MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
HERITAGE HILLS METROPOLITAN DISTRICT (THE "DISTRICT")
HELD
JULY 10, 2026

A regular meeting of the Board of Directors of the Heritage Hills Metropolitan District (referred to hereafter as the "Board") was convened on July 10, 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:

Barbara Vander Wall Esq. and Elizabeth Dauer, Esq., Seter, Vander Wall & Mielke, P.C. ("SVWM")
Leigh Dufresne and Johnny Jimenez, Sustainable Roots Landscape Company ("Sustainable Roots")
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, Darren Tucker, Katie Braden, Faith Walters, Michael Miller, Jill Clark, and Jay Clark. (one unidentified virtual attendee)

ADMINISTRATIVE MATTERS:

Call to Order

The meeting was called to order at 8:16 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 Dodds and, upon vote, unanimously carried, the Board approved the agenda as presented.

PUBLIC COMMENT:

Residents expressed appreciation for the increased transparency provided through the publication of Board agendas and meeting packets on the website. Concerns were raised regarding issues related to the Brick Wall Committee, ongoing landscaping efforts and the District's status TABOR.

CONSENT AGENDA:

Minutes from June 12, 2026, Regular Meeting of the Board

Director McLaughlin discussed meeting minutes and transparency concerns regarding executive sessions. After further discussion and upon motion by Director Seales, seconded by Director Dyck and, upon vote, with one Board member abstaining from vote and another Board member opposing the motion, the Board majority approved the meeting minutes.

Minutes from June 16, 2026, Special Meeting of the Board

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

SECURITY MATTERS:

Security, Gates, and Barrier Arm System

Mr. Clarkson reported that there was one barrier arm strike last strike and damage to a visitor sign that needs replacement. Additional topics addressed were the timing of the gate systems' functionality, duplicate readings in the Community by MyQ app, the camera systems and the need to potentially review the FLOCK cameras in the future. The discussion concluded with a focus on kiosk vandalism and insurance claims.

LANDSCAPING MATTERS:

July Maintenance Report

Topics addressed by Ms. Dufresne included a landscaping update, covering weed removal, tree maintenance, and planting improvements, while noting challenges with the transition from previous contractor Brightview. Additionally, the Board requested a comprehensive 2027 plan with renderings and visualizations for future median and landscaping projects, emphasizing the need for drought-tolerant Colorado native plants and proper plant palette coordination.

Mulch - Proposal

The Board discussed a mulch proposal with a total cost of $117,157. After further discussion, and, upon motion by Director Seales, seconded by Director Dodds and, upon vote, unanimously carried, the Board approved the mulch proposal, not to exceed the amount of $117,157.

Turf Care Treatment - Proposal

Ms. Dufresne reported that the turf is under significant stress with an excessive number of weeds, noting that one Fiesta application has already been completed and that up to four treatments may be applied annually, as needed. After further discussion, and, upon motion by Director Seales, seconded by Director Strickland and, upon vote, unanimously carried, the Board approved a second Fiesta application, not to exceed the amount of $9,135.

The Board discussed authorizing Mr. Fromm to approve invoices not to exceed $5,000, noting that invoices exceeding $5,000 will be submitted to the Board for review and approval. After further discussion, and, upon motion by Director Seales, seconded by Director Strickland and, upon vote, unanimously carried, the Board approved authorization to Mr. Fromm to approve invoices not to exceed $5,000.

Tree Care Plan – Proposal

Discussion was held regarding the importance of preserving the trees and landscaping in the Heritage Hills community, as they are one of its greatest assets. Mr. Dufresne recommended only removing two dead trees at this time. Additionally, the Board requested Sustainable Roots to provide a long-term comprehensive Tree Care Plan. After further discussion, and, upon motion by Director McLaughlin, seconded by Director Seales and, upon vote, unanimously carried, the Board approved the Tree Care Plan Proposal.

Tree Pruning – Proposal

Ms. Dufresne presented a tree-pruning proposal to the Board. Following discussion, the Board agreed to postpone pruning the clubhouse tree until after the holiday season, as it is used for holiday lighting. Upon motion by Director Seales, seconded by Director Dodds and, upon vote, unanimously carried, the Board approved the Tree Pruning Proposal, not to include the tree in front of the clubhouse.

Mr. Fromm noted current water usage is at 75% of the 80% allotment, with the Board discussing the need for a better long-term irrigation plan, including potential meetings with Mr. Luna with Sprinkler Solutions about drip systems and water management.

ENGINEERING MATTERS:

Mr. Besgrove presented status updates on the following projects:

Brick Walls and Fencing

Mr. Besgrove reported that Colorado Utility Finders completed the potholing work, confirming that concrete pier foundations were twelve and a half feet deep and are in good condition.

