

## RECORD OF PROCEEDINGS

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### MINUTES OF THE SPECIAL MEETING OF THE BOARDS OF DIRECTORS OF AIRPARK NORTH METROPOLITAN DISTRICTS NOS. 1-4

HELD  
JANUARY 25, 2021

The Boards of Directors of the Airpark North Metropolitan Districts Nos. 1-4 held a special meeting, open to the public, via MS Teams at 10:00 a.m. on Monday, January 25, 2021.

Due to the State of Emergency declared by Governor Polis and the threat to health and safety posed by the COVID-19 pandemic, this meeting was held via MS Teams.

ATTENDANCE:

Directors in Attendance:

Jeffrey Brines, President  
Curt Burgener, Vice President/Assistant Secretary  
Tammy Percy, Treasurer/Secretary  
Robert Eck, Assistant Secretary (Appointed During Meeting)  
Erick Halverson, Assistant Secretary (Appointed During Meeting)

Also in Attendance Were:

Alan Pogue, Esq.; Icenogle Seaver Pogue, P.C.  
Ryan Abbott, Brendan Campbell, Molly Janzen, Casey Milligan, and  
Traci Miller; Pinnacle Consulting Group, Inc.

CALL TO ORDER

The meeting was called to order at 10:03 a.m. by Mr. Abbott, noting that a quorum was present. The Directors in attendance confirmed their qualifications to serve.

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COMBINED  
MEETING

The Districts are meeting in a combined Board meeting. Unless otherwise noted, the matters set forth below shall be deemed to be the actions of the Airpark North Metropolitan District No. 1, with concurrence by Airpark North Metropolitan District Nos. 2, 3 and 4.

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CONFLICT OF  
INTEREST DISCLOSURE

Mr. Pogue stated that notices of potential conflicts of interest for all Board Members were filed with the Colorado Secretary of State's Office, disclosing potential conflicts as Directors Brines, Burgener and Percy are employees of B H Developers and Director Eck and Director Halverson are employees of Land Asset Strategies, which are associated with the primary landowners and developer within the Districts. Mr. Pogue advised the Boards that pursuant to Colorado law, certain disclosures by the Board Members might be required

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prior to taking official action at a meeting. The Boards reviewed the agenda for the meeting, following which each Board Member present confirmed the contents of the written disclosures previously made stating the fact and summary nature of any matters as required under Colorado law to permit official action to be taken at the meeting. Additionally, the Boards determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Boards to act.

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### AGENDA

The Boards reviewed the agenda. Upon motion duly made by Director Brines, seconded by Director Percy, and upon vote, unanimously carried, it was

**RESOLVED** to approve the agenda, as amended to add item V. B. Approval of Online Account Payable Processing.

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### APPOINTMENT OF BOARD MEMBERS TO FILL CURRENT VACANCIES AND ELECTION OF OFFICERS

There are two vacancies to be filled on the Boards. Mr. Pogue noted that a call for interested candidates was published on January ,4 2021. The District did not receive any additional letters of interest to serve on the Board. Robert Eck and Erik Halverson have agreed to serve and are qualified to serve on the Board. Upon motion duly made by Director Brines, seconded by Director Burgener, and upon vote, unanimously carried, it was

**RESOLVED** to appoint Robert Eck to serve on the Board of Airpark North Metropolitan District Nos. 1-4 to fill a term expiring May 2022 and Erik Halverson to serve on the Board of Airpark North Metropolitan District Nos. 1-4 to fill a term expiring May 2022.

It was the consensus of the Board to elect the following slate of officers:

- Jeffrey Brines, President
  - Curt Burgener, Vice President/Assistant Secretary
  - Tammy Percy, Treasurer/Secretary
  - Robert Eck, Assistant Secretary
  - Erick Halverson, Assistant Secretary
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### PUBLIC COMMENT

There were no public comments.

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### CONSENT AGENDA ITEMS

The Boards considered the following consent agenda items:

- A. Approval of Minutes – December 17, 2020 Organizational Meeting Minutes.
- B. Ratification of Contract Modification Report.

Upon motion duly made by Director Brines, seconded by Director Burgener and upon vote, unanimously carried, it was

**RESOLVED** to ratify and approve the items above, as presented.

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### CAPITAL INFRASTRUCTURE ITEMS

Bid Summary Memorandum – Airpark North Phase 1 Public Infrastructure: Mr. Milligan reviewed with the Board the Bid Summary Memorandum and answered questions.

Approval of Construction Contract with Gerrard Excavating for Airpark North Phase 1 Public Infrastructure Improvements: Mr. Milligan reviewed with the Board the Construction Contract with Gerrard Excavating for Public Infrastructure Improvements in an amount not to exceed \$4,455,736.97. Upon motion duly made by Director Brines, seconded by Director Burgener, with Director Brines, Director Burgener and Director Pearcy voting “aye” and Director Eck and Director Halverson voting “nay”, it was

**RESOLVED** to approve the Construction Contract with Gerrard Excavating for Airpark North Phase 1 Public Infrastructure Improvements in an amount not to exceed \$4,455,736.97.

Approval of Master Services Agreement and Work Order 2021-01 with Earth Engineering Consultants for Construction Materials Testing and Observation Services: Mr. Milligan reviewed with the Board the Master Services Agreement and Work Order 2021-01 with Earth Engineering Consultants for Construction Materials Testing and Observation Services in an amount not to exceed \$41,723. Upon motion duly made by Director Eck, seconded by Director Halverson and upon vote, unanimously carried, it was

**RESOLVED** to approve the Master Services Agreement and Work Order 2021-01 with Earth Engineering Consultants for Construction Materials Testing and Observation Services in an amount not to exceed \$41,723.

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Approval of Master Services Agreement and Work Order 2021-01 with King Surveyors for Survey and Staking Services: Mr. Milligan reviewed with the Board Master Services Agreement and Work Order 2021-01 with King Surveyors for Survey and Staking Services in an amount not to exceed \$47,033. Upon motion duly made by Director Eck, seconded by Director Halverson and upon vote, unanimously carried, it was

**RESOLVED** to approve the Master Services Agreement and Work Order 2021-01 with King Surveyors for Survey and Staking Services in an amount not to exceed \$47,033.

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### LEGAL ITEMS

There were no Legal Items to come before the Board.

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### FINANCIAL ITEMS

Financial Update: Mr. Campbell provided a verbal Financial Report and answered questions.

Discussion Regarding Online Accounts Payables Process: Mr. Campbell discussed with the Board the online account payables process. Upon motion duly made by Director Brines, seconded by Director Burgener and upon vote, unanimously carried, it was

**RESOLVED** to authorize online bill payments and appoint Director Percy as the designated approver.

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### DISTRICT MANAGER'S ITEMS

Manager's Report: Mr. Abbott provided a verbal Manager's Report and answered questions.

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### OTHER ITEMS

Director Brines provided a verbal Developer's Report.

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### ADJOURNMENT

There being no further business to come before the Boards, the meeting was adjourned 11:11 a.m.

Respectfully submitted,



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Traci Miller  
Recording Secretary for the Meeting