

## RECORD OF PROCEEDINGS

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

HELD  
APRIL 19, 2021

The Boards of Directors of the Airpark North Metropolitan Districts Nos. 1-4 held a regular meeting, open to the public, via MS Teams at 10:00 a.m. on Monday, April 19, 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  
Erick Halverson, Assistant Secretary

Also in Attendance Were:

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

CALL TO ORDER

The meeting was called to order at 10:02 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 include ratification of past actions.

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### PUBLIC COMMENT

There were no comments made by members of the public.

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### CONSENT AGENDA ITEMS

The Boards considered the following consent agenda items:

- A. Approval of Minutes – January 25, 2021 Special Meeting Minutes.
- B. Ratification of Payables.
- C. Financial Statements as of December 31, 2020.
- D. Capital Fund Summary.
- E. Ratification of Contract Modification Report.

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

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

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### CAPITAL INFRASTRUCTURE ITEMS

Capital Infrastructure Report: Mr. Milligan reviewed with the Board the Capital Infrastructure Report and answered questions.

Master Services Agreement and Work Order 2021-01 with Sanderson Stewart for Civil Engineering Construction Administration Services: Mr. Milligan reviewed with the Board the Master Services Agreement and Work Order 2021-01 with Sanderson Stewart for Civil Engineering Construction

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Administration Services. Upon motion duly made by Director Eck, seconded by Director Percy and upon vote, unanimously carried, it was

**RESOLVED** to approve the Master Services Agreement and Work Order 2021-01 with Sanderson Stewart for Civil Engineering Construction Administration Services in an amount of \$38,950.00.

Master Services Agreement and Work Order 2021-01 with Ripley Design for Landscaping Bidding and Construction Administration Services: Mr. Milligan reviewed with the Board the Master Services Agreement and Work Order 2021-01 with Ripley Design for Landscaping Bidding and Construction Administration Services. Upon motion duly made by Director Burgener, seconded by Director Halverson and upon vote, unanimously carried, it was

**RESOLVED** to approve the Master Services Agreement and Work Order 2021-01 with Ripley Design for Landscaping Bidding and Construction Administration Services in an amount of \$15,500.00, subject to final revisions to the master services agreement.

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### LEGAL ITEMS

Payment to South Fort Collins Sanitation District and the Fort Collins-Loveland Water District for Legal Costs Associated with Overlapping District Consent Resolutions: Mr. Pogue reviewed with the Board the payment to South Fort Collins Sanitation District and the Fort Collins-Loveland Water District for legal costs associated with overlapping District consent resolutions. Upon motion duly made by Director Brines, seconded by Director Percy and upon vote, unanimously carried, it was

**RESOLVED** to approve the payment to South Fort Collins Sanitation District and the Fort Collins-Loveland Water District for legal costs associated with overlapping District Consent Resolutions.

Approval of Collateral Assignment of Improvement Acquisition and Reimbursement Agreement: Mr. Pogue reviewed with the Board the Collateral Assignment of Improvement Acquisition and Reimbursement Agreement. Upon motion duly made by Director Brines, seconded by Director Percy and upon vote, unanimously carried, it was

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**RESOLVED** to approve the Collateral Assignment of Improvement Acquisition and Reimbursement Agreement.

Approval of Collateral Assignment of Public Improvements Construction Agreement (Gerrard): Mr. Pogue reviewed with the Board the Collateral Assignment of Public Improvements Construction Agreement with Gerrard Excavating. Upon motion duly made by Director Brines, seconded by Director Percy and upon vote, unanimously carried, it was

**RESOLVED** to approve the Collateral Assignment of Public Improvements Construction Agreement with Gerrard Excavating.

Ratification of Past Actions: Mr. Pogue requested ratification of past actions taken by the Board. Upon motion duly made by Director Brines, seconded by Director Percy and upon vote, unanimously carried, it was

**RESOLVED** to ratify the past action taken by the Board.

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### FINANCIAL ITEMS

Financial Update: Ms. Janzen provided a verbal Financial Report and answered questions.

Ratification of Application for Exemption from Audit: Ms. Janzen reviewed with the Board the Application for Exemption from Audit for District Nos. 1-4. Upon motion duly made by Director Brines, seconded by Director Percy and upon vote, unanimously carried, it was

**RESOLVED** to ratify the Application for Exemption from Audit for District Nos. 1-4.

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### DISTRICT MANAGER'S ITEMS

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

Acceptance of Designation as the Covenant Enforcing Entity: Mr. Abbott reviewed with the Board the District CCR's and Designation as the Covenant Enforcing Entity. Upon motion duly made by Director Brines, seconded by Director Percy and upon vote, unanimously carried, it was

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**RESOLVED** to accept Designation as the Covenant Enforcing Entity.

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OTHER ITEMS

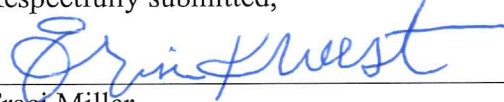
Director Brines provided a verbal Developer's Report.

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ADJOURNMENT

There being no further business to come before the Boards, the meeting was adjourned 10:37 a.m.

Respectfully submitted,



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Traci Miller

Recording Secretary for the Meeting

