

MINUTES OF A JOINT REGULAR MEETING OF THE BOARDS OF DIRECTORS

OF

SADDLE ROCK SOUTH AUTHORITY &
SADDLE ROCK SOUTH METROPOLITAN DISTRICT NOS. 2 & 4

Held: Thursday, the 13th day of July, 2023, at 2:30 P.M.

The meeting was held via teleconferencing.

ATTENDANCE

The meeting was held in accordance with the laws of the State of Colorado. The following directors were in attendance:

Authority Designees:

Jason Inzer
Marie B. Hensler

Authority Alternate Designees:

Jan Taylor

District No. 2:

Jason Inzer

District No. 4:

Rodney A. Alpert
Carol Bransfield (*for a portion*)
Marie B. Hensler

Also present were: Audrey G. Johnson, Esq., WHITE BEAR ANKELE TANAKA & WALDRON, Authority and District general counsel; Ashley B. Frisbie, WHITE BEAR ANKELE TANAKA & WALDRON, Authority and District Manager; Kimberly Johanns, Simmons & Wheeler, PC, Authority and District Accountant; Bradley A. Simons, PE, MMI Water Engineers, LLC, Authority Engineer (*for a portion*); Jennifer Thomas, Front Range Recreation, Inc. (“FRR”) (*for a portion*); and Paula Turachak, Saddle Rock South Metropolitan District No. 3.

ADMINISTRATIVE MATTERS

Call to Order

The meeting was called to order.

Declaration of Quorum and Confirmation of Director Qualifications

Ms. Frisbie noted that a quorum for the Saddle Rock South Authority (“Authority”) and for each of the Saddle Rock South Metropolitan District Nos. 2 & 4 (individually, “District No. 2” and “District No. 4”, and, collectively, the “Districts”) was present and that the directors had confirmed their qualification to serve. Ms. Frisbie also noted that no quorum was present for the Saddle Rock South Metropolitan District No. 3.

Reaffirmation of Disclosures of Potential or Existing Conflicts of Interest

Ms. Frisbie advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Frisbie reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest, if any, were filed with the Secretary of State's Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Ms. Frisbie inquired into whether members of the Boards 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 Boards to act.

Combined Meetings

The Authority and the Districts are meeting in a combined meeting. Unless otherwise noted below, and as applicable, the matters set forth below shall be deemed to be the actions of the Authority and the Districts, collectively.

Approval of Agenda

Ms. Frisbie presented the Boards with the agenda for the meeting. Upon motion of Mr. Alpert, seconded by Mr. Inzer, the Boards unanimously approved the agenda, as amended.

PUBLIC COMMENT

There was no public comment.

CONSENT AGENDA MATTERS

The Boards were presented with the consent agenda items.

Upon motion of Mr. Inzer, the Board of District No. 2 unanimously took the following actions:

- i. Ratified Board Meeting Minutes from January 12, 2023 Meeting
- ii. Accepted Unaudited Financial Statements as of December 31, 2022 and March 31, 2023
- iii. Ratified Resolution No. 2023-03-01: Designating the Website for Online Posting and 24-Hour Posting Location

Upon motion of Ms. Taylor, seconded by Ms. Hensler, the Authority Board unanimously took the following actions:

- i. Approved Board Meeting Minutes from May 11, 2023 Meeting
- ii. Ratified Payment of Claims as of July 13, 2023 (\$181,560.87)
- iii. Ratified Updated Pool Rules and Regulations and Updated Facilities and Pool Waivers
- iv. Ratified Approval of Year-Round Storage Unit for Backflow Preventers and Storage Containers (\$828)

- v. Ratified Clubhouse Refrigerator Repair Work by South Metro Appliance LLC (\$697.74)
- vi. Ratified Approval of Scope of Work for Ponds H-11(E), H-11(W), and I-7 by Woodlake Construction Management, LLC
- vii. Moved to Regular Agenda
- viii. Ratified Addenda to the 2023 Independent Contractor Agreement with Keesen Landscape Management, Inc. (“Keesen”) for the following:
 - a. Addendum No. 7 for Controller and Pedestal Replacement (\$6,575)
 - b. Addendum No. 8 for Tree Replacement on E. Easter Avenue (\$2,450)

**FACILITIES
MANAGEMENT
MATTERS**

- Update on Clubhouse Ms. Thomas provided an update on the Clubhouse, noting that there have not been any issues.

