

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS  
OF HIGHLANDS-MEAD METROPOLITAN DISTRICT

Held: Monday, June 26, 2023, at 4:00 p.m.  
Via Teleconference

**Attendance**

The regular meeting of the Board of Directors of the Highlands-Mead Metropolitan District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve on the Board, were in attendance:

Serge Goldberg  
Shannon Engler  
Lisa Wiebelhaus  
Janice Bachmann

Director Edginton was absent. All absences are deemed excused unless otherwise noted in these minutes.

Also present: Nelson Dunford, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Eric Weaver and Avery Weaver, Marchetti & Weaver LLP, District Accountant; Evan Redmond and Marlene Pappas, Teleos Management, District Management; and, members of the public.

**Call to Order**

It was noted that a quorum of the Board was present, and the meeting was called to order at 4:01 p.m. by Nelson Dunford.

**Conflict of Interest  
Disclosures**

Mr. Dunford advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Dunford 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. Dunford 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**

Following brief discussion, upon a motion duly made by Director Goldberg and seconded by Director Wiebelhaus, the Board unanimously approved the agenda as presented.

**Election of Officers**

Following brief discussion, upon a motion duly made by Director Bachmann and seconded by Director Wiebelhaus, the Board unanimously approved the following slate officers:

- President – Will Edgington
- Secretary – Shannon Engler
- Treasurer – Janice Bachmann
- Member – Lisa Wiebelhaus
- Member – Serge Goldberg

**Public Comment**

The homeowner present brought up their disagreement with only having one approved fence stain color. She also brought up the need to keep the common areas landscaped and weed free. She also brought up a safety concern over large vehicles and vans parking on the street, blocking stop signs, etc.

**Approval of February 27, 2023, Special Meeting Minutes**

The Board was presented with the February 27, 2023, special meeting minutes. Upon a motion duly made by Director Goldberg and seconded by Director Wiebelhaus, the Board unanimously approved the February 27, 2023, Special Meeting Minutes.

**Director Matters**

The Board engaged in discussion regarding scheduling a special meeting for September 25, 2023, at 4:00 p.m.

**Legal Matters**

**2023 Legislative Overview**

Mr. Dunford provided the Board with an overview of 2023 Legislation Affecting Special Districts and Community Associations.

**Discuss and Consider Approval of Special Counsel for collection of Assessments**

Mr. Dunford presented the Board with the proposals for legal services related to Collection of Assessments. The Board reviewed the proposals and engaged in lengthy discussion regarding same. Following discussion, the Board determined to table this matter and directed legal counsel to prepare a fine policy/schedule for delinquent owners & covenant enforcement and circulate for review.

**Financial Matters**

**Ratification of Claims and Approval of Claims**

Mr. Weaver presented the listing of claims, dated June 26, 2023 to the Board for consideration.



Following discussion, upon motion duly made by Director Goldberg and seconded by Director Wiebelhaus, the Board unanimously ratified the payment of claims in the amount of \$18,646.78 and approved current claims of \$10,457.23.

Financials as of May 2023

Mr. Weaver presented the May 31, 2023 Unaudited Financial Statements to the Board for consideration. Following discussion, upon a motion duly made by Director Goldberg and seconded by Director Wiebelhaus, the Board unanimously accepted the May 31 2023 financial statements.

2022 Audit

Mr. Weaver presented the Board with the 2022 Audited Financial Statements.

Following discussion, upon a motion duly made by Director Wiebelhaus and seconded by Director Engler, the Board unanimously accepted the 2022 Audit Statements, subject to clean opinion from the auditor.

## **Management Matters**

Management Report

Mr. Redmond reviewed the Manager's Report with the Board.

Status Update on First Amendment to the Declaration of Covenants, Conditions and Restrictions of the Highlands Community

Management informed the Board that another email communication was sent out, and no responses have been received. The Board determined to table the matter.

Ratification of ICA Agreement with Mill Bros., Inc.

Following discussion, upon a motion duly made by Director Goldberg and seconded by Director Engler, the Board unanimously ratified the Independent Contractor Agreement with Mill Bros. Inc. for 2023 Grounds Maintenance.

Consider Approval of Final Revised Design Guidelines and Homeowner Handbook (fencing, artificial turf and jellyfish lights)

Mr. Redmond reviewed the Design Guidelines and Homeowner Handbook and proposed amendment to same with the Board.

Following discussion, upon a motion duly made by Director Engler and seconded by Director Wiebelhaus, the Board unanimously approved the Revised Design Guidelines and Homeowner Handbook amending section 2.26 Landscaping as it relates to artificial turf.

Consider Amendment to Final revised Design Guidelines (fence stain)

The Revised Design Guidelines and Homeowner Handbook were presented to the Board for amending the sections of fencing stain to

read: Fence Staining is Mandatory - the only approved stain or treatment is “Sherwin Williams – Hawthorne (SW3518)”.

Following discussion, the Board determined to form a committee to approve an additional “transparent” stain option, and appointed Director Edgington and Director Engler to the committee, and authorized them to make a selection and final determination for the Board to ratify at the next meeting.

Discuss request from homeowner to remove pine trees in corridor of view

The Board determined to table this matter.


**Other Business**

Mr. Weaver and the Board engaged in discussion regarding opening a Colo-Trust account for the District. Following discussion, upon motion duly made and second, the Board approved opening a Colo-Trust Plus account for investment of funds.

**Adjournment**

There being no further business to come before the Board and following discussion and upon motion duly made by Director Bachmann and seconded by Director Goldberg, the Board unanimously determined to adjourn the meeting at 5:30 p.m.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

  
Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 25<sup>th</sup> day of September, 2023.