

MINUTES OF A REGULAR MEETING OF THE BOARD  
OF DIRECTORS

OF

HIGH PLAINS METROPOLITAN DISTRICT

Held: Thursday, April 18, 2019, at 6:00 p.m. at 7777 S  
Country Club Parkway, Aurora, Colorado.

Attendance

A regular 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  
Trevor Garbers  
Frank McGuinn

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

Ms. Murphy advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Murphy 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. Ms. Murphy 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.

## Consent Agenda

Ms. Murphy presented the items on the consent agenda to the Board. Ms. Murphy 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:

- March 28, 2019 Special Meeting Minutes
- Payment of Claims represented by checks and online payments in the amount of \$60,030.61
- Extension No. 1 to Cox Professional Landscape Independent Contractor Agreement

## Landscape Maintenance

### Landscape Maintenance Report

Mr. Cox reviewed the Landscape Maintenance report with the Board. He noted that Consilium is only auditing irrigation at the entrances to the community and not the entire community. He also noted that Lennar has not addressed the erosion control issue on the north side of the park.

### Discuss Review and Approve Work Orders/Proposals

The Board and the Landscape Committee engaged in discussion with Mr. Cox regarding the 2019 flower proposal for \$29,989.40 (the "Proposal"). The Proposal includes \$7,700 for hand watering at bridges which Mr. Cox is suggesting be reallocated to other landscape projects. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the allocation of \$45,000 for flowers subject to final review by Director Messerli of a proposal from Cox.

### Update on Consilium Design Landscape Master Plan Process

Ms. Borisov updated the Board on the Consilium Design Landscape Master Plan Process. She noted that the irrigation audit will start tomorrow and soil samples have been sent out for analysis. She informed the Board that as soon as the irrigation audit is done Consilium will present design options to the Board. Mr. Messerli noted that the Landscape Committee has input on the semi-circle design and that information should be sent to Consilium.

Landscape Committee Report Ms. Hamilton reviewed the Landscape Committee Report with the Board. She noted that the committee is focusing on planting flower beds for this year and the committee has met with a designer to rework the median and entrance flower beds. She noted that the irrigation audit will need to be completed before moving forward.

Other Landscape Maintenance None.

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

District Manager's Report Ms. Borisov reviewed the District Manager's Report with the Board. She noted that the District currently has 67 violations that are open.

Covenant Enforcement/Architectural Review Matters Ms. Borisov reviewed a request from homeowners at 7673 S. Quantock Way for a patio/deck addition to the side of their home with the Board. She noted that the addition meets the district requirements. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the request.

Review Proposals for Entryway Column Signage Mr. Hofstetter from Print Buyers International, Inc. d/b/a Creative Visions presented his ideas to the Board for entryway column signage. The Board directed Mr. Hofstetter to create a proposal and visual mock up to be presented at the May meeting.

Other Facilities Management Ms. Borisov reviewed a homeowner request for a fence addition to the park located on East Canyon Place and South Blackstone Parkway because in the homeowners' opinion it is very close to the street and a fence will prevent children from running into the street. Mr. Messerli noted that currently the park allocations are going toward improvements at the other park. Ms. O'Neill noted that there is a significant amount of space between the slide and street. Mr. Garbors commented that the City approved the park design so he does not believe that the fence is necessary.

Ms. Borisov updated the Board on the new District website. She noted that the website is up and running, existing members have been added to the Districts Constant Contact email list and a new member sign-up form has been added to the new site. She also noted that the old website will be shut down.

**Financial Report/Financial Matters**

Financial Statements/Cash Position Report Mr. Houghton reviewed the March 31, 2019 Unaudited Financials with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the financials.

Other Financial Matters Ms. O’Neill inquired about the \$10,000 allocated for community events in the 2019 budget. Ms. Murphy noted that this money is allocated for community events such as a summer BBQ or holiday events to bring the community together.

