

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

HILLS AT CHERRY CREEK METROPOLITAN DISTRICT

Held: Thursday, August 3, 2023 at 4:00 p.m. at 7400 East Orchard Road, Suite 3300, Greenwood Village, CO

Attendance

The regular meeting of the Board of Directors of the Hills at Cherry Creek Metropolitan District was called and held as shown above in accordance with the statutes of the State of Colorado. The following Directors, having confirmed their qualifications to serve on the Board, were in attendance:

Naomi Cohen, President
Kerry Blacker, Treasurer
Andrea Loschen, Asst. Secretary
Vacancy

Absent: Keith Ladson.

Also present were Barbara T. Vander Wall, Esq., Seter & Vander Wall, P.C.; and Diane Wheeler, Simmons & Wheeler.

Call to Order

Director Cohen noted that a quorum of the Board was present and that the Directors had confirmed their qualifications to serve, and therefore called the regular meeting of the Board of Directors of the Hills at Cherry Creek Metropolitan District to order.

Disclosure Matters

Ms. Vander Wall 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 reviewed the agenda for the meeting, following which each Board member affirmed their conflicts of interest which had been disclosed and filed with the Secretary of State, and stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting.

Approval of Minutes

Upon motion made, seconded and unanimously carried, the minutes of the June 15, 2023 special meeting were approved as presented.

Director Matters

- Appointment to

This item was deferred.

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Board Vacancy

- Election of Board Officers The Board elected Kerry Blacker to serve as secretary/treasurer, following the departure of Richard Keene.

Financial Matters

- Financial Report / Payment of Claims Ms. Wheeler presented the listing of checks for ratification and approval in the amount of \$29,799.68. After discussion, and upon motion, second and unanimous vote, the Board approved and ratified the checks as presented.

Next, Ms. Wheeler presented the District's financial statements for the period ending June 30, 2023. Ms. Wheeler reviewed the property tax collections at 95% collected for the year. She reported the expenses which are running higher than the budgeted amount, including insurance expenses. She noted that the District is on budget for its debt service tax revenues and payments. Upon motion, second and unanimous vote, the Board accepted the financial statements as presented.

- Budget Work Session The Board agreed to hold a budget work session on October 19, 2023 at 4:00 p.m. Ms. Wheeler indicated that she will prepare two draft budgets, to accommodate the potential impacts of Proposition HH should it pass at the statewide general election in November.

Landscape Issues

- Landscape items Director Cohen reported that she walked the park, and noted areas where mulch is needed; the new mulch will be applied by the District's contractor. ColoradoScapes has sprayed for weeds.

- Proposals for Tree Trimming in Park Director Cohen shared the quote for tree trimming in the park from ColoradoScapes, in the amount of \$8,447, which includes pruning out deadwood and broken branches from various trees in the park. She expects to get a separate quote from an arborist for the work. After further discussion, and upon motion, second and unanimous vote, the Board authorized the expenditure of an amount not to exceed \$8,500 for tree trimming, pruning, tree removal, based upon the recommendation of the District's landscape committee (Directors Blacker and Cohen).

- Damage to Sprinkler There was no additional information on the damage to the sprinkler system caused by Century Link.

- Other The Board discussed the recent vandalism occurring in the park and community. The vandalism includes damage to the playground slide, which is expected to cost a total of \$11,686

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minus the District's deductible for replacement of the slide and graffiti to the District's monument and vandalism to the District's tennis court equipment.

Tennis Court Matters

There was vandalism damage done to the District's tennis court equipment. Upon motion, second and unanimous vote, the Board approved the proposal from Game-Set-Match in the amount of \$1,152.20 (less tax) for repairs to the tennis court windscreens.

Attorney Report

- Update re 2023 Insurance Claims / Stump Removal and Tree Replacement / Damage to Bushes

Ms. Catherine Bright, with Seter & Vander Wall, reviewed the District's insurance claims with the Board, including the car accident causing damage to the District's 12' tree; and discussed the additional damage to the District's bushes. The Board directed Ms. Bright to re-submit the claim related to the car accident with the additional damages for reimbursement. It was noted that the District's insurer will seek recovery of the deductible from the individual who has admitted to causing the damages. The Board further approved the stump removal by ColoradoScapes.

The Board acknowledged that the District has a \$500 deductible for each claim, and the accumulated claims may affect the District's premiums for future coverage. After further discussion, the Board agreed to submit an insurance claim for the slide replacement, which is on back-order; and will consider a claim for the tennis court damages, following completion of the repairs.

- Ratification of Graffiti Removal Agreement

The graffiti damage done to the District's monument required Rock Doctor's cleanup services in the amount of \$800. Upon motion, second and unanimous vote, the Board ratified the services agreement. The Board determined to ask Rock Doctors to provide a sealant to the District's monuments to allow for easier cleanup in the future. The Board asked Ms. Bright to see if the insurer will cover the sealant to the damaged monument; the Board also agreed to submit the costs of the sealant material and services to the other two monuments, for potential matching reimbursement under its safety grant program.

- Follow up re Vandalism Notice

The Board discussed its attempts to have a notice circulated via e-blast by the HOA regarding vandalism in the community, which did not occur. It discussed the subsequent mailing of letters to homeowners regarding the vandalism issue. Upon motion, second and unanimous vote, the Board ratified the actions taken regarding the vandalism notice, and directed

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reimbursement of the costs of mailing, and cost to obtain the police report, to be made to Director Loschen.

Other Business

The Board entered into a discussion regarding long-range planning. Director Loschen reviewed a list of the District's responsibilities, and suggested the Board engage a consultant to prepare a reserve study or something similar. Ms. Vander Wall offered to research whether the District's insurance carrier may have some resources for this purpose. Director Loschen volunteered to investigate a draft reserve study related to the District's assets.

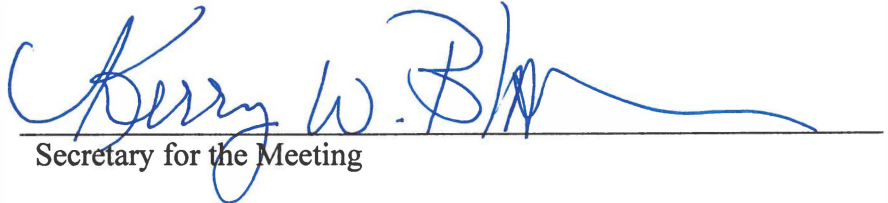
Director Cohen reported that she was asked by a homeowner if the District would purchase pickleball nets. She referred them to the HOA. After discussion, the Board acknowledged that it needs to prioritize its funds and time for other purposes.

Public Comment

There was no public comment.

Adjournment

There being no further business to come before the Board, and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 5:55 p.m.


Secretary for the Meeting