

MINUTES OF A SPECIAL MEETING OF THE BOARD  
OF DIRECTORS

OF

HIGH PLAINS METROPOLITAN DISTRICT

Held: Thursday, October 15, 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, 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  
Jill Shadwell  
Josie O'Neill  
Maria Elena Daniels

Also present were Clint C. Waldron, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Irene Borisov, Summit Management and Consulting, District Manager; Ben Houghton, CliftonLarsonAllen, District Accountant; Kevin Cox, Cox Professional Landscaping; 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, on a vote of 4-0.

**Public Comment**

Arapahoe County Commissioner, Jeff Baker, introduced himself to the Board noting he was just popping in to take a look at the meeting and to be available for questions regarding County activities. Commissioner Baker provided an overview of his role and the County Commissioner's roles.

Mr. Meyers, a member of the Security Committee, noted he has received several bids for security patrols. He also noted people keep approaching him saying they don't feel safe, and never see police out here. Mr. Meyers said that he has received two solid bids for overnight security, and that the Security Committee has a great plan moving forward.

Mr. Erickson addressed the Board noting that at the last Board meeting there was a vote to appoint a new Director to fill the Board vacancy and his name was on the ballot. Mr. Erickson wanted to let everyone know that he is still interested in filling the Board vacancy, and looks forward to hearing back from the Board.

Director Daniels asked whether the meeting was being recorded, and noted that she would like a copy of the meeting recording.

**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 Board engaged in discussion regarding the September 17, 2020 meeting minutes and incorporation of revisions into the meeting minutes. Director Daniels stated that there were sections missing from the minutes, and the vote section is misleading as to what happened, noting that her second choice was Jim, and her third choice was Brett. Director Shadwell would like the changes to be incorporated into the meeting minutes, and then have the Board review the changes at the Board meeting. Mr. Waldron requested clarification from the Board on the process. Director McGoff noted that he thought the direction was to have the minutes reflect a

summary of the meeting, and then Director Shadwell would provide a more in-depth commentary to the Board to be posted to the website. Ms. Shadwell also noted she was not comfortable paying legal counsel to take the meeting minutes, and would like to hire a third-party to prepare meeting minutes. Ms. Shadwell requested the September 17, 2020 minutes be removed from the consent agenda.

Director McGoff requested additional information on the \$500,000 payment to Lennar noted as Invoice #2, as he was not aware of a prior payment to Lennar. Mr. Houghton noted that the invoice from Lennar was labeled as #2, but this is in fact the first payment to Lennar. Maria Elena noted the landscape committee feels comfortable advising the Board to pay the Cox, Architerra and Consilium retainage.

Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved and adopted or ratified, on a vote of 4-0:

- Claims Listing in the Amount of \$648,810.49 and \$12,719.45

### **Financial Report/Financial Matters**

Review and Consider Acceptance of Unaudited Financial Statements

Mr. Houghton reviewed the September 30, 2020 Financial Statements with the Board. Ms. Shadwell asked about the timing for the second payment to Lennar, and the remaining open items. Director Daniels requested additional information about the election costs. Ms. Shadwell would like a separate worksheet showing where consultant costs are embedded into capital projects. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the September 30, 2020 Financial Statement on a vote of 4-0.

Discuss 2021 Budget Workshop

Mr. Houghton reviewed the budget workshop format with the Board. It was noted that the revised budget and budget scenarios will be submitted to the Board tomorrow.

Other Financial Matters

None.

### **Legal Matters**

Snow Removal Agreement

Mr. Waldron provided background and an update on the Snow Removal Agreement, as well as the City review and approval process for the agreement. Mr. Waldron noted that

High Plains is the first district in the City to request the ability to provide snow removal on City streets. The question is whether the Board would like to proceed with the agreement. The Board engaged in general discussion regarding the proposed costs to provide the snow removal services. As the agreement is a prerequisite to providing snow removal services, the Board would like to move forward and have the agreement put in place. The Board asked that estimates for snow removal services be provided prior to the budget hearing. Ms. Borisov provided information about costs, and that most contractors will contract on a time and materials basis. Following discussion, upon a motion duly made and seconded, the Board, unanimously approved the agreement subject to final legal review, on a vote of 4-0.

Consider Approval of Easement  
for Monument Sign

Mr. Waldron discussed the background and necessity of an easement for the monument sign to be located across from the fire station tract. Mr. Waldron noted that Lennar does not currently have an easement in place for the monument and the Country Club has proposed a license agreement, rather than an easement. Legal counsel is recommending the District not accept a license agreement, but rather require an easement. Following discussion, the Board determined that the District will require an easement and will not accept a license.