- Clubhouse-Use Report Ms. Frisbie presented the Clubhouse-Use Report to the Boards.

- Discuss Clubhouse Furniture Ms. Frisbie informed the Boards there have been issues with the stability of the legs on the set of end chairs in the Clubhouse. FRR and Mr. Jones, with @Yur Service, have repaired the chairs on at least three different occasions, but the legs continue to be loose and/or broken. As such, out of an abundance of caution, management is recommending that the chairs be discarded, and that the Boards consider alternate options. Following discussion, the Boards determined that the two end chairs were a safety hazard and directed staff to discard them. It was noted that replacement furniture may be considered at a later date.

- Update on 2023 Pool Season Ms. Thomas provided an update on the 2023 pool season, noting that everything has been going well. Ms. Thomas reported that the wrought-iron furniture has been redistributed, so that the refurbished items are on the clubhouse deck and lower patio area. Ms. Frisbie reminded the Boards that both pools will no longer be staffed from 10:00 a.m. - 4:00 p.m., Monday through Friday, beginning on August 14, and then from 10:00 a.m. - 8:00 p.m. every day from September 5 through September 17 during the extended pool season at the south pool. Following discussion, the Boards directed FRR to put up additional No Lifeguard signage during hours when staff is not present.

- Update on Access Card Registration and Access Card Fees Ms. Frisbie provided the Boards with an update on the access card registration and fees, noting that the Authority has a new Facilities Waiver in place, which includes reference to all of the Authority’s

amenities, including the tennis courts and clubhouse. It is recommended that the Authority require all users to sign an updated Facilities Waiver. Currently, only residents/owners who utilize the pools are required to sign updated waivers each year to ensure access to the pools. New users are required to sign waivers, regardless of which facilities they plan to utilize; however, any repeat users from prior years who only utilize the tennis courts and/or clubhouse are not required to refresh their waiver each year. Management and FRR are working together to implement a process this fall for all non-pool users, which would require each household to register their cards and execute a Facilities Waiver in order to allow them access to the tennis courts and/or clubhouse. Ms. Frisbie noted that staff is planning to begin the process after the pools have closed in September.

ENGINEER'S MATTERS

Engineer's Report

Mr. Simons presented his Engineer's Report to the Boards.

General Update on Stormwater Ponds

Mr. Simons informed the Boards that cleanup has occurred in Pond I-7, Pond H-11(W) was mowed and cleaned out, and work began on Pond H-11(E) last week. Mr. Simons noted Pond L-5 still needs attention and he continues to work on the long-term plan.

Discuss Review & Approval Process for Ongoing Stormwater Pond Maintenance Services

Ms. Frisbie and Mr. Simons discussed the review and approval process for ongoing stormwater pond maintenance services with the Boards, noting they would like to streamline the approval process. Following discussion, upon motion of Mr. Inzer, seconded by Ms. Hensler, the Boards unanimously authorized management to approve any operations and maintenance services for the stormwater ponds, in an amount up to \$3,000, and the Groundskeeping Committee to approve any operations and maintenance services for the stormwater ponds in excess of \$3,000.

Consider Approval of Proposal from Woodlake Construction Management, LLC to Rebuild Retaining Wall Adjacent to Pond H-11(E)

Mr. Simons presented the proposal from Woodlake Construction Management, LLC to rebuild the retaining wall adjacent to Pond H-11(E) to the Boards for consideration. Upon motion of Ms. Hensler, seconded by Ms. Taylor, the Authority Board unanimously approved the proposal, in the amount of \$5,624.

Update on Status of Ongoing Construction & Repairs

Mr. Simons provided an update on the status of ongoing construction and repairs, noting that the gate at the east pool is being replaced today and he is currently onsite overseeing the installation. Mr. Simons noted the pump pit railing and the east pool and the new pool gate at the south pool will be installed soon.

Consider Approval of Replacement of Additional Entry Gate at East Pool by Woodlake Construction Management, LLC (*added to agenda*)

Ms. Frisbie and Mr. Simons discussed the replacement of the additional entry gate at the east pool by Woodlake Construction Management, LLC, noting that the rear entry gate at the east pool has completely fallen off the hinges and is now being secured by chains and padlocks. Mr. Simons noted that Woodlake Construction Management, LLC mistakenly fabricated a replacement for the gate while working on the main entry gates, so the project should be simple. Upon motion of Ms. Hensler, seconded by Ms. Taylor, the Authority Board unanimously approved the replacement of the additional east pool entry gate, in an amount not-to-exceed \$2,530.

Update on Tennis Court Resurfacing Project

Mr. Simons provided the Boards with an update on the tennis court resurfacing, noting that the project is still tentatively scheduled for the last week of August. He will follow up with the contractor on August 1st to confirm the schedule. Mr. Simons noted that he is concerned about golf balls being hit onto the courts and indicated that he will coordinate with the City of Aurora to request that a sign be installed on the golf course to prohibit intentional hitting of golf balls onto the tennis courts.

Update on Snow Removal and Holiday Décor Maps

Mr. Simons provided an update on the snow removal and holiday décor maps, noting that the final drafts are with Keesen for review. Mr. Simons noted that the Cherry Creek School District did not respond to repeated requests for a bus stop location map. Ms. Frisbie noted that she will work with Keesen in the fall to identify these locations as top-tier locations for snow removal.

Update on Status of Replacement of Access Card Readers

Ms. Frisbie and Mr. Simons provided an update on the status of the replacement of the access card readers, noting that they are working with ADT Commercial, LLC on the replacements.

DISTRICT MANAGER MATTERS

Management Report

Ms. Frisbie presented her Management Report to the Boards.

Groundskeeping Committee Update

Ms. Frisbie provided the Boards with an update on ongoing Groundskeeping Committee matters.

Update on Playground Repair Work

Ms. Frisbie provided the Boards with an update on the status of the playground repair work, noting that the contractors continue to indicate delays in the work. Management continues to work on oversight of the repair work.

Update on Car Accident at E. Easter Avenue & S. Tibet Way

Ms. Frisbie informed the Boards that on the evening of June 13, 2023, a car accident occurred on E. Easter Avenue, just east of S. Tibet Way. It appeared that a driver lost control after rounding the curve on E. Easter Avenue and ran over the tree lawn, the

sidewalk, and into a fence and stone column. The vehicle hit and damaged a tree, the fence, the stone column, and an irrigation controller and meter. After review, it was confirmed that most of the damaged property is owned by the Authority. Management has been working with Keesen, Xcel Energy, and other contractors on the required repairs/replacements. The owner of the vehicle did have insurance coverage, so it is anticipated that most associated costs will be recouped. Management has been working with the vehicle owner's insurance provider on the claim.

Update on Unauthorized Driveway Across Authority Property on E. Easter Avenue

Ms. Frisbie noted that the City of Aurora notified management that a private property owner built an unauthorized driveway accessing E. Easter Avenue from the rear of their lot. The access point crosses Tract A of Saddle Rock Golf Club South Filing No. 3, owned by the Authority. The installation of the driveway occurred without prior knowledge or permission by the Authority or the City of Aurora and has caused damage to the native landscaping of a small portion of the Authority's property. Consultants for the Authority have been working together and with the City of Aurora to address the situation and restore the property.

Overflow Lease Agreement

Ms. Frisbie presented the Boards with the Overflow Parking Lease Agreement with the Moon Shadow Condominium Association, Inc. ("Lease Agreement"), noting that the agreement allows residents of this particular association to utilize the nine (9) parking spaces on the south side of the east pool parking lot to park vehicles during hours when the pool is not open. Ms. Frisbie noted that commercial vehicles have been observed parking in the parking area, and she will work with the association to clarify enforcement and provide communication to residents. Upon motion of Ms. Hensler, seconded by Mr. Inzer, the Authority Board unanimously approved the Lease Agreement and directed staff to work with the association on removal of the commercial vehicles, allowing a 15-day transition period and to have new signs installed to clarify permit parking rules once the Lease Agreement has been fully executed.

