maintenance

Landscape Maintenance Report

Mr. Maness reviewed the Landscape Maintenance report with the Board. He informed the Board that all projects have been completed with the exception of the installation of sod on Tract M, snow removal is ongoing, and they will continue to prune the grass and monitor the property weekly.

Discuss Review and Approve Work Orders/Proposals

None.

Other Landscaping Maintenance

The Board engaged in a general discussion of snow removal in the new area where the Lennar homes are being built. Ms. Ritter presented the updated maintenance map to the Board. Director O'Neill informed the Board that a resident had contacted her and she confirmed that nothing in the new area was plowed and that nothing on Alder Street had been shoveled. Mr. Waldron informed the Board that the adjacent property owner on Alder Street has the obligation to maintain the right of way. He also stated that the new area where the District has had issues is adjacent to the golf course and snow removal on the sidewalks is the obligation of either the Golf Club or Lennar.

Director Garbers suggested a providing the plow drivers with training to show them how to flip snow into the grass and not into the road. Mr. Maness stated that they are in the training process and have changed the plow so that it only pushes to one side. Director O'Neill also received comments about it being icy on the sidewalks particularly at bus stop locations and she inquired as to whether any salt has been applied by Cox Landscaping. Ms. Ritter informed the Board that she will reach out to the school district and provide Cox Landscaping with bus stop times and locations around the District so Cox can ensure salt is applied to those areas. Mr. Waldron will reach out to Lennar to discuss snow removal and Director O'Neill suggested that as an alternative this be added to the

scope of services for Cox Landscaping to be paid for by Lennar.

The Board engaged in general discussion regarding Christmas Lights storage. Mr. Maness provided a bid for \$200 a month for Cox to store the lights with a hold harmless agreement. The lights consist of 30 boxes 48” x 24”. Following discussion, the Board directed Ms. Ritter to provide an alternative bid.

The Board directed Mr. Waldron to follow up with Ms. Borisov regarding water tank hill.

Facilities Management/District Operations

District Manager’s Report

Ms. Ritter reviewed the District manager’s report with the Board. Section 3.11 of the Protective Covenants for Blackstone and Mandatory Resident Social Memberships (the “Covenants”) states, “No garbage or trash cans or receptacles shall be maintained in an exposed or unsightly manner.” The Board discussed whether trash cans may be stored behind fences which makes the trash cans not visible from the street but visible from the golf course. The Board directed Ms. Ritter to send out a reminder to residents that trash cans are not allowed to be visible and this will be enforced per the Covenants. The Board also directed Ms. Ritter to investigate whether people are required to use a trash cans or if they can leave garbage bags on the sidewalk.

A resident inquired as to whether homeowners would be informed of changes to the Covenants. Mr. Waldron stated that the declaration can only be amended by a vote of the residents, and the Board does not have the power to change the Covenants.

The Board engaged in general discussion regarding the newsletter proposal for the District. The newsletter would be distributed every other month with a cost of \$250.00 for postage, all other cost would be paid for through advertising. Director O’Neill was in favor of advertising. The publishing company stated advertising will comprise of no more than 50% of the newsletter, and there would be no advertising on the front cover. The District’s Manager submits all articles and receives a proof with a majority of the ads for approval. Director Garbers requested Ms. Ritter investigate if the Board can limit the type of advertising, and if there is an option for electronic mailing. Residents commented they are not opposed to advertising and are in favor of a newsletter to increase communication. Following discussion, the Board

determined to table the discussion until the next meeting.

Report on “Gatehouse” Maintenance Ms. Ritter informed the Board that the handyman was onsite and cleaned up the gatehouse. She also stated that he will be performing monthly maintenance and recommended power washing. Ms. Ritter informed the Board that the handyman is going to provide an estimate for power washing the gate, sidewalks, and re-staining and resealing necessary areas.

Review Xeriscape Guidelines Ms. Ritter informed the Board that Ms. Borisov is going to bring a comprehensive redraft of the Guidelines which will include Xeriscape to the Board for approval. Ms. Ritter estimates that there were fifty architectural review submittals last year and 10-20% of the submittals requested to include xeriscaping.

Mr. Waldron stated that the City of Aurora provides minimum thresholds for landscape coverage for living material that the Board may want to reference. Ms. Ritter will obtain more information and will include Xeriscape Guidelines on the next agenda.

Covenant Enforcement/Architectural Review Matters Ms. Ritter noted that the shed that was not permitted has been removed, though the tools are sitting on the ground where the shed once was. The District Manager has been sending out violations for the tools.

Other Facilities Management The Board discussed that Director McGlynn is taking over the Board email response duties for the month of February.

Mr. Waldron reviewed the website with the Board. Directors Garbers, O’Neill and Messerli provided feedback. The Board noted that there is a scroll bar on the home page, and there are some spelling mistakes. The Board also requested to remove the picture and noted there is too much duplication of information on the site.

Financial Report/Financial Matters

Financial Statements/Cash Position Report Mr. Houghton reviewed the December 31, 2018 draft financials with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the draft December 31, 2018 financials.

Other Financial Matters Director Garbers noted that he would like the Country Club to come to the next meeting and negotiate the price for the meeting room and food menu. Ms. Ritter will reach out to the County Club manager to provide the meeting dates and request a reduction of costs for food.

Legal Matters

Review Proposals and Consider Award of Contract for Median Redesign

The Board engaged in general discussion regarding proposals for Median Redesign.

Following discussion, upon a motion duly made and seconded, the Board approved the Consilium proposal and directed Mr. Waldron to draft the contract with Consilium and work with the landscaping committee to schedule a kickoff meeting.

Other Legal Matters

None.

Directors Items/ Other Business

None.

Adjourn

There being no further business to be conducted, the meeting was adjourned.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.



Secretary for the Meeting

The foregoing minutes were approved on the 21st day of February, 2019.