

MINUTES OF A SPECIAL MEETING OF THE BOARD
OF DIRECTORS

OF

HIGH PLAINS METROPOLITAN DISTRICT

Held: Tuesday, March 24, 2020, at 6:00 p.m. via
Teleconference.

Due to the Executive Order issued by Governor Polis on March 25, 2020, requiring all residents of the State of Colorado to stay-at-home to minimize the spread and impact of COVID-19, and the Updated Public Health Order 20-24 implementing the Executive Order, issued by the Colorado Department of Health and Environment (CDPHE) on March 26, 2020, 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, having confirmed their qualification to serve on the Board, were in attendance:

Drew Messerli
Josie O'Neill
Pascal Dengah

Also present were Clint C. Waldron, Esq. and Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Carrie Bartow, CliftonLarsonAllen, LLP, District Accountant; Kevin Cox, Cox Professional Landscape Services, LLC; Erik and Melissa Hofstetter, Creative Visions; Julie Hendricksen, Consilium Design, and homeowners.

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 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.

Consider Approval of Resolution Declaring Emergency Procedures and Authorizing Teleconferencing for Regular and Special Meetings

Mr. Waldron reviewed the Resolution Declaring Emergency Procedures and Authorizing Teleconferencing for Regular and Special Meetings with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the resolution.

Acknowledge Resignation of Trevor Garbers

The Board acknowledged the resignation of Trevor Garbers and thanked him for his service on the Board.

Agenda

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

Consent Agenda

The Board reviewed the items on the consent agenda. 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 a motion duly made and seconded, the following items on the consent agenda were unanimously approved, ratified and adopted:

- February 20, 2019 Regular Meeting Minutes
- Claims Listing in the Amount of \$464,219.33
- Restrictive Covenant Agreement for Tract O
- Pay Application No. 5 from Arrow – J Landscape & Design, Inc.
- Sixth Amended and Restated Resolution Concerning the Imposition of District Fees

Capital Improvements

Update on Entryway Master Plan, Review Bids and Consider Award of Contract

Mr. Waldron reviewed the Entryway Master Plan bids with the Board. He noted that the Board received two bids for the project, one from Arrow J Landscape and Design, Inc. (“AJI”) and one from Cox Professional Landscape Services, LLC (“Cox”). Ms. Hendricksen noted that there are significant differences between the two bids, she noted that she is not recommending AJI’s bid because it does not adequately address drainage at the entryway columns and the cost of the raised planter bed was too high. Ms. Hendricksen also noted that the Cox bid was more in line with the Board’s request and the cost of the raised planter

bed was more reasonable. Director Messerli inquired if based on Ms. Hendrickson's design recommendations to the raised planter bed would Cox need to adjust their bid? Ms. Hendricksen noted that gravel needs to be added behind the planter bed wall and they need to show a daylight of the drain behind the wall. Mr. Cox commented that he will investigate and see if there are any cost adjustments. Following discussion, upon a motion duly made and seconded, the Board unanimously awarded the contract to Cox. Director Messerli inquired about the construction timeline, Mr. Cox noted that demolition and site preparation would start in April.

Update on Entry Pillars Permitting and Construction (Erik Hofstetter)

Ms. Borisov informed the Board that the signs on all of the current pillars have been installed and the invoice has been sent for processing. Director Messerli inquired about the remaining pillars which have not been built yet. Mr. Hofstetter responded that the signs will be built and will be ready to be installed once the pillars are constructed.

Update on Park and Monument Sign Construction and Schedule

Ms. Murphy provided an update on the park schedule and monument sign to the Board. Director Messerli asked if the back of the sign will be finished. Ms. Murphy said she would ask the landscape architect and provide a response to the Board. Ms. Hamilton asked if the Board preferred the large trees behind the monument. After discussion, the Board authorized Ms. Hamilton and the landscape committee to work with Ms. Murphy to finalize the tree planting plan at the monument sign.

Discuss Park Sign Options

Mr. Hofstetter informed the Board that he sent an email to Ms. Borisov with questions regarding the installation of a sign at the park as well as signs at other parks in the community. Director Messerli noted that the primary focus is on the remodel of the water tank park and not the other parks. The Board engaged in discussion regarding sign location, park name, and additional design and instructed Mr. Hofstetter to bring a proposal to the next meeting.

Landscape Maintenance Matters

Landscape Maintenance Report

Mr. Cox reviewed the Landscape Maintenance Report with the Board.

Discuss, Review and Approve Work Orders/Proposals

None.

Discuss Tree Planting Master Plan

The landscape committee reviewed the Tree Planting Master Plan with the Board. Director Messerli, Ms. Hamilton and Ms. Hesketh noted that the meeting went very well and they were impressed with the plans. The committee recommended that the Board move forward with planting of trees located at the entrances first. Following discussion, upon a motion duly made and seconded, the Board unanimously directed Mr. Cox to work with Mr. Howey to prepare and provide a proposal for planting new trees at the entrances and relocating existing trees.

