

MINUTES OF A SPECIAL MEETING OF THE BOARD  
OF DIRECTORS

OF

HIGH PLAINS METROPOLITAN DISTRICT

Held: Wednesday, July 29, 2020, at 6:00 p.m. via  
teleconference.

Due to Executive Orders issued by Governor Polis and Public Health Orders implementing the Executive Orders, issued by the Colorado Department of Health and Environment (CDPHE), and the threat posed by the COVID-19 coronavirus, the meeting was held via teleconference.

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 were in attendance:

Shawn McGoff  
Diane Kelly  
Jill Shadwell  
Josie O'Neill  
Maria Elena Daniels

Also present were Clint C. Waldron, Esq. and Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Irene Borisov, Summit Management and Consulting, District Manager; Ben Houghton, CliftonLarsonAllen, District Accountant; Kevin Cox and Jerry Maness, Cox Landscaping Inc.; Erik Hofstetter, Creative Visions; and homeowners.

Call to Order

Director McGoff 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 reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of 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. McGoff 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 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**

Ms. Hesketh inquired about annual flowers at the new monument sign. Ms. Murphy noted that the annual flowers at the new monument sign were outside the scope of the AJI contract and are to be installed by Cox.

**Consent Agenda**

Mr. McGoff reviewed the items on the consent agenda with the Board. Mr. Waldron advised the Board that any item may be removed from the consent agenda to the special agenda upon the request of any director. The Approval of Proposal from Cox Landscaping - Landscape Renovation for Monument Sign Bed at County Club Park was requested removed from the consent agenda. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved and adopted or ratified:

- June 18, 2020 Board Orientation Minutes and July 1, 2020 Special Meeting Minutes
- Claims Listing in the Amount of \$180,323.41
- Independent Contractor Agreement with Creative Visions for Park Signs
- Pay Application No. 9 from Arrow – J Landscape & Design, Inc.
- Pay Application No. 10 from Arrow – J Landscape & Design, Inc.
- 2019 Annual Report to the City of Aurora

**Capital Improvements**

Update on Entryway Project Final Walkthrough

Director Daniels provided an update on the Entryway Project Final Walkthrough. It was noted the landscape committee is working with the architect and Cox on the selection of a new urn to replace the current one that is too small. Director Shadwell noted that the project was not completed by July 1<sup>st</sup> as outlined in the agreement. Mr. Waldron stated that the agreement allows for liquidated damages of \$500 each day past the agreed upon completion date. Director Daniels asked how the Board would ensure this does not happen with other contractors. Director McGoff noted that the Board would stay on top of contract

deadlines. After discussion, the Board determined that liquidated damages would not be imposed.

Update on Park Signs and Associated Landscaping

Director Daniels, Director Kelly, and Ms. Hesketh reviewed the proposal from Cox Landscaping for landscaping around the proposed park sign. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Cox Landscaping proposal with the deletion of the boulders from the proposal.

Tree Planting Discussion

Ms. Borisov updated the Board on the tree planting plan, noting that she met with members of the landscape committee, Mr. Maness and Mr. Howey to discuss the scope of the project and proposed timeline. Planting is expected to begin mid-August to mid-September.

### **Landscape Maintenance Matters**

Landscape Maintenance Report

Mr. Cox reviewed the Landscape Maintenance Report with the Board. Director McGoff asked about the slope and pooling water on the north end of Country Club park. Mr. Cox noted he would look into the issue.

Discuss, Review and Approve Work Orders/Proposals

None.

Other Landscape Maintenance

None.

### **Facilities Management/District Operations**

District Manager's Report

Ms. Borisov reviewed the District Manager's Report with the Board.

Review and Discuss Outstanding Projects List

The Board engaged in general discussion regarding the Outstanding Project List. Director Shadwell requested that due dates be added for various projects. Ms. Borisov will follow-up with Director Shadwell regarding project deadlines.

Discuss Median Sidewalk Repairs

Ms. Borisov informed the Board that she has sent out proposals to get estimates for median sidewalk repairs. Director McGoff will assist with this project.

Other Facilities Management

Ms. Borisov noted that Director Daniels sent an email that current ARC request letter template says "On behalf of the Board of Directors" Ms. Borisov asked if the Board would like to revise this language as they are not reviewing the

requests. Following discussion, upon a motion duly made and seconded, the Board unanimously determined to change the template to “High Plains Metropolitan District.”

Ms. Borisov reviewed solar light options for mailbox kiosks. Director McGoff requested pictures and a proposal to install lights on all mailbox kiosks.

