

# RECORD OF PROCEEDINGS

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**MINUTES OF THE SPECIAL  
MEETING OF  
LOVELAND MIDTOWN METROPOLITAN DISTRICT  
HELD  
June 12, 2014**

The Board of Directors (collectively, "Board") of the Loveland Midtown Metropolitan District, ("District") held a special meeting, open to the public, at the offices of Pinnacle Consulting Group, Inc., 1627 E. 18th Street, Loveland, Colorado 80538; at 11:00 am on Thursday, June 12 , 2014. Notice of the meeting has been duly posted with the Larimer County Clerk and Recorder and in three public places within the boundaries of the District.

ATTENDANCE

Directors in Attendance:

Blaine Rappe, President  
Nathan Klein, Vice President  
Randy Vinding, Assistant Secretary/Treasurer  
Eric Holsapple, Assistant Secretary/Treasurer  
Curtis D. Zimmerman, Secretary/Treasurer

Also in Attendance:

Jim Worley, Kammy Tinney, and Brendan Campbell, CPA; Pinnacle Consulting Group, Inc.  
Deborah Early, Esq.; Icenogle Seaver Pogue, P.C.

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CALL TO ORDER

The meeting was called to order at 11:09 am by Director Rappe, noting that a quorum was present. The directors in attendance confirmed their qualifications to serve.

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CONFLICTS OF  
INTEREST  
DISCLOSURE

Ms. Early noted that conflicts of interest for Directors Rappe, Klein, and Holsapple have been filed. Ms. Early advised the Board that pursuant to Colorado law, certain disclosures by the Board Members might be required prior to taking official action at a meeting. The Board 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 Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

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APPROVAL OF  
AGENDA

The Board reviewed the agenda. Upon motion duly made by Director Klein and seconded by Director Vinding, it was

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**RESOLVED** to approve the agenda, as presented.

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### ELECTION OF OFFICERS

Upon motion duly made by Director Holsapple, seconded by Director Klein and, upon vote, unanimously carried, the Board elected the following officers:

Blaine Rappe, President  
Nathan Klein, Vice President  
Eric Holsapple, Asst. Secretary/Treasurer  
Curtis D. Zimmerman, Secretary/Treasurer

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### APPROVAL OF MINUTES

Mr. Worley presented the minutes of the October 16, 2013 regular meeting for Board review and consideration. Upon motion duly made by Director Klein and seconded by Director Vinding, it was unanimously

**RESOLVED** to approve the October 16, 2013 minutes as presented.

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### PUBLIC COMMENT ON NON-AGENDA ITEMS

The Board opened the meeting to Public Comments. There was no public in attendance.

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### FINANCIAL MATTERS

Ratify Previous Claims Presented for Payment: Mr. Campbell presented the previous claims presented for payment for the period October 8, 2013 through June 5, 2014, detailing payments to be ratified in the amount of \$83,971.75, which includes check numbers 1511 – 1551. Upon motion duly made by Director Holsapple and seconded by Director Klein, it was unanimously

**RESOLVED** to ratify approval of the claims in the amounts listed above.

Financial Report: Mr. Campbell presented and reviewed the Financial Report through April 30, 2014. Upon motion duly made by Director Holsapple and seconded by Director Klein it was unanimously

**RESOLVED** to accept, with amendments to the property taxes receivable line item on the balance sheet, the Loveland Midtown Metropolitan District Balance Sheet, and Statement of Revenues and Expenditures through the period April 30, 2014, prepared by Pinnacle Consulting Group, Inc.

Ratify Application for Exemption from Audit: Mr. Campbell reported to the Board that Pinnacle Consulting Group, Inc. had prepared and submitted the Application for Exemption from Audit for 2013 and filed with the State Auditor on behalf of the District. Upon motion duly made by Director Vinding and seconded by Director Klein, it was unanimously

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**RESOLVED** to ratify approval of the 2013 Application for Audit Exemption.

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### MANAGEMENT MATTERS

Architectural Control Committee Update: Mr. Worley presented for ratification fence and landscape submittals dated March 27, 2014 and April 10, 2014. Upon motion made by Director Klein and seconded by Director Vinding it was unanimously

**RESOLVED** to ratify approval of the fence and landscape submittals as noted above.

Annual Community Garage Sale: Mr. Worley reported that he received a request from a homeowner for District participation in a community garage sale. The Board indicated its support of a community garage sale, but would not provide resources or funding.

Fence Maintenance: Mr. Worley reported that he has requested a proposal for power washing, staining, and needed repairs to District-owned fencing. The Board approved \$5,500 in the 2014 budget for this work.

Landscape Maintenance: Mr. Worley reported that there have been several challenges with Mill Brothers performance to date. Mr. Worley has met with the Project Manager on site, and expects the service to improve as the season progresses.

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### DIRECTOR MATTERS

Business Use of Residential Properties: Director Vinding reported that he is aware of several businesses in the community being run out of private homes, and requested review of the District's Rules and Regulations and Covenants to determine whether or not this is an allowed activity. Mr. Worley will research and respond to Director Vinding.

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### LEGAL MATTERS

Consideration and Approval of Engagement Letter: Ms. Early presented the Engagement Letter and Fee Agreement between the Loveland Midtown Metropolitan District and Icenogle Seaver Pogue, P.C.. Following review and discussion, upon motion duly made by Director Holsapple and seconded by Director Vinding, it was unanimously

**RESOLVED** to approve the Engagement Letter and Fee Agreement between the Loveland Midtown Metropolitan District and Icenogle Seaver Pogue, P.C..

Consideration and Approval of Third Amendment to Public Records Retention Resolution: Ms. Early presented the Resolution regarding Public Records Retention. Following review and discussion, upon motion duly made by Director Klein and

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seconded by Director Zimmerman, it was unanimously

**RESOLVED** to adopt the Resolution regarding Public Records Retention.

Summary of 2014 Legislation: Ms. Early reviewed the 2014 legislative summary with the Board.

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### OTHER BUSINESS

There was no other business presented for Board consideration.

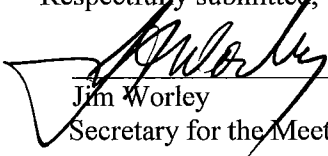
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### ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned at 12:07 p.m.

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Respectfully submitted,



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Jim Worley  
Secretary for the Meeting