Willow Creek Trail Project

Mr. Besgrove reported that the contractor anticipates beginning the project on July 27th and expects it to be completed before school resumes. Additionally, Mr. Besgrove stated he had contacted five contractors regarding the lighting for the project, with two bids received. After further discussion and upon motion by Director Seales, seconded by Director Dyck and, upon vote, unanimously carried, the Board approved awarding the lighting contract to APCO pending review of their terms and conditions and to lock in the pricing of $70,757.

Overlook Park Pavilion Project

Mr. Besgrove reported the contract was executed, and a pre-construction meeting needs to be scheduled. Additionally, Mr. Besgrove stated he had presented a proposal in the amount of $2,845 from Ground Engineering in February for materials testing; however, the proposal has since expired. Mr. Besgrove stated he will coordinate with Ground Engineering to confirm updated pricing and present the revised proposal at the next Board meeting. The project is anticipated to begin on August 17th.

MANAGER MATTERS:

Discussions were held regarding the Comcast project completion with minor cleanup work remaining, and an extensive debate about gas grill maintenance responsibilities.

Other topics discussed included installation of the golf cart sign in front of the clubhouse, new entrance signs identifying the Yosemite and Lincoln entrances, the current Xcel meter situation, and concrete settlement at the clubhouse, including the need for repairs.

Pool safety was another topic of discussion, with the Board debating how to handle reports of underage drinking and disruptive behavior, ultimately deciding to send an email to the community outlining rules and consequences, including potential privilege revocation and police involvement for serious violations.

FINANCIAL MATTERS:

Review and Ratify Approval of Interim Claims

Mr. Duran Rodriguez presented the total list of claims totaling $177,760. After discussion and upon motion by Director Seales, seconded by Director Dyck, and, upon vote, unanimously carried, the Board approved and ratified the list of claims, with the exclusion of payment to BrightView in the amount of $14,650.

Review and Consider Acceptance of the Variance Report, Schedule of Cash Position and Property Tax Schedule.

Mr. Duran Rodriguez stated that property tax collection is 66.85%, with expenditures at 32.98% of the Annual Budget and a Cash Position of $5.9 million. After further discussion and upon motion by Director Seales seconded by Director Dodds, and, upon vote, unanimously carried, the Board accepted the Variance Report, Schedule of Cash Position and Property Tax Schedule, as presented.

The discussion concluded with concerns about payment processing delays for smaller vendors, with the Board considering an exception process for vendors under a certain threshold to ensure timely payments. The Board requested Mr. Fromm to compile a list of small vendors for Mr. Duran Rodriguez to analyze at the next meeting.

LEGAL MATTERS:

Legal Status Report

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

Sustainable Roots Landscape Company – Agreement

Discussion was held regarding the Sustainable Roots Landscaping contract. Following discussion and upon motion by Director Seales seconded by Director Dodds, and, upon vote, unanimously carried, the Board approved the half-year contract worth $85,409, with a modification to remove the automatic renewal clause.

Brick Wall Committee – Summary of Questions Submitted to Legal Counsel

The Board discussed the development of a detailed map showing brick walls, property ownership, and types of fencing, which will help clarify which specific walls need attention and where they are located. The discussion also covered the differences between Special Improvement Districts (SIDs) and capital fees as potential funding mechanisms, with Director McLaughlin expressing concerns about relying on ANA for assessments due to perceived conflicts of interest and high costs.

PUBLIC COMMENT:

Residents expressed concerns regarding BrightView's continued responsibility for snow removal services, the Brick Wall replacement/repair project and the Board's use of Executive Session, citing a desire for greater transparency. Another resident expressed appreciation for the Board's ongoing efforts.

EXECUTIVE SESSION:

Upon motion made by Director Seales, seconded by Director Dodds and, upon vote, with one Board member opposing, the Board majority agreed to enter into executive session at 12:07 p.m. for the purpose to discuss questions regarding the District's Service Plan, brick wall ownership, and related matters, pursuant to Section 24-6-402(4)(b), C.R.S. The Board exited executive session at 12:47 p.m. and confirmed no action had been taken.

Ms. Vander Wall, representing SVWM, submitted a letter of resignation as legal counsel for the Heritage Hills Metropolitan District, effective August 2026.

OTHER BUSINESS:

Quorum for August 14, 2026, Regular Meeting of the Board

A quorum was confirmed for the next regular meeting scheduled for August 14, 2026.

ADJOURNMENT:

There being no further business to come before the Board at this time, upon a motion made by Director Dodds, seconded by Director Dyck and upon vote, with the majority of the Board, the meeting was adjourned at 12:49 p.m.

Respectfully submitted,

By ______________________
Secretary for the Meeting