Ms. Borisov reviewed a general proposal to add pet waste stations. The Board asked that a more detailed proposal with actual pricing be provided to the Board. The Board will review the proposed locations and discuss at the next meeting.

The Board discussed the current email system and how hard it is to use. Ms. Borisov stated she is looking into a new email format.

**Covenant  
Enforcement/Architectural  
Review**

Discuss Covenant Enforcement Process and Review and Consider Approval of Amended and Restated Covenant Enforcement Policy

Mr. Waldron reviewed the Amended and Restated Covenant Enforcement Policy with the Board. The Board directed Ms. Borisov to review the policy to ensure her technology will work for the enforcement of the policy. Deferred.

Review and Discuss Updated Residential Improvement Guidelines

Ms. Borisov reviewed the status of the Residential Improvement Guidelines. It was noted the updated Guidelines are being reviewed by the DRC Committee.

Discuss Ongoing Covenant Enforcement Matters

The Board reviewed a request to reopen the covenant enforcement violation against 26980 E. Friend Pl., to include the removal of plants/trees from the property line, removal of the fence from the drainage, and repair and inspection by a qualified engineer of the repairs to the drainage.

The Board engaged in discussion about the claimed violation(s) and asked legal counsel questions regarding the drainage and dispute.

Director Shadwell requested clarification on the language in the Covenants related to established drainage. Mr. Waldron noted that Section 3.15.1 of the Covenants provides that “established drainage is defined as the drainage which exists

at the time final grading of a Lot by the Developer, or by a Builder, is completed.”

Director Shadwell inquired about the drainage and who hired the engineer who provided the evaluation. Mr. Waldron noted that the engineer was hired by the District.

Ms. Borisov noted that the original plan shows two trees, which were replaced because they died with one tree farther from the property line. She noted that historically anyone replacing a tree or shrub would not be required to get approval for replacement, but only when adding or modifying the design plans. The Board engaged in general discussion regarding the process and letters homeowners receive.

Following discussion, the Board determined not to reopen the covenant enforcement case against Mr. Christianson that was addressed and decided by the Board at the January 16, 2020 Board meeting. To the extent a complaint with additional information is provided, that complaint will be reviewed as any other complaint.

Due to a conflict of interest, Director Daniels did not participate in the discussion.

**Legal Matters**

Discuss Termination and Acknowledgement Agreement

Mr. Waldron provided an update on the Termination and Acknowledgement Agreement, noting Lennar has agreed to the terms as previously discussed with the Board.

Other Legal Matters

None.

**Financial Report/Financial Matters**

Review and Consider Acceptance of Unaudited Financial Statements

Mr. Houghton reviewed the June 30, 2020 financial statements. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the June 30, 2020 financials.

Other Financial Matters

None.

**Directors Items/Other Business**

Discuss Community Survey

The Board reviewed the community survey and discussed next steps.

Discuss Community Interest in Committees	The Board engaged in general discussion regarding community interest in committees. Following discussion, it was determined the respective Board representatives on the committees will reach out to potential committee members to get started. Mr. Waldron noted that the Board needs to adopt resolutions establishing each committee.
SARIA/WPRA Meeting Updates	As no meetings had been held, there was no update.
Board Emails from Residents – Round Robin	The Board noted all resident emails were previously discussed.
Acceptance of Director Kelly’s Resignation	Director Kelly noted she is moving out of the community, and therefore tendered her resignation. The Board acknowledged her resignation and thanked her for her service to the community. The Board engaged in general discussion regarding appointment of a new Board member, and requested Ms. Borisov send out an email blast to residents requesting letters of interest from community members that may be interested in serving on the Board.
Setting the Stage for Updates to RFPs and Vendor Management	Director Shadwell stated that the Board would like to engage the best quality vendors with standard contractual requirements and diversity in vendor population. The Board discussed updates to RFP’s and setting expectations for vendors. The Board requested this process be overseen by the Advisory Committee.

**Committee Reports**

Advisory Committee	Deferred.
Social Committee – Community Events, Park Grand Opening, Town Hall Meetings, Welcome Letters and Packets	Deferred.
Web Design/Website Committee – Proposed Website Updates	Deferred.
Landscape Committee	Deferred.
Safety Committee	Deferred.
DRC Committee	Deferred.

Adjourn

There being no further business to come before the Board and following discussion and upon motion duly made and seconded, the Board determined to adjourn the meeting.

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

*Jill Shadwell*  
Jill Shadwell (Oct 13, 2020 11:51 MDT)

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Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 16th day of July, 2020.









# 2020-09-17 High Plains Execution Packet

Final Audit Report

2020-10-13

Created:	2020-10-13
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