

## RECORD OF PROCEEDINGS

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### MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

STERLING HILLS WEST METROPOLITAN DISTRICT

Held: Thursday, March 9, 2023, at 6:30 p.m., via video conference at <https://us06web.zoom.us/j/83328581184?pwd=cFd3ek5Ic21tUTh3SXF2WjMvOHVUZz09> or by telephone conference at Dial-In Number: 346-248-7799, Meeting ID: 833 2858 1184, Passcode: 044848. Notices advising members of the public of the login URL and call-in number to join the meeting were posted on the District's website and at the District's regular posting location.

Attendance:

A regular meeting of the Board of Directors of the Sterling Hills West Metropolitan District was scheduled in compliance with the laws of the State of Colorado.

The following directors were in attendance:

Juliet Uhlott, President  
Michael Lenz, Treasurer  
Alberteen Ransom, Secretary  
CJ Matthews, Assistant Secretary

The following director was absent:

Christine Hatter, Assistant Secretary

Also present were:

Jennifer L. Ivey, Icenogle Seaver Pogue, P.C.; Edward W. (Ted) Laves, Colorado Special District Management and Operations; and Jason Carroll and Jenna Trujillo, CliftonLarsonAllen LLP.

1. Call to Order / Declaration or Quorum: Director Uhlott, noting the presence of a quorum, called to order the regular meeting of the Board of Directors (the "Board") of the Sterling Hills West Metropolitan District (the "District") at approximately 6:49 P.M.
2. Approval of/Additions to/Deletions from Agenda: After review and discussion, upon the motion of Director Lenz and second of Director Ransom, the Board unanimously approved the agenda, with the addition of Item 6.c. "2022 Audit".

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3. Director Matters -  
Conflicts of Interest: Ms. Ivey advised the Board that pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board then reviewed the agenda for the meeting, following which each Board member confirmed the contents of any written disclosure previously made, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting.
4. Public Comment: None.
5. Approval of Minutes -  
Minutes November 10, 2022 Regular Meeting: Ms. Ivey presented to and reviewed with the Board minutes of its November 10, 2022 regular meeting, which was included in the meeting packet. After review and discussion, upon motion of Director Uhlott, second of Director Matthews, the Board approved its November 10, 2022 regular meeting minutes.
6. Financial Matters -  
Mr. Carroll and Ms. Trujillo introduced themselves and advised that Ms. Sedgley retired at the end of 2022 and they will be working with this District going forward. Mr. Carroll noted that he had been involved with this District going back to its formation and had worked with Director Matthews in the past.
- Financial Statements: Mr. Carroll presented to and reviewed with the Board District's December 31, 2022 financial statements. After review and discussion, upon the motion of Director Uhlott, second by Director Lenz, the Board unanimously accepted the December 31, 2022 financial statements.
- Approval of Interim/  
Current Claims: Mr. Carroll presented to and reviewed with the Board the interim and current claims of the District from the period November 11, 2022 through March 2, 2023, totaling \$90,756.18. After review and discussion, upon the motion of Director Uhlott, second by Director Lenz, the Board unanimously ratified the interim claims and approved the current claims, as presented.
- 2022 Audit: Mr. Carroll reviewed with the Board the 2022 Audit. After review and discussion, upon the motion of Director Uhlott, second of Director Matthews, and unanimous vote, the Board accepted the 2022 Audit and authorized filing with the Office of the State

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Auditor, subject to any final revisions to the note requested by legal counsel and receipt of an unmodified opinion from the Auditor.

### 7. Managers' Report -

Mr. Laves discussed with the Board his District Manager's Report which was included in the meeting packet, the following Items were discussed in detail:

#### Keesen/Parkside Merger:

Mr. Laves advised the Board that Parkside has been acquired by Heartland and merged with Keesen. The District is now being provided service by the same team that previously was assigned to the District's account when it was under contract with Keesen though the Parkside account manager is still responsible for the District. After review and discussion, upon the motion of Director Matthews, second by Director Ransom, the Board unanimously approved assignment of the existing contract to Keesen and directed Mr. Laves and Ms. Ivey to issue a request for proposals for services so the Board has options available if Keesen's performance is not satisfactory.

Mr. Laves reviewed the City of Aurora's new watering restrictions and after discussion, the Board directed Mr. Laves to apply for Aurora's "Large Property Variance Program that will allow the District to water more frequently but with gallon usage restrictions.

#### Detention Pond Status:

Mr. Laves provided an update to the Board on the condition of the Detention Pond, noting as follows:

- the trash nets have been installed and are functioning property but some debris is still getting into the pond therefore indicating that it may be blowing in from adjacent areas;
- the City of Aurora has advised that the District could fence the area around the detention pond to further prevent debris from entering;
- Parkside/Keesen has taken over the monthly inspections and is performing satisfactorily;
- The City of Aurora is very pleased with the improvements to the pond and complimented the District on its work;
- Parkside/Keesen recommended that the detention pond needed to be reseeded due to failure of the vegetation to grow, however, Mr. Laves discussed this with Chris Loftus of Stream Landscape and was advised that reseeded would

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be premature until the existing seed has had time to germinate and grow;

- Chris Loftus has advised that his company will not be able to provide any additional services related to the detention pond due to his relocation and staffing shortages.

After review and discussion, the Board directed Mr. Laves to obtain proposals from other landscape architecture firms for pond landscaping consulting services. The Board further directed Mr. Laves to request a refund for any services not provided which may have been paid for under Mr. Loftus' contract and to acquire proposals for a replacement contractor.

After review and discussion, the Board directed Mr. Laves to get cost estimates for the fencing for consideration at its June meeting and to report on the status of the vegetation in the detention pond at the June meeting.

### Trees:

Lilac Ash Borer  
Treatment:

Mr. Laves presented to and reviewed with the Board SavATree's proposal for ips beetle and lilac ash borer treatment. After review and discussion, upon motion of Director Uhlott, second of Director Matthews, the Board approved the proposal, as presented.

Tree Inspection:

Mr. Laves presented to and reviewed with the Board a proposal for ongoing tree inspection. After review and discussion, upon motion of Director Uhlott, second of Director Matthews, the Board approved the proposal from Velte Forestry and Arboriculture, as presented.

### 8. Legal Matters-

2023 Election Update:

Ms. Ivey provided an update to the Board on the 2023 Election, noting that Director Hatter has decided not to serve after this term due to work commitments and that Directors Uhlott and Ransom did run for re-election. Since there were not more candidates than seats up for election, the election will be cancelled and Directors Uhlott and Ransom deemed elected by acclamation.

### 9. Other Business:

None.

### 10. Adjournment:

There being no further business to come before the Board, upon motion of Director Ransom, second of Director Matthews and majority vote, the meeting was adjourned at 7:46 p.m.

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*Alberteen Ransom*

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Secretary of the Meeting