Discuss District Procurement  
Policy for Committees

Mr. Waldron provided general background on the purpose of a procurement policy, and the ability to delegate the ability to approve certain contracts and expenditures to directors or a committee without having a separate Board meeting. The policy would also authorize certain reoccurring bills to be paid by the accountant without waiting for a Board meeting, such as utility bills. Director Shadwell noted that the process for meetings and work sessions needs to be discussed prior to authorizing committee approvals. Following discussion, the Board directed legal counsel to provide a draft policy for discussion at the next Board meeting.

Lennar Park Turn Over

Mr. Waldron noted that there may have been a miscommunication between the Lennar representative on site, and Lennar corporate regarding a spring walk. Lennar corporate's plan was to do the replacements immediately and request acceptance, with no commitment for a spring walk. Ms. Borisov noted that she has not heard anything additional from Lennar, and it is still an issue, as the on-site representative made that commitment for a spring-walk,

after the installation of the new plant material. Director Shadwell noted it is not just the plants, but also fencing. Mr. Waldron discussed possibly accepting the tracts subject to a warranty with an escrow account. The Board engaged in general discussion regarding acceptance of Tract G, as that is the only tract that has been approved by the landscape committee for acceptance. Director Shadwell asked how this affects the overall agreement timeframe. Mr. Waldron noted that the forgiveness amount is not officially forgiven until both parties have complied with the agreement.

Other Legal Matters

None.

### **District Committee Updates**

Landscape Committee

Director Daniels reviewed the landscape committee capital report included in the meeting packet, which covered the following items:

- Update on Park Signs and Landscaping around Large Sign, noting the contractor is waiting for the permit from the City.
- Update on Smoky Hill & Blackstone Pkwy Entrance Revamp.
- Update on Park Renovation at E Clifton Dr. & County Club Pkwy, noting that there will be a Spring 2021 warranty walk.
- Update on Lennar Walk-through
- Update on Tree Planting project including the 17 undersized trees, and the recommendation of the landscape committee to accept the 17 trees as they are good quality trees. Mr. Cox noted that he will make an adjustment to account for the undersized trees, either through additional work or make it right on another invoice. Mr. Cox estimated the amount at less than \$300. Ms. Borisov requested information from Mr. Cox to provide to the landscape committee for review and discussion.
- Pet Waste Stations have been installed

Dead Tree Claim

Ms. Borisov shared the information she received regarding the process and required reports to submit a claim. Mr. Waldron expressed his concern with the lack of documentation to support a claim. Director Daniels asked for clarification on the insurance for the trees. Following discussion, the Board, determined to not pursue an insurance claim for dead trees.

Review Landscape Maintenance Report

Mr. Cox asked if there were any questions on the landscape maintenance report. Director McGoff requested information on the trash and debris being dumped on District property. The Board would like a note added to the next newsletter/email blast regarding the unauthorized dumping. Director Shadwell inquired about how this had been handled in the past. Mr. Cox noted that in the past he has provided the addresses to the management company and then cleaned it up on a time and materials basis. Director McGoff asked about recourse against the homeowners. Ms. Borisov stated that she would like Cox to take pictures and provide those to her to contact the homeowners and see how they respond.

Appointment to Landscape Committee

Following discussion, upon a motion duly made and seconded, the Board unanimously appointed Director Shadwell to the landscape committee on a vote of 4-0.

Design Review Committee

The Board engaged in discussion regarding design review committee members. Following discussion, upon a motion duly made and seconded, the Board approved the list of committee members recommended by Director McGoff and Director Daniels on a vote of 4-0 as follows:

Peter Rossick  
Brandon Brame  
Tony Quijano

Director McGoff provided an update on the Residential Improvement Guidelines noting that they are pretty close to being completed, will be reviewed by the full DRC, and then go to the Board for review, posted for public view, and then considered for adoption by the Board.

Ms. Borisov has summarized the most frequent violations for the DRC committee. Director Daniels has requested that Ms. Borisov prepare a breakout of violation stats so the DRC can review year over year violations.

The Board reviewed the Covenant Enforcement Report.

Advisory Committee

Director McGoff noted that he needs to confirm the resident committee members, and would like to hold off on approving the members.

Appointment to Advisory Committee

Following discussion, upon a motion duly made and seconded, the Board appointed Director O'Neill to the Advisory Committee on a vote of 4-0.

Social Committee

Director O’Neill noted that within the Social Committee there are three subcommittees; the Community Service Subcommittee, Social Events Subcommittee, and the Welcome Subcommittee. Director O’Neill informed the Board that the Community Service Subcommittee is working on a Food drive for October; Clothing Drive for November; a Toy Drive for December and looking into a Blood Drive in the Spring. Director O’Neil explained how the charities were selected, and noted that the committee is open to suggestions for other organizations, and perhaps solicit community input. Director O’Neill informed the Board that due to COVID the Social Events Subcommittee is looking to hold an event in the Spring of next year for adults, and a Christmas event for kids on December 22, 2020. She also noted that the Welcome Subcommittee is working with Ms. Borisov on the welcome packet information.

