

RECORD OF PROCEEDINGS

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

HELD
April 14, 2022

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, April 14, 2022.

ATTENDANCE

Directors in Attendance: (via teleconference)

Abby Kirkbride, President
Tim DePeder, Vice President
Josh Kane, Treasurer & Assistant Secretary
Kim Perry, Secretary
Brad Lenz, Assistant Secretary & Assistant Treasurer

Also in Attendance: (via teleconference)

Alan Pogue; Icenogle Seaver Pogue, P.C.
Christina Rotella, Jim Niemczyk, and Lindsay Mercier; McWhinney
Ryan Abbott, Elaina Cobb, Jason Woolard, Joan Howell, Irene
Buenavista, Doug Campbell, Casey Milligan, and Ettie Arnold; Pinnacle
Consulting Group, Inc.

CALL MEETING TO ORDER

The meeting was called to order at 12:02 p.m. by Director Kirkbride, 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.

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

RECORD OF PROCEEDINGS

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 Lenz and, upon vote, it was unanimously

RESOLVED to approve the agenda, as amended to remove item III D I 3 Consider Approval of Master Services Agreement and Work Order 2022-01 with Fiske Electric for Electrical Services.

PUBLIC COMMENT

There were no members of the public present.

CONSENT AGENDA ITEMS

The Boards considered the following consent agenda items:

- A. Approval of March 10, 2022 Regular Board Meeting Minutes.
- B. Ratification of Payables.
- C. Ratification of Contract Modifications.

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

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

CAPITAL INFRASTRUCTURE ITEMS

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

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

Capital Fund Summary: Mr. Milligan and Ms. Buenavista reviewed the Capital Fund Summary with the Boards and answered questions.

RECORD OF PROCEEDINGS

Kinston Residential Phase 1: Mr. Milligan reviewed the Bid Summary Memorandum for Kinston Residential Phase 1 for Public Fencing Improvements and answered questions. Upon motion duly made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously

RESOLVED to reject all bids received as they came in over the original project estimate.

Master Services Agreement and Work Order 2022-01 with Kellar Engineering for Roundabout Design Services (\$12,500.00 for Millennium East 18th Subdivision): Mr. Milligan presented Master Services Agreement and Work Order 2022-01 with Kellar Engineering for Roundabout Design Services, not to exceed, \$12,500.00. Upon motion duly made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously

RESOLVED to approve the Master Services Agreement and Work Order 2022-01 with Kellar Engineering for Roundabout Design Services, not to exceed, \$12,500.00.

Crossroads Boulevard Mitigation: Mr. Milligan reviewed the future expansion of Crossroads Boulevard and the Districts financial contribution to the expansion and answered questions.

FINANCIAL ITEMS

Finance Manager's Report: Ms. Buenavista presented the Finance Manager's Report to the Boards and answered questions.

LEGAL ITEMS

Addendum No. 1 to Intergovernmental Agreement Regarding Allocation of Costs of Public Improvements between District No. 1 and Centerra Metropolitan District No. 1 for overlot grading: Mr. Pogue discussed and requested approval of Addendum No. 1 to Intergovernmental Agreement Regarding Allocation of Costs of Public Improvements between District No. 1 and Centerra Metropolitan District No. 1 for overlot grading. Upon motion duly made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously

RESOLVED to approve Addendum No. 1 to Intergovernmental Agreement Regarding Allocation of Costs of Public Improvements between District No. 1 and Centerra Metropolitan District No. 1 for overlot grading.

RECORD OF PROCEEDINGS

Addendum No. 2 to Intergovernmental Agreement Regarding Allocation of Costs of Public Improvements between District No. 1 and Centerra Metropolitan District No. 1 for swale crossing: Mr. Pogue discussed and requested approval of Addendum No. 2 to Intergovernmental Agreement Regarding Allocation of Costs of Public Improvements between District No. 1 and Centerra Metropolitan District No. 1 for swale crossing. Upon motion duly made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously

RESOLVED to approve Addendum No. 2 to Intergovernmental Agreement Regarding Allocation of Costs of Public Improvements between District No. 1 and Centerra Metropolitan District No. 1 for swale crossing.

Addendum No. 3 to Intergovernmental Agreement Regarding Allocation of Costs of Public Improvements between District No. 1 and Centerra Metropolitan District No. 1 for landscape/hardscape costs for Phase 1 entry park/S. Centerra Parkway: Mr. Pogue discussed and requested approval of Addendum No. 3 to Intergovernmental Agreement Regarding Allocation of Costs of Public Improvements between District No. 1 and Centerra Metropolitan District No. 1 for landscape/hardscape costs for Phase 1 entry park/S. Centerra Parkway. Upon motion duly made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously

RESOLVED to approve Addendum No. 3 to Intergovernmental Agreement Regarding Allocation of Costs of Public Improvements between District No. 1 and Centerra Metropolitan District No. 1 for landscape/hardscape costs for Phase 1 entry park/S. Centerra Parkway.

Addendum No. 4 to Intergovernmental Agreement Regarding Allocation of Costs of Public Improvements between District No. 1 and Centerra Metropolitan District No. 1 for Elk River Drive improvements: Mr. Pogue discussed and requested approval of Addendum No. 4 to Intergovernmental Agreement Regarding Allocation of Costs of Public Improvements between District No. 1 and Centerra Metropolitan District No. 1 for Elk River Drive Improvements. Upon motion duly made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously

RESOLVED to approve Addendum No. 4 to Intergovernmental Agreement Regarding Allocation of Costs of Public Improvements between District No. 1 and Centerra Metropolitan District No. 1 for Elk River Drive Improvements.

RECORD OF PROCEEDINGS

DISTRICT MANAGER
ITEMS

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

ITEMS FROM
DIRECTORS

There were no items from Directors presented for the Boards consideration.

OTHER
MATTERS

There were no other matters brought before the Boards.

ADJOURNMENT

There being no further business to come before the Boards and upon motion and second, the meeting was adjourned at 1:21 p.m.

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

Respectfully Submitted,



Ettie Arnold, Secretary for the Meeting