

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE SMOKY HILL METROPOLITAN DISTRICT HELD AUGUST 24, 2020

The Regular Meeting of the Board of Directors (“Board”) of the Smoky Hill Metropolitan District (“District”) was held on Monday, Aug 24, 2020, at 7:04 p.m. Due to the public health concerns the meeting was held virtually via Zoom. Links and call-in information were provided. The meeting was called to order by Chair Stitt.

ATTENDANCE

Directors in attendance:

Carol Stitt
Clint Walker
Mark Sobczak
Tom Mehl
Jerry Dionisio

Also in attendance:

David Green, District Accountant
John Bofenkamp, Operations Manager
Brenda Munn, Recording Secretary
Bart Miller, Collins Cockrel & Cole
Tasha Carlson, Homeowner
Jude Buemi, Homeowner
Darwin Johnston, Homeowner
Caryn Winkler, Homeowner
Rick Shecter, Homeowner
Sharon Calhoun, Homeowner
Peg Sage, Homeowner

WORKSHOP/
COLORADO OPEN MEETINGS LAW/
COLORADO OPEN RECORDS ACT/
BART MILLER,
ASSISTANT GENERAL COUNSEL

Mr. Miller discussed with the Board the Colorado Open Meetings Law and the Colorado Open Records Act. Mr. Miller summarized the provisions of the law regarding what constitutes a public meeting and when and how Executive Sessions are conducted, and the notice provisions for each.

Mr. Miller further summarized what types of documents are considered open records when a public request has been made under the Colorado Open Records Act, and the process to provide such requested records.

RECORD OF PROCEEDINGS

Ms. Winkler asked if the same provisions apply to HOAs. Mr. Miller said that while HOAs must meet certain requirements, they do not rise to the level of government organizations.

Director Sobczak asked if an Executive Session would be used to discuss taking legal action against a company or individual. Mr. Miller said yes, except any action and vote taken must be in a public meeting.

MINUTES

Upon motion duly made by Director Dionisio, seconded by Director Mehl, and unanimously carried, the Board approved the Minutes of the July 27, 2020 regular meeting.

PUBLIC COMMENT

Ms. Calhoun asked what the capital projects portion of the budget will be used for and what money would be used for landscaping. Mr. Green explained that funds will be re-appropriated as needed for the landscaping this year and there will be a line item in the budget for landscaping for 2021.

Ms. Calhoun asked why there was no money in the 2020 budget for an election despite it being an election year. Mr. Green explained this was an oversight, and funds for an election would have come from another area to pay for an election, if needed.

FINANCIAL REPORT

The Board reviewed the current financial report. Upon motion duly made by Director Sobczak, seconded by Director Walker and unanimously carried, the Board accepted the financial report.

Mr. Green expects to have a draft 2021 Budget at the September 2020 meeting.

OPERATIONS REPORT

Mr. Bofenkamp reported on general maintenance issues for the District.

LEGAL REPORT/ DIRECTOR SOBCZAK

Director Sobczak asked Mr. Miller if it would be appropriate to post videos of acts of vandalism on

RECORD OF PROCEEDINGS

the District website. Mr. Miller stated that the videos are public record but suggested that law enforcement be contacted to be sure the videos did not impede an ongoing investigation.

BOARD MEMBER REPORT /
POOL LIAISON/
POOL PARK /
CHAIR STITT

Chair Stitt reported that three people have contacted her to request that the pool remain open in September. She discussed the option with the pool management company, who is not interested in keeping the pool open after Labor Day. Upon motion duly made by Director Dionisio, seconded by Director Walker and unanimously carried, the Board agreed to close the pool on Labor Day, September 7, 2020.

Chair Stitt reported Big Rock Park fencing proposal did not include replacement of one section of District owned chain link fence. The fence contractor has provided a revised proposal to include the missing section in the amount of \$7,835. Upon motion duly made by Director Sobczak, seconded by Director Walker and unanimously carried, the Board approved the additional cost of \$7,835 to complete the fence replacement in Big Rock Park.

Chair Stitt clarified that the fence is going in at a second park but utility locates are still needed to complete some of the work. Work at Gold Rush Park should begin around Labor Day. Due to unanticipated delays, work is two to three weeks behind schedule.

BOARD MEMBER REPORT /
CO-EMPLOYEE LIAISON/
GOLD RUSH PARK /
CRESTLINE PARK /
DIRECTOR MEHL

Director Mehl reported that the two benches at Gold Rush Park should be replaced by end of October 2020.

BOARD MEMBER REPORT/
BIG ROCK PARK /
DIRECTOR SOBCZAK

Director Sobczak asked the HOA to take action with homeowners who have dead trees in their yards along District fences to limit damage if these trees fall on the fences.

RECORD OF PROCEEDINGS

BOARD MEMBER REPORT /
CO-EMPLOYEE LIAISON /
GRANTS /
BIG SANDY PARK /
ARROWHEAD PARK /
DIRECTOR WALKER

Director Walker reported the District-owned fences have been completed around Big Sandy Park with the exception of gate latches. New covered benches have been ordered.

BOARD MEMBER REPORT
SCHEDULING/WEBSITE /
CLUBHOUSE
DIRECTOR DIONISIO

Director Dionisio reported that the Security System at the clubhouse should be completed Tuesday, August 26, 2020 and keycards will be distributed.

NEW BUSINESS

No new business to discuss.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Director Sobczak, seconded by Director Mehl and unanimously carried, the meeting was adjourned at 8:15 p.m.

NEXT MEETING

The next meeting of the Board is scheduled for September 28, 2020, at 7:00 p.m. via Zoom webinar.

Secretary

APPROVED:

Carol Stitt

Clint Walker

Mark Sobczak

RECORD OF PROCEEDINGS

Tom Mehl

Jerry Dionisio