Holiday Lighting

The Board engaged in general discussion regarding the holiday lighting. Following discussion, upon a motion duly made and seconded, the Board unanimously authorized Director O’Neil (Social Committee) and Director Daniels (Landscape Committee) to approve the holiday lighting and decorations not to exceed \$15,000, on a vote of 4-0.

Town Hall

Director O’Neil asked if the Board would like to hold a Town Hall meeting via zoom or wait until an in-person meeting can be held. The Board determined to wait until January or early February to hold a Town Hall.

Trash Bin, Recycling and Shredding Event

Director O’Neil informed the Board that the Dumpster event will be scheduled in the next couple of weeks and the shredding event is still be finalized.

Website Committee

Mr. McGoff noted that the advisory committee will take on the website for now, along with the members of the website committee. The website committee will be tabled for now.

Security/Safety Committee

Mr. Flanagan reviewed the Safety/Security committee’s report, and noted the various areas the committee is working on. He noted the committee needs more clarity on what the residents mean by “safety and security”, and the committee will be planning a follow up survey. He also stated that the notion of a gated community is not currently on the table. Mr. Flanagan noted the website [communitycrimemap.org](http://communitycrimemap.org) is the best source of current crime information for the community. The committee will bring back proposals to the

Board for review and consideration. Director O’Neill asked about the liability of the District recommending and suggesting the use of certain security services. Director Shadwell noted the committee is working on how best to address the liability issues. Mr. Waldron noted prior to providing security patrols, the District will need to get permission from the City of Aurora.

Solar Mailbox Lights

Ms. Borisov will send the solar light options to the Safety and Security committee.

Traffic Safety

The committee noted that they have not addressed this issue yet.

**Facilities Management/District Operations**

Discuss Board Email Options

Deferred. Ms. Borisov will pull together all of the information and send to Director McGoff.

Review Proposal for Repairs to Median Walkway Gaps

Director McGoff noted that Concrete Express fixed most of the big gaps and mentioned that perhaps a concrete filler might work in the remaining areas. Ms. Borisov will have a contractor review the areas and provide the Board a proposal for repairs.

Other Facilities Management

Ms. Borisov stated she will also update the action item report and send it back out.

**Directors Items/Other Business**

Discus Letters of Interest and Board Appointment and Consider Appointment

Director McGoff provided a summary of the process to date. Mr. Waldron provided an update on the communication he received from the City. Director McGoff motioned to appoint Brett with the motion seconded by Director O’Neill. The motion failed on a vote of 2-2, with Directors McGoff and O’Neill voting yes, and Directors Shadwell and Daniels voting no. Director Shadwell motioned to appoint Bill with the motion seconded by Director Daniels. The motion failed on a vote of 2-2, with Directors Shadwell and Daniels voting yes, and Directors McGoff and O’Neill voting no.

Vendor RFP Process

The Board discussed holding a work session to only discuss RFP’s, with the date to be discussed at the next meeting. The Board requested copies of all of the District contracts. Mr. Waldron noted he will send the contract summary as well as the contracts to the Board.



SARIA

Mr. McGoff noted most of the projects are under budget and on-time. He will provide an additional update at the November meeting.

WPRA Meeting Updates –  
Assignment of New Board  
Member

The Board engaged in general discussion regarding appointment to the Wheatlands Park and Recreation Board. Following discussion, upon a motion duly made and seconded, the Board unanimously appointed Director Daniels to the Wheatlands Park and Recreation Authority Board, on a vote of 4-0.

Board Emails from Residents

Director McGoff informed the Board he received an email from a resident who is concerned about the property owned by Cherry Creek School District. Director O'Neill noted she had received an email regarding trees, but it had been handled by Ms. Borisov.

SDA Annual Conference

Updates from those who attended the conference were deferred.

**Public Comment**

None.

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 (Dec 15, 2020 08:10 MST)

---

Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 19<sup>th</sup> day of November, 2020.






# 2020-11-17 High Plains Execution Packet

Final Audit Report

2020-12-15

Created:	2020-12-11
By:	Dana Anderson (danderson@wbapc.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAmih8ttQ53sYwWv3NVf4-Ktu99vTmuGuJ

## "2020-11-17 High Plains Execution Packet" History

-  Document created by Dana Anderson (danderson@wbapc.com)  
2020-12-11 - 11:55:32 PM GMT- IP address: 50.209.233.181
-  Document emailed to Jill Shadwell (jillshadwell1@gmail.com) for signature  
2020-12-11 - 11:56:17 PM GMT
-  Email viewed by Jill Shadwell (jillshadwell1@gmail.com)  
2020-12-12 - 0:02:05 AM GMT- IP address: 66.102.6.11
-  Document e-signed by Jill Shadwell (jillshadwell1@gmail.com)  
Signature Date: 2020-12-15 - 3:10:29 PM GMT - Time Source: server- IP address: 65.112.193.146
-  Agreement completed.  
2020-12-15 - 3:10:29 PM GMT