

RECORD OF PROCEEDINGS

MINUTES OF THE COORDINATED REGULAR MEETING OF KINSTON METROPOLITAN DISTRICT NOS. 1-10

HELD
June 10, 2021

The Boards of Directors of Kinston Metropolitan District Nos. 1-10 held a coordinated regular meeting, open to the public, via MS Teams, at 12:00 p.m., Thursday, June 10, 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: (via teleconference)

David Crowder, President
Josh Kane, Treasurer
Kim Perry, Secretary
Courtney Parmelee, Asst. Secretary/Asst. Treasurer

Directors Absent but Excused:

Tim DePeder, Vice President

Also in Attendance: (via teleconference)

Alan Pogue; Icenogle Seaver Pogue, P.C.
Kevin Kimball; The Adams Group, LLC
Jeff Breidenbach and Voneen Macklin; McWhinney
Ryan Abbott, Andrew Kunkel, Irene McCaffrey, Kirsten Starman, and
Elaina Cobb; Pinnacle Consulting Group, Inc.

CALL MEETING TO ORDER

The meeting was called to order at 12:00 p.m. by Director Crowder, President and Chairperson of the Boards, noting that a quorum was present. The Directors in attendance confirmed their qualifications to serve.

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 Kinston Metropolitan District No. 1, with concurrence by the Kinston Metropolitan Districts 2, 3, 4, 5, 6, 7, 8, 9, and 10.

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CONFLICT OF
INTEREST
DISCLOSURE

Alan Pogue, legal counsel, 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 all Board Members are employees of McWhinney Real Estate Services, Inc., which is 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 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.

APPROVAL OF
AGENDA

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

RESOLVED to approve the agenda, as presented.

PUBLIC RELATIONS
UPDATE

Mr. Abbott presented the Public Relations Update to the Boards and answered questions. Mr. Abbott also shared that Slate Communications is still working on the newly created Kinston website and noted an anticipated launch date in July.

2020 AUDIT

2020 Audit for Kinston Metropolitan District No. 1 and District No. 5: Ms. McCaffrey and Kevin Kimball presented the 2020 Financial Audit for District No. 1 and District No. 5 to the Boards. Mr. Kimball stated that the audit received an unmodified clean opinion. Following review and discussion and upon a motion duly made by Director Kane, seconded by Director Parmelee and, upon vote, unanimously carried, it was

RESOLVED to approve the 2020 Audit for Kinston Metropolitan District No. 1 and District No. 5 subject to final review from legal counsel and district management.

PUBLIC COMMENT

There were no members of the public present.

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CONSENT AGENDA ITEMS

The Boards considered the following consent agenda items:

- A. Approval of Minutes—May 13, 2021 Regular Meeting.
- B. Ratification of Payables.
- C. Ratification of Contract Modifications.

Upon motion duly made by Director Kane, seconded by Director Perry and, upon vote, it was unanimously

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

CAPITAL INFRASTRUCTURE ITEMS

District Capital Infrastructure Report: Ms. Starman reviewed the District Capital Infrastructure Report with the Boards and answered questions.

District Project Manager Update: Mr. Breidenbach presented the District Project Manager update with the Boards and answered questions.

Capital Fund Summary: Ms. Starman reviewed the Capital Fund Summary with the Boards and answered questions.

Construction Contract with GE Construction, Inc. for Dry Utility Sleeving: Ms. Starman presented a Construction Contract with GE Construction, Inc. for Dry Utility Sleeving. Upon motion duly made by Director Kane, seconded by Director Parmelee and, upon vote, it was unanimously

RESOLVED to approve a Construction Contract with GE Construction, Inc. for Dry Utility Sleeving in an amount of \$49,500.00.

Centerra Parkway Landscape Improvements: Ms. Starman reviewed the Bid Summary Memorandum and requested approval of a Construction Contract with Bath, Inc. for Centerra Parkway Landscape Improvements. Upon motion duly made by Director Kane, seconded by Director Parmelee and, upon vote, it was unanimously

RESOLVED to approve a Construction Contract with Bath, Inc for Centerra Parkway Landscape Improvements in an amount of \$355,260.09.

FINANCIAL ITEMS

Finance Manger's Report: Ms. McCaffrey presented the Finance Manger's Report and answered questions.

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DISTRICT MANAGER
ITEMS

Manager's Report: Mr. Abbott presented the Manager's Report to the Boards and answered questions.

OTHER ITEMS

Director Crowder noted staff is working with McWhinney and the HOA on operational budgets.

ADJOURNMENT

There being no further business to come before the Boards and upon motion and second, the meeting was adjourned at 12:40 p.m.

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

Respectfully Submitted,



Elaina Cobb, Secretary for the Meeting