**Legal Matters**

Discuss Status of Turnover of Park and Authorize Engagement of Architerra on Time and Materials Basis to Prepare Punch List Ms. Murphy noted that this is a proposal from The Architerra Group to walk the Filing No. 3 landscaping and provide a punch list to Lennar. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the engagement up to \$5,000.

Other Legal Matters None.

**Discuss Board Vacancy, Consider Appointment to Fill Vacancy, Administer Oath of Office, Election of Officers** The Board engaged in general discussion regarding the vacancy on the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously appointed Mr. Dengah to the Board. Director Messerli administered the Oath of Office.

The Board engaged in general discussion regarding the Election of Officers. Following discussion, upon a motion duly made and seconded, the Board unanimously elected Director Dengah as Assistant Secretary.

**Public Comment**

A homeowner inquired about the District Newsletter and Porch Link. Ms. Borisov noted that the newsletter is produced by Porch Link, a private company that is not affiliated with the District. The District will continue to provide updates via Constant Contact email blasts.

A homeowner ask that the Board present historical mill levy information to residents. Ms. Murphy noted that this will be a part of the 2018 Audit presentation, and legal counsel and accounting will work together to provide a historical analysis of the mill levy via handout at the May Board meeting.

A homeowner inquired about Tract O. Ms. Murphy noted that the District continues to follow-up with the City.

A homeowner noted that the City is interested in conserving water and requested that the Board consider allowing xeriscapes. Ms. Borisov noted that the architect is in the process of approving the new xeriscape guidelines which will be a part of the revised Blackstone Guidelines. Ms. Borisov also noted that hopefully the updates will be presented at the next meeting.

**Discuss Status of Park Design and Monument Sign (Architerra)**

Executive Session to pursuant to §24-6-402(4)(e), C.R.S., determining positions relative to matters that may be subject to negotiations related to district contracts.

A motion was made to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations regarding the monument sign and related district contract pursuant to § 24-6-402(4)(e), C.R.S. The Board did not engaged in substantial discussion of any matter not enumerated in Section 24-6-402(4)(e), C.R.S. The Board did not adopt any proposed policy, position, resolution, rule, regulation, or formal action. The executive session was adjourned at 7:43 P.M. on a motion by Director McGuinn, seconded by Director Messerli and passed on the affirmative vote of four Board members.

Discuss and Consider Proposal for Construction of Monument Sign from Creative Visions and Consider Award of Contract

After concluding the Executive Session, the Board engaged in general discussion regarding the Proposals for Construction of Monument Signs. Director McGuinn requested that Architerra follow-up with Davinci to request another bid.

Park Update

Ms. Dominguez reviewed the park plans with the Board. She noted that a new City of Aurora engineer was assigned to review the park plans and that they provided extensive comments. She noted that Architerra is working to resolve the comments and anticipates this project going to bid in early June.

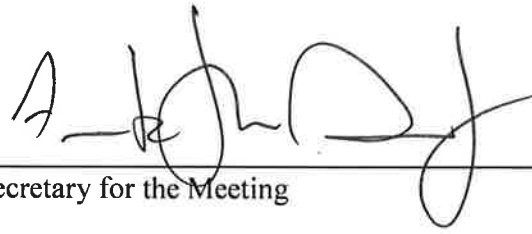
**Directors Items/ Other Business**

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.

A handwritten signature in black ink, consisting of stylized, cursive letters. The signature is positioned above a horizontal line.

Secretary for the Meeting

The foregoing minutes were approved on the 16th day of  
May, 2019.

ATTORNEY STATEMENT  
REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing High Plains Metropolitan District, I attended the executive session meeting of High Plains Metropolitan District convened April 18, 2019, which executive session was for the sole purpose of determining positions relative to matters that may be subject to negotiations related to district contracts, as authorized by 24-6-402(4)(e). I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S.

  
\_\_\_\_\_  
Megan J. Murphy, Esq.