Ms. Borisov reviewed the proposal from Tree Analysis Group for 2020 Tree Planting Plan Implementation with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal in the amount of \$3,290.

Other Landscape Maintenance None.

Facilities Management/District Operations

District Manager’s Report Ms. Borisov reviewed the District Manager’s Report with the Board. No action necessary.

Covenant Enforcement/Architectural Review Matters None.

Review Landscape Maintenance Contract Bids and Consider Award of Contract Ms. Borisov noted that she sent out a request for proposals to six different landscaping contractors. The responses to the request for proposals were due on March 17, 2020 and as of today she has only received a proposal from Cox Professional Landscape Services, LLC (“Cox”). Following discussion, upon a motion duly made and seconded, the Board unanimously determined to renew the landscape maintenance contract with Cox.

Review 2019 District Highlights Summary Ms. Borisov noted that she is working on the 2019 District Highlights Summary. No action was taken.

Homeowner Relief Options Director Messerli inquired about homeowner relief options regarding payment of fees. Mr. Waldron noted that metropolitan districts are continuing to impose fees, but they are being more flexible on late fees, fines, and interest. Mr. Waldron also noted that communities are deferring big ticket covenant enforcement items until the public health

crisis has subsided. Following discussion, upon a motion duly made and seconded, the Board directed Ms. Borisov to continue to send out notices as usual and any waiver of late fees or fines will be determined on a case by case basis.

Other Facilities Management None.

Legal Matters

Discuss Lee Design Group Contract Ms. Borisov informed the Board of the ongoing contract discussion with Lee Design Group for architectural review services. Lee Design Group is requesting to increase the fees for each of the architectural review services provided. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the contract subject to final legal review.

Ms. Borisov presented a proposal from Lee Design Group to review and edit the existing design guidelines. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal for an amount not to exceed 22 hours of work at \$95/hour.

Consider Approval of Amended and Restated Public Records Request Policy Mr. Waldron reviewed the Amended and Restated Public Records Request Policy with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the policy.

Update on 2020 Director Election Mr. Waldron provided an update on the 2020 Director Election. No action necessary.

Other Legal Matters None.

Financial Report/Financial Matters

Consider Acceptance of Unaudited Financial Statements Ms. Bartow reviewed the February 29, 2020 unaudited financial statements with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the financials.

Other Financial Matters None.

Public Comment

Ms. Hesketh asked how many ballots are going out for the election. Mr. Waldron responded that ballots will be sent to people who are registered voters in Colorado and a resident or property owner in the District.

Mr. McGoff asked what the Sixth Amendment to the Fee Resolution is for and inquired if the district is running over budget on the operations fees. Mr. Waldron stated that the sixth amendment of the fee resolution does not increase fees, but clarifies that fees are collected quarterly not monthly. Ms. Bartow noted that excess revenue from 2019 was carried over to the 2020 operations budget.

Mr. Picola asked about ongoing issues with Lennar and the flooding in his backyard noting that Mr. Coats with Lennar has indicated that there will be resolution with the County Club and common area flooding that enters his yard. Mr. Picola also commented that the monument sign is beautiful and is a valuable asset to the community.

Ms. Miettinen inquired about the Tract O Restrictive Covenant. Mr. Waldron noted that legal will follow up with the group of residents adjacent to Tract O to make sure there are no additional questions about the Tract O Restrictive Covenant.

Mr. Marshal inquired about homeowners who are letting kids ride golf carts around the neighborhood. Mr. Waldron noted that the streets are governed by the City of Aurora and the conduct on the golf course is governed by Blackstone Country Club. Director O'Neill asked if the District could provide an email blast about public safety on the streets. Following discussion, upon a motion duly made and seconded, the Board directed Ms. Borisov to send an email blast to residents regarding public safety on the streets.

Ms. Shadwell asked about the Tract O Restrictive Covenant and how covenant enforcement works on vacant lots. Ms. Murphy explained the Tract O Restrictive Covenant is an agreement between the District and homeowners adjacent to Tract O that the District will maintain the existing landscaping on Tract O and will provide the adjacent homeowners with 90 days' notice prior to making any changes to the landscaping. Ms. Borisov responded that vacant lots must be kept trash and weed free and are also subject to the District's covenants.

Directors Items

Mr. Messerli provided an updated about discussion with the City of Aurora (the "City") on the school crossing on East Smoky Hill Parkway. Mr. Messerli noted that the City has stated that there will not be a school crossing or any slowing of traffic on East Smoky Hill Parkway because it is an arterial road. Mr. Waldron noted that the City will continue

to evaluate the need to install any traffic control measures and that the City mentioned the school district may build a school within the Blackstone community which would mean no children from the community would need to cross East Smoky Hill Parkway.

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.


Pascal Dengah (May 13, 2020)

Secretary for the Meeting

The foregoing minutes were approved on the 16th day of April, 2020.