

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE SMOKY HILL METROPOLITAN DISTRICT HELD JULY 27, 2020

The Regular Meeting of the Board of Directors (“Board”) of the Smoky Hill Metropolitan District (“District”) was held on Monday, July 27, 2020, at 7:02 p.m. Due to the public health concerns the meeting was held virtually via Zoom. Links and call-in information were provided. The meeting was called to order by Chair Stitt.

ATTENDANCE

Directors in attendance:

Carol Stitt
Clint Walker
Mark Sobczak
Tom Mehl
Jerry Dionisio

Also in attendance (virtual webinar):

David Green, District Accountant
John Bofenkamp, Operations Manager
Bart Miller, Collins Cockrel & Cole
Sarah Luetjen, Collins Cockrel & Cole
Peg Sage, Homeowner
Caryn Winkler, Homeowner
Rick Shecter, Homeowner
Sharon Calhoun, Homeowner

EXECUTIVE SESSION

At 7:02, upon motion duly made by Director Sobczak, seconded by Director Dionisio and unanimously carried, the Board temporarily adjourned the regular meeting and reconvened in Executive Session pursuant to Section 24-6-402(4)(b), C.R.S., to confer with District legal counsel to receive legal advice regarding matters related to Board procedures under the Colorado Open Meetings Law and the Colorado Open Records Act.

The Board then reconvened in regular session at 7:26 p.m.

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MINUTES

Upon motion duly made by Director Sobczak, seconded by Director Mehl, and unanimously carried, the Board approved the Minutes of the June 22, 2020 regular meeting.

PUBLIC COMMENT

Ms. Sage mentioned how much everyone is enjoying the new courts and expressed thanks to Mr. Bofenkamp for going above and beyond helping the homeowners.

Ms. Winkler asked about the Treasurer's Collection Fees line in the budget. Mr. Green explained that it is the fees the county charges to collect taxes on behalf of the District.

Ms. Winkler asked about budget for community events, what events are planned and how the fees are used. Mr. Green explained that it is a budget line item for events should they arise, such as the kids' Santa event held last year.

FINANCIAL REPORT

The Board reviewed the current financial report. Upon motion duly made by Director Sobczak, seconded by Director Walker and unanimously carried, the Board accepted the financial report.

OPERATIONS REPORT

Mr. Bofenkamp reported on general maintenance issues for the District.

LEGAL REPORT/ DIRECTOR SOBCZAK

Director Sobczak reported that the Coyote Crossing Park was conveyed to the HOA in 2009, but the path leading to the park from Berry Place was not transferred to the HOA and is still owned by the District.

BOARD MEMBER REPORT / POOL LIAISON/ POOL PARK / CHAIR STITT

Chair Stitt reported that the pool management company has hired a plumber to work on the pool. The Board will also be getting bids for a new pool heater to be installed before the pool opens next season.

Chair Stitt reported that many of the lifeguards will go back to school mid-August and that pool hours will be changed to 4:30 p.m. to 6:30 p.m., Monday through Friday to accommodate the students while

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maintaining regular hours on weekends. Director Mehl asked if there will be lifeguard availability for the proposed hours. Chair Stitt reported that the pool management company assures her there will be adequate staffing. Upon motion duly made by Chair Stitt, seconded by Director Sobczak and unanimously carried the Board approved weekday pool hours of 4:30 p.m. to 6:30 p.m., beginning August 17th.

Chair Stitt reported that the District-owned chain link fence is being replaced in Big Sandy now. The Board members are visiting homeowners to keep them informed about the process.

Chair Stitt reported that, per health regulations, the Clubhouse is temporarily closed.

BOARD MEMBER REPORT /
CO-EMPLOYEE LIAISON /
GOLD RUSH PARK /
CRESTLINE PARK /
DIRECTOR MEHL

Upon motion duly made by Director Mehl, seconded by Director Walker and unanimously carried, the Board accepted the \$8,900 proposal from Bailey Tree for tree trimming and stump removal at Goldrush Park.

Director Mehl reported that Director Dionisio has received bids from five (5) landscape companies for landscape services. The quotes range from \$42,000 to \$65,000 for services through the end of 2020 and vary slightly in services proposed. Quotes for landscape services for 2021 ranged from \$75,000 to \$150,000. CoCal proposed the broadest range of services for the most reasonable price. Upon motion duly made by Director Mehl, seconded by Director Sobczak and unanimously carried, the Board approved the CoCal proposal for services for the remainder of 2020 and for 2021.

Ms. Calhoun asked what CoCal's services would consist of and Director Mehl said they will include but not be limited to:

- mowing and trimming
- fertilizing
- weed control and follow up
- aeration
- pruning

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- perennial care at entryways
- activation and shut-down of irrigation system
- monitoring and management of irrigation system
- Spring and fall cleanup.

Director Mehl mentioned that Coyote Crossing Park split-rail entryway fence ownership is in question. Director Mehl suggested a temporary repair of fence for this year while the issue is being resolved.

BOARD MEMBER REPORT /
BIG ROCK PARK /
DIRECTOR SOBCZAK

Director Sobczak had nothing to report.

BOARD MEMBER REPORT /
CO-EMPLOYEE LIAISON /
GRANTS /
BIG SANDY PARK /
ARROWHEAD PARK /
DIRECTOR WALKER

Director Walker reported that the new District owned chainlink fence is going up at Big Sandy and it is looking good.

BOARD MEMBER REPORT
SCHEDULING/WEBSITE /
CLUBHOUSE
DIRECTOR DIONISIO

Director Dionisio requested that Safe Systems be approved to install clubhouse security system. Upon motion duly made by Director Dionisio, seconded by Director Walker and unanimously carried, the Board approved installation of a new security system and an increase in monitoring fees to \$90 per month beginning August 17, 2020.

NEW BUSINESS

Upon motion duly made by Chair Stitt, seconded by Director Mehl and unanimously carried, the Board agreed to ratify the rules put in force to open the pool during COVID-19.

Upon motion duly made by Chair Stitt, seconded by Director Dionisio and unanimously carried, the Board ratified approval of the 5% annual pay increase for Mr. Bofenkamp, the District Operations Manager.

Ms. Calhoun asked what Mr. Bofenkamp's duties will be if a landscape contractor is hired. Director

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Mehl explained that his role is that of a supervisor rather than a laborer and the addition of the landscape contractor will free up his time to make sure that tasks are being completed, employees are being hired and trained to help effectively manage the property. Director Dionisio explained that Mr. Bofenkamp is spread very thin in his current duties due to the overwhelming time involved in maintaining landscape.

Upon motion duly made by Chair Stitt, seconded by Director Mehl and unanimously carried, the Board agreed to have legal counsel conduct a future training workshop on the Colorado Open Meetings Law and the Colorado Open Records Act.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Director Sobczak, seconded by Director Mehl and unanimously carried, the meeting was adjourned at 8:10 p.m.

NEXT MEETING

The next meeting of the Board is scheduled for August 24, 2020, at 7:00 p.m. via Zoom webinar.

Secretary

APPROVED:

Carol Stitt

Clint Walker

Mark Sobczak

Tom Mehl

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Jerry Dionisio

Pursuant to Section 24-6-402(2)(d.5)(I)(B), C.R.S., I hereby attest that I am the attorney of the District, that I was in attendance during the Executive Session of the Board convened on July 27, 2020, and that the discussion during the Executive Session constituted a privileged attorney-client communication for which no record is required to be kept by law.

Bart W. Miller, Assistant General Counsel