

# RECORD OF PROCEEDINGS

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## MINUTES OF THE SPECIAL MEETING OF LOVELAND MIDTOWN METROPOLITAN DISTRICT HELD March 27, 2019

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., 550 W. Eisenhower Boulevard, Loveland, Colorado 80537; at 11:30 a.m. on Wednesday, March 27, 2019. Notice of the meeting was 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, Secretary/Treasurer  
Eric Holsapple, Vice President

Also in Attendance:

Deborah Early, Esq.; Icenogle Seaver Pogue, P.C. (via teleconference)  
Kammy Tinney, Molly Janzen, Crystal Clemens and Katie McCormack; Pinnacle Consulting Group, