

MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
EAST SMOKY HILL METROPOLITAN DISTRICT NO. 2 (THE “DISTRICT”)  
HELD  
November 12, 2024

A regular meeting of the Board of Directors of the East Smoky Hill Metropolitan District No. 2 (referred to hereafter as the “Board”) was convened on Tuesday November 12, 2024, at 6:00 p.m., at the Smoky Hill Library, 5430 S. Biscay Circle, Centennial, Colorado 80015. This District Board meeting was also held via Microsoft Teams. The meeting was open to the public.

**ATTENDANCE**

Directors in attendance were:

Thomas Tanner, President  
Bonnie Bowman, Treasurer  
Laura Embleton, Secretary

Also, In Attendance Were:

Tara Segura, Westwind Management Group, LLC – Association Business Manager  
Trisha Harris; White Bear Ankele Tanaka & Waldron

**ADMINISTRATIVE MATTERS**

**Call to Order and Agenda:**

The meeting was called to order at 6:01 p.m. by Director Tanner. The Board reviewed the agenda for the meeting. Following discussion, upon a motion duly made by Director Embleton, seconded by Director Bowman and, upon vote, unanimously carried, the Board approved the agenda, as presented.

**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. It was noted by Attorney Harris that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors, and no additional conflicts were disclosed at the meeting.

**Quorum, Location of Meeting Posting of Meeting Notice:**

The Board confirmed the presence of a quorum.

The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. The Board determined to conduct the meeting at the above-stated date, time and location, which is within 20 miles of the District. It was further noted that notice of the time, date and location was duly posted and that no objections to the location or any requests that the meeting place be changed by taxpaying electors within the District's boundaries have been received. This meeting was also conducted via Microsoft Teams and encouraged public participation via Microsoft Teams. The Board further noted that notice providing the time, date and video link information was duly posted and that no objections, or any requests that the means of hosting the meeting be changed by taxpaying electors within the District's boundaries.

**Public Comment:**

There was no public comment.

**CONSENT AGENDA**

- Minutes of August 13, 2024 Regular Meeting

Director Tanner reviewed the Consent Agenda with the Board. Following review, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board approved/ratified approval of the Consent Agenda items, as presented.

**LEGAL MATTERS:** Attorney Trisha Harris provided an overview of each resolution/ policy.

**2025 Annual Administrative Resolution:**

Following review, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board approved the 2025 Annual Administrative Resolution, subject to changes to section #16, pending changes to the meeting dates to reflect the 3<sup>rd</sup> Wednesday at 6pm.

**Amended and Restated Public Records Request Policy:**

Following review, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board approved the Amended and Restated Public Records Request Policy, as presented.

**Amendment to Digital Accessibility Policy:**

Following review, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board approved the Amendment to the Digital Accessibility Policy, pending changes to the Management Contact information.

**Resolution for Adopting a Procurement Policy:**

Following review, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board declined the Resolution for Adopting a Procurement Policy, as presented.

**Special Legislative Changes: 5.25% Limitation of SB24-233 and HB24B-1001 and Possible Election:**

Following review, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board declined the 5.25 % Limitation of SB24-233 and HB24B-1001 and Possible Election, as presented.

**Resolution Calling the May 2025 Election:**

Following review, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board approved the Resolution Calling the May 2025 Election, as presented.

**LANDSCAPE UPDATE**

**Landscaping Activity:**

Director Tanner provided an update regarding landscaping activity to the Board, stating that the standard maintenance is in process. He also reported that snow removal was done and there was some tree damage as a result. LMI will go back out this week to handle the trees. He also reported that the sidewalk issues covered in ice were handled as well.

**FlowerScapes, LLC:** Stefanie from FlowerScapes was not in attendance at the meeting. Director Tanner provided an update regarding the 2025 flowers.

**Proposal from FlowerScapes, LLC for annual spring/ summer flowers in the amount of \$25,450.00:**

Following review, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board approved the proposal from FlowerScapes, LLC in the amount of \$25,450.00, as presented.