FINANCIAL MATTERS

Consider Acceptance of 2022 Audits and Consider Approval of Client Representation Letters

Ms. Johanns reviewed the 2022 Audits with the Boards, noting that the audits are in the final review phase with the auditor. Ms. Johanns noted that the auditor is prepared to issue a clean, unqualified opinion, which is the best opinion that can be given.

Upon motion of Ms. Taylor, seconded by Ms. Hensler, the Authority Board unanimously accepted the 2022 Audit and approved the execution of the client representation letter, subject

to receipt of a clean, unqualified opinion and final comments from the auditor.

Upon motion of Mr. Alpert, seconded by Ms. Hensler, the Board of District No. 4 unanimously accepted the 2022 Audit and approved the execution of the client representation letter, subject to receipt of a clean, unqualified opinion and final comments from the auditor.

DIRECTORS' MATTERS

Consider Appointment of Director to Board of District No. 2

Ms. Frisbie reported that her office had received notice from an elector in District No. 2 of their interest in being appointed to the Board of District No. 2, noting that the elector's qualifications had been confirmed. Upon motion of Mr. Inzer, the Board of District No. 2 unanimously appointed Ivan Legrand to the Board of District No. 2, with a term ending in 2025.

Appointment of Officers

Upon motion made by Mr. Inzer, the officers were unanimously appointed to the following positions:
Jason Inzer – President/Treasurer
Ivan Legrand – Secretary

Appointment of Alternate to Authority Board

Upon motion made by Mr. Inzer, Mr. Legrand was unanimously appointed as the District No. 2 Alternate to the Authority Board.

Discuss Posting Boards

Ms. Frisbie reported that there are many posting boards located throughout the community that were originally installed to satisfy prior meeting posting requirements. Those requirements have changed and only one (1) posting location is needed within each District and the Authority now. Following discussion, the Boards determined to keep one posting box in the Authority and each District and to remove all excess boxes. The Boards directed staff to evaluate the condition of the boxes, keep the boxes that are in the best condition and to recycle or donate the remaining boxes. The Boards also discussed moving the posting location for District No. 4 to the east pool.

SAFETY AND SECURITY COMMITTEE MATTERS

General Update

There was no update at this time.

Neighborhood Watch Update

There was no update at this time.

Status of Security Camera Operations

There was no update at this time.

Update on Install of Solar Security Lights

Ms. Frisbie reported that Mr. Carroll indicated the solar lights were on backorder but have now been shipped. Ms. Frisbie and Mr. Simons will work with Mr. Carroll to ensure lights are placed per Board direction from prior meetings.

Discuss Potential Speed Slowing Measurers along E. Easter Avenue

This matter was deferred.

LEGAL MATTERS

Update on Collections Matters

Ms. Johnson provided the Boards with a general update on collections matters, noting that the remaining collections file remains in bankruptcy and continues to be monitored by special counsel.

Legislative Update

Ms. Johnson provided a legislative update to the Boards, noting that HB23-1105 creates a metropolitan district homeowners' rights task force in the division of housing in the Department of Local Affairs to look at specific district issues. Ms. Johnson also discussed SB23-110, noting that districts organized after January 1, 2000 are required to hold an annual town hall meeting as an opportunity for members of the public to ask questions about the district. Ms. Johnson noted that District Nos. 2-4 were created prior to 2000 and are not required to hold this annual meeting; however, the Authority and Districts can still hold a town hall for the benefit of the residents, as directed by the Boards. No action was taken.

OTHER BUSINESS

Next Regular Meeting

The next regular meeting of the Authority and the Districts is scheduled for September 14, 2023, at 2:30 P.M.

ADJOURNMENT

There being no further business to be conducted, the meeting was adjourned.

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



[Marie B Hensler \(Oct 2, 2023 07:49 MDT\)](#)

Secretary for the Authority



[Jason Inzer \(Sep 30, 2023 09:47 MDT\)](#)

Secretary for District No. 2



[Marie B Hensler \(Oct 2, 2023 07:49 MDT\)](#)

Secretary for District No. 4