MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
HERITAGE HILLS METROPOLITAN DISTRICT (THE "DISTRICT")
HELD
MAY 8, 2026

A regular meeting of the Board of Directors of the Heritage Hills Metropolitan District (referred to hereafter as the "Board") was convened on May 8, 2026, at 8:15 a.m., at the Heritage Hills Clubhouse, 9201 Heritage Hills Parkway, Lone Tree, Colorado 80124, and via ZOOM. The meeting was open to the public.

ATTENDANCE:

Directors in attendance were:
Shaun Seales, President
Brad Dodds, Vice-President
Jerome Dyck, Treasurer
Paul Strickland, Secretary
Heath McLaughlin, Assistant Secretary

Also, in attendance were:

Elizabeth Dauer, Esq., Seter, Vander Wall & Mielke, P.C. ("SVWM")
Evan Wolf and Adam Thouvenot, Brightview Landscape Services ("Brightview")
Carson Besgrove, Merrick & Company ("Merrick")
Alonso Duran Rodríguez, CliftonLarsonAllen LLP ("CLA")
Steve Fromm, Cathy Fromm and Chasity McKinnon, Fromm & Company LLC ("Fromm")
Matt Clarkson, Wizard Works Security Services ("Wizard Works")
Members of Public: Josh Manweiler, Faith Walters, Scott Walters, Katie Braden, Jeremy Slavec, and Jill Clark. (two unidentified virtual attendees)

ADMINISTRATIVE MATTERS:

Call to Order

The meeting was called to order at 8:15 a.m.

Disclosures of Potential Conflicts of Interest

The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. No additional conflicts were disclosed at the meeting.

Quorum, Location of Meeting Posting of Meeting Notice
A quorum was confirmed, and the meeting and location were approved and noticed as required pursuant to Colorado law.

Approval of Agenda

Upon motion by Director Seales, seconded by Director Strickland and, upon vote, unanimously carried, the Board approved the agenda as presented.

PUBLIC COMMENT:

Public comment topic comprised of the District's TABOR status.

CONSENT AGENDA:

Minutes from April 10, 2026, Regular Meeting of the Board

Upon motion by Director Seales, seconded by Director Strickland and, upon vote, unanimously carried, the Board approved the meeting minutes, as presented.

SECURITY MATTERS:

Security, Gates, and Barrier Arm System

Mr. Clarkson reported that there were four gate strikes in April, with two occurring at each gate. Additional topics addressed were installation of a warning light system, adjustment of auto-close timing of barrier arms, a new camera installation at the clubhouse and a comprehensive system check to be conducted on the pool gates, key fobs and mobile apps before the pool opens.

Update on the MyQ Community App

Ms. McKinnon reported that monthly webinars continue to have good participation and provide education on oversized vehicle access procedures.

LANDSCAPING MATTERS:

May Maintenance Report

Mr. Wolf reported that fertilization application and aeration has been completed. Other topics addressed by Mr. Wolf included a chemical treatment program, degradation affecting the irrigation controller, a proposal for Netafim drip irrigation system for flower beds and a proposal to replace mulched areas with rock. After further discussion, and, upon motion by Director Strickland, seconded by Director Seales and, upon vote, unanimously carried, the Board approved to apply one Fiesta application, not to exceed the amount of $8,000.

Tree removal discussion was deferred to next board meeting.

ENGINEERING MATTERS:

Mr. Besgrove presented status updates on the following projects:

Brick Walls and Fencing

The Board discussed a proposal from Colorado Utility Finders to determine the depth of the existing concrete pier foundation supporting the brick wall. After further discussion and upon motion by Director

Seales, seconded by Director Dyck and, upon vote, unanimously carried, the Board approved the proposal with Colorado Utility Finders in the amount of $5,100.

The Board discussed the Brick Wall Project, including easement versus license agreements for property access to complete the project. After further discussion, the Board agreed to postpone homeowner outreach until legal questions regarding Metro District responsibilities are resolved.

Discussion was held regarding protocols for addressing brick wall committee legal questions related to the brick wall issues. Director McLaughlin requested the Brick Wall Committee, comprised of two Board members, 2 HOA members and 3 residents, have member titles included on BWC documents. Director McLaughlin stated that he would like to review the Brick Wall Committee's questions before they are submitted to legal counsel for review and, in addition, that he be allowed to submit Brick Wall-related questions to legal counsel. After further discussion and upon motion by Director Strickland, seconded by Director Seales and, upon vote, unanimously carried, the Board approved that a brick wall committee member may contact legal counsel with questions. Committee member communications with legal counsel are to be submitted in writing via email and disclosed at Board meetings. (Board member review of questions prior to submission to legal counsel and Board member submission of questions to legal counsel were not included in the motion.)