**LMI Colorado:** Mr. Randall was not in attendance at the meeting. Director Tanner provided an overview of each proposal with the Board.

**Proposal from LMI Colorado fall lawn winterization/ fertilization in the amount of \$25,450.00:**

Following review, upon a motion duly made by Director Embleton, seconded by

Director Buhlke and, upon vote, unanimously carried, the Board approved the proposal from LMI Colorado for fall lawn winterization/ fertilization in the amount of \$25,450.00, as presented.

**Proposal from LMI Colorado for (10/2024 -3/2025) snow removal services in the amount of (T&M basis):**

Following review, upon a motion duly made by Director Buhlke, seconded by Director Embleton and, upon vote, unanimously carried, the Board approved the proposal from LMI Colorado for (10/2024-3/2025) snow removal services in the amount on a T&M basis, as presented.

**Proposal from LMI Colorado for (2025-2026) landscape maintenance in the amount of \$39,890.00:**

Following review, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board approved the proposal from LMI Colorado for (2025-2026) landscape maintenance in the amount of \$39,890.00, as presented.

**Davey Tree:**

Davey Tree was not in attendance at the meeting. Director Tanner provided an overview of each proposal with the Board.

**Proposal from Davey Tree for tree and fertilization care in the amount of \$1,481.00:**

Following review, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board approved the proposal from Davey Tree for tree and fertilization care in the amount of \$1,481.00, as presented.

**Proposal from Davey Tree for plant healthcare services in the amount of \$16,290.00:**

Following review, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board approved the proposal from Davey Tree for plant healthcare services in the amount of \$16,290.00, as presented.

**FINANCIAL MATTERS:** Mrs. Segura reported due to the current transition in Management Company, there are currently no financials available for review at this time. This process can take up to 60 days to complete the financial conversion.

**Conduct Public Hearing on the Proposed 2025 Budget and consider adoption of the Resolution to Adopt the 2025 Budget and Appropriate Sums of Money:**

Attorney Trisha Harris reviewed the 2025 Budget with the Board.

Upon a motion made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board opened the public hearing at 6:46 p.m. No owners were in attendance therefore, no public comments were received, and upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board closed the public hearing at 6:47 p.m.

Following review and discussion, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board approved the proposed 2025 Budget and adopted the Resolution to Adopt the 2025 Budget and Appropriate Sums of Money, as presented.

**Review and Consider approval of Engagement letter of Schilling & Company, Inc. to Prepare the 2024 Audit:**

Following discussion, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board approved the engagement of Schilling & Company, Inc. to prepare the 2024 Audit.

**MANAGER MATTERS**

**Proposal for (2025-2026) insurance renewal and accept the current property schedule in the amount of \$12,020.00:**

Following review, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board approved the proposal for 2025-2026 insurance renewal in the amount of \$12,020.00, subject to revisions.

**Approval for Draft verbiage of playground rule signs:**

Following review, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board approved the verbiage, with revisions.

**Proposal from Fast Signs for playground anti-graffiti signs:**

Following review, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board approved the proposal from Fast Signs for playground anti-graffiti signs, as presented.

**Proposal from Star Playgrounds for replacement of playground equipment in the amount of \$235,684.00:**

Following review, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board approved the proposal for replacement of playground equipment the amount of \$235,684.00, as presented.

#### BOARD MEMBER MATTERS

##### **Discuss and consider 2025 Meeting Dates/ Time:**

Following discussion, upon a motion duly made by Director Embleton, seconded by Director Buhlke and, upon vote, unanimously carried, the Board approved to move the 2025 Meetings to the 3<sup>rd</sup> Wednesday of current month schedule at 6pm.

#### OTHER BUSINESS

No other business was discuss.

#### ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned at 7:01 p.m.

Respectfully submitted,

By Laura Embleton  
Secretary for the Meeting