

Blackstone Metropolitan District
REGULAR MEETING OF THE BOARD OF DIRECTORS
MINUTES
February 21, 2023

ATTENDANCE & CALL TO ORDER

Board Members in attendance were Shawn McGoff, Lee McCall, Rick Schroder, Marty Liles, and Perry Deeds

Others in attendance were Shantelle Esquivel (Westwind), Clint Waldron (WBA), Curtis Bourgouin (CLA), and Ben Zand (LandTech), plus 11 members of the public were present. The meeting was called to order at 6:02 pm by President, Shawn McGoff.

DISCLOSURE OF ANY CONFLICTS OF INTEREST – There were no conflicts to disclose.

AGENDA REVIEW / UPDATES OR APPROVAL – There were no updates, and the Agenda was approved as provided.

PUBLIC COMMENT

Board President, Shawn McGoff opened the meeting for public comment.

- Small Public Little Library – A resident presented a request to install a small, public little library in the community in honor of her mother who has passed away. The Board made the request to have this topic reviewed under Other Business Matters.
- Fencing & Gate Access to Golf Course – A resident had questions pertaining to fencing that included gates with access to the golf course. Shawn McGoff explained that gate access has been an ongoing issue and the Board is requesting proposals for a contractor to come and survey the community.
- Snow plowing issues – A resident expressed dissatisfaction for how the snow plowing for the streets was not being done. Shawn McGoff explained how the city streets are managed by the City of Aurora and the pilot program approved last year to allow the District to plow the city streets was no longer valid. Further discussion amongst the Board Members also noted attempts to communicate with the City of Aurora are ongoing to try and find solutions. An option that was presented is to start a petition within the community.
- Mailbox Kiosk Damage (E Nova Circle) – A resident brought out the issue with the damaged mailbox kiosk located on E Nova Circle. Shantelle Esquivel, with Westwind Management, updated the Board and residents that this was an ongoing issue that she has tried to address with USPS on multiple occasions. She also noted that this would be further discussed at the meeting under Manager Matters.

CONSENT AGENDA

A motion was duly made by Lee McCall, seconded by Rick Schroder, and unanimously carried, to approve and ratify the consent agenda items as follows:

- Approve Meeting Minutes
 - 11.17.22 Regular Meeting
 - 11.21.22 Special Meeting – Oil & Gas Lease
 - 12.15.22 Special Meeting – Oil & Gas Lease
 - 01.19.23 Special Meeting – Trash Service Proposals
- Approve and Ratify Payment of Claims in the amount of **\$429,700.53.**
- Approval of First Amendment to Independent Contractor Agreement (Management Services) with Westwind Management Group, LLC
- Approval of Independent Contractor Agreement (Lighting Maintenance Services) with Full Spectrum Lighting – Monthly Lighting Inspections

- Approval of First Amendment to Independent Contractor Agreement (Stormwater Maintenance Services) with Storm Water Asset Protection, LLC
- Approval of Contract Addendum with Pet Scoop, Inc. for Dog Waste Clean-Up Services
- Approve Resolution Designating Meeting Notices Posting Location

COMMITTEE REPORTS

- Landscape - Ben Zand, Account Manager, LandTech provided a landscape report with the board's meeting materials. He reported on the following:
 - Snow removal plan ready for the upcoming snow.
 - Holiday décor was completed within the contracted time.
 - Spring cleanup is already in process including review of medians and rocks, and review of native grass at Hilltop Park.
 - Plan to review installation of spring flowers last week of May 2023.
 - Doggy Park Stations fully stocked – Rick Schroder had questions pertaining to the contract with Pet Scoop and was informed that Park Stations is separate from the contract with Pet Scoop that provides cleanup of pet waste within the community.
 - Plan to work with Landscape Committee on removing and cutting native vegetation.
 - Boulders at Corners, Committee Recommendation – It was noted that Ben Zand and committee members discussed possible relocations of boulders, to include options for sodding in areas where boulders will be removed.

With the conclusion of the Landscape contractor and committee report, Ben Zand with LandTech was excused from the meeting.