The Board addressed concerns regarding the attendee identification during brick wall committee meetings and agreed to post committee meeting minutes and meeting recordings on the Metro District website.

Willow Creek Trail Project

Discussion was held pertaining to the Willow Creek Trail project. After discussion and, upon motion by Director Seales, seconded by Director Strickland, and, upon vote, unanimously carried, the Board approved a revised project scope with commercial fencing and ironwork, along with removing the lighting components to reduce costs. The lighting components will be pursued by Mr. Besgrove with a separate contractor and contract to achieve cost savings due to specialization.

Overlook Park Pavilion Project

The Board discussed a revised bid of $322,001.86, from Denver Dirt Works. After further discussion and, upon motion by Director Strickland, seconded by Director Dyck, and, upon vote, a majority of the Board approved the delayed start date of August 17th, accepting the 2% contract increase and the $1,000 additional cost for linear fencing construction but removing the $31,000 for additional conduit installation, for a total revised cost of $291,001.

East Aspen Hill Lane – Curb Ramp

The Board discussed concerns regarding sediment buildup and water freezing at the curb ramp on East Aspen Hill Lane caused by excessive drainage convergence. The matter was deferred pending additional information.

MANAGER MATTERS:

Project Manager Report

Topics presented and discussed included tennis court maintenance, pool preparations, lighting replacement options with Xcel Energy, upcoming Comcast utility work in the area, completion of the concrete repair work along Heritage Hills Parkway and that street sweeping, at a cost of $3,000, would take place following the completion of all the tree maintenance. Additionally, Mr. Fromm stated that an asphalt meeting is scheduled for next week.

FINANCIAL MATTERS:

Review and Ratify Approval of Interim Claims

Mr. Duran Rodriguez presented the total list of claims totaling $213,276.22, after the inclusion of the Tall Construction contract. Upon motion by Director Seales, seconded by Director Strickland, and, upon vote, unanimously carried, the Board approved and ratified the list of claims, as presented.

Review and Consider Acceptance of the Unaudited March 31, 2026, Financial Statements, Variance Report, Schedule of Cash Position and Property Tax Schedule.

Mr. Duran Rodriguez provided an overview of unaudited March 31, 2026, Financial Statements. Additionally, Mr. Duran Rodriquez stated that $998,700 has been collected in property tax, with expenditures at 17.66% of the Annual Budget and a Cash Position of $5.85 million. After further discussion and upon motion by Director Seales seconded by Director Strickland, and, upon vote, unanimously carried, the Board accepted the unaudited March 31, 2026, Financial Statements, Variance Report, Schedule of Cash Position and Property Tax Schedule, as presented.

Mr. Duran Rodriguez presented a reduced contract amount for accounting services. After discussion, the matter was deferred.

LEGAL MATTERS:

Legal Status Report

Ms. Dauer presented her legal status report to the Board.

Consider Resolution Adopting a Policy Regarding the Rules of Board Member Conduct.

The Board discussed revisions made to the Policy regarding Rules of Board Member Conduct, including the requirement of prior approval before seeking outside advice or legal counsel, also adding language addressing representation of community interests and statutory duties. Director McLaughlin proposed two amendments to the Resolution. After further discussion and upon motion by Director Seales, seconded by Director Dodds, and, upon vote, unanimously carried, the Board adopted the Resolution with the two amendments.

DIRECTOR MATTERS:

Brick Wall Committee

Discussion regarding the Brick Wall Committee was held earlier in the meeting.

PUBLIC COMMENT:

Public comment topics included tree removal, utility work, and the Brick Wall Committee.

EXECUTIVE SESSION:

Upon motion made by Director Dodds, seconded by Director Seales and, upon vote, unanimously carried the Board agreed to enter into executive session at 10:43 a.m. for the purpose of negotiation of District contracts, pursuant to Section 24-6-402(4)(e), C.R.S. The Board exited executive session at 11:16 a.m. and confirmed no action had been taken.

OTHER BUSINESS:

Upon discussion concerning landscaping and accounting services, and motion by Director Seales, seconded by Director Strickland, and, upon vote, unanimously carried, the Board approved to procure additional bids/proposals for landscaping and accounting services.

<u>Quorum for June 12, 2026, Regular Meeting of the Board</u>
A quorum was confirmed for the next regular meeting scheduled for June 12, 2026.

ADJOURNMENT:

There being no further business to come before the Board at this time, upon a motion made by Director Seales, seconded by Director Strickland and upon vote, unanimously carried, the meeting was adjourned at 11:18 a.m.

Respectfully submitted,

By BRADY DODDS FOR PAUL STRICKLAND
Secretary for the Meeting