- LandTech 2023 – 2024 Landscape Maintenance Proposal – The Board reviewed the proposal from LandTech for 2023-2024 Landscape Maintenance. A motion was duly made by Lee McCall, seconded by Shawn McGoff, and unanimously carried, to approve the proposal with the following stipulations: review at the next season, have a meeting with LandTech and their management team, request to add Key Performance Indicator (KPI), and review 30-day notice option.
- Tree Analysis Group – The Board reviewed the 2023 Tree Planting Plan (Implementing Proposal). A motion was duly made by Shawn McGoff, and seconded by Lee McCall, and unanimously carried, to approve the proposal for the tree plan only, and request a separate proposal for the planting plan once the tree plan was complete.
- Advisory Committee – A review of the Guidelines was received by Altitude Law. The Board made a request to have the Guidelines hot-linked and searchable, and posted on the website by next month.
- Social – Lee McCall introduced their new Chairman, Estrella Gallegos, who reported updates on events and budget for 2023. Perry Deeds had questions pertaining to the events planned for 2023 and adding other events, which the committee said they would review the budget and possible sponsorship options to add other events (summer concerts). The budget for the Spring Fling will be presented at the next board meeting.
- Website – Perry Deeds had questions pertaining to the website and administrative responsibilities. Shawn McGoff explained that the District has a contract with a website administrator who is in charge of all updates and website submissions are sent through Westwind Management. After further discussion, the Board decided to have Perry Deeds be the liaison for the Board and work with Westwind Management and website administrator.

FINANCIAL REPORT

Curtis Bourgoiu presented Property Tax Summary. Cash Position Report, and December 31, 2022 Unaudited Financial Statements. Lee McCall mentioned concerns with getting the Financial Report 2 business days before and made the request to receive it sooner. Rick Schroder had questions pertaining to the payments being made to the Club. Curtis Bourgoiu explained the payments being made to the Club are 20% of the water costs allocated to the District. A motion was duly made by Shawn McGoff, seconded by Marty Liles, and unanimously carried, to accept the Financial Report and Statements as submitted.

LEGAL REPORT

Mr. Waldron reviewed the Independent Contractor Agreement (Tree Planting Plan and Implementation) with Tree Analysis Group, LLC. Upon a motion duly made by Lee McCall and seconded by Rick Schroder, the Agreement was unanimously approved.

Mr. Waldron reviewed Work Order No. 1 to Independent Contractor Agreement (Tree Planting Plan and Implementation) with Tree Analysis Group, LLC. This Agreement formalizes the tree planting proposal the Board discussed earlier in the meeting. Upon a motion duly made by Lee McCall and seconded by Rick Schroder, the Agreement was unanimously approved.

Mr. Waldron discussed ongoing collection activities of the District and reviewed the proposals included in the Board packet to engage covenant enforcement counsel. After discussion, upon a motion duly made by Lee McCall and seconded by Perry Deeds, the Board unanimously approved the engagement letter from Altitude Law

Mr. Waldron provided an update on the May 2, 2023 directors election.

MANAGEMENT REPORT

Shantelle Esquivel submitted to the Board the Management Action Items for review. There were no waiver requests and the reserve study was pending an initial onsite review with Advanced Reserve Solutions. The Board reviewed Architectural Variance Requests, Notices, and Other Reported Residential Items as follows:

- Account 86265 – Board reviewed recommendation from Altitude Law regarding stone painting. On a motion duly made by Shawn McGoff, seconded by Lee McCall and unanimously carried, the Board voted to uphold the denial and proceed with a covenant enforcement action.
- Account 86176 – Board reviewed Advisory Letter sent from Westwind Management regarding commercial vehicle parking. On a motion duly made by Shawn McGoff, seconded by Rick Schroder and unanimously carried, the Board voted to table action until Westwind Management is able to finalize the guidelines with Altitude Law and the Board reviews definitions of commercial vehicles.
- Account 86323 – Board reviewed appeal for painting of brick. On a motion duly made by Shawn McGoff, seconded by Lee McCall and unanimously carried, the appeal was denied.
- Account 86183 – Board reviewed appeal for trashcan storage structure. On a motion duly made by Shawn McGoff, seconded by Lee McCall and unanimously carried, the appeal was denied.
- Account 93490 – Board reviewed appeal for gold fencing and patio cover. On a motion duly made by Shawn McGoff, seconded by Rick Schroder and unanimously carried, the appeal was denied.
- Account 86452 – Board reviewed issues with the sump pump located at Account 86059. On a motion duly made by Lee McCall, seconded by Marty Liles and unanimously carried, the Board voted to have Westwind discuss with Altitude Law and review with the Board. In the meantime, the Board made a request to the resident to give any updates received to Westwind.
- Account 86119 – Board reviewed report received for vehicle damage from boulder in median. It was noted a claim has not been received by the District so no Board action is required.

CAPITAL PROJECTS

Shantelle Esquivel reported that the park signs and lighting at the Country Club and Hilltop Parks were completed and approved.

The Landscape Committee spoke with the Board on the Entrances and Median Landscape Project. They reviewed the suggestion made by Designs Concepts to do a Construction Management/General Contractor (CM/GC) formatted project versus Bid Request. Clint Waldron explained both options and suggested that since the project was at 85%, to move forward with a Bid Request. A motion duly made by Shawn McGoff, seconded by Perry Deeds, and unanimously carried, to publish the Bid Request for the Entrances and Median Landscape Project.

DISTRICT MEMBERSHIP/REPRESENTATIVE REPORTS

- SARIA – Shawn McGoff reported no updates.
- Wheatlands Park and Rec – Perry Deeds reported no updates.

OTHER BUSINESS

- Trash Service Proposals – The Board reviewed and discussed the final proposals from the 3 bidding contractors. Shantelle Esquivel noted that autopay with Waste Management was cancelled per the request of the Board to review the credit due for missed pickup on December 29, 2022. A motion was duly made by Lee McCall, seconded by Rick Schroder, and unanimously carried to approve GFL Environmental as the new Trash Service provider. Another motion was made duly by Shawn McGoff, seconded by Perry Deeds, and unanimously carried to elect Lee McCall as the liaison on the transition process, with Shawn McGoff as the backup liaison.
- Flock Safety – Shantelle Esquivel presented to the Board the update from Flock Safety and relocation request for the camera located on County Line & Blackstone Pkwy. Flock Safety suggested moving the camera into the median, which was not the original approved location. This request was denied by the Board with plans to move forward with relocating the camera to the original approved location. Shantelle Esquivel also presented to the Board a request from Castle Rock Police Department to gain access to Flock Safety cameras. A motion was duly made by Lee McCall, seconded by Rick Schroder, and unanimously carried to approve Castle Rock Police Department having access to Flock Safety cameras.
- Small Public Library – A resident presented a request to install a small public library in the community in honor of her mother who has passed away. The location proposed is near Blackstone and Valleyhead (11th and 12 hole). Clint Waldron discussed maintenance requirements, options around gifting the library to the community, and contractual agreement. The Board made a request that Shantelle Esquivel work with resident to finalize details.
- Board Logo – Perry Deeds presented to the Board 4 different logo designs that would be used to represent the District. Discussion included color options and trademark review. The Board decided to move forward with logo – option A, and Perry Deeds will work with Social Committee Chairman Estrella Gallegos to finalize project. Clint Waldron will provide the Framework Development Plan (FDP).

PUBLIC COMMENT

There were several questions pertaining to the new trash service provider (GFL Environmental). The Board explained that with the new trash service provider, there are no yard trash cans and adding a Key Performance Indicator (KPI) may be an option. Other questions from the public pertained to outside storage covers for trash bins. The Board expressed issues with the covenants and having the trash covers be consistent with architectural requirements.

ADJOURNMENT – A motion was duly made by Lee McCall, seconded by Rick Schroder, and unanimously carried to adjourn the meeting at 8:39pm.

Minutes approved: _____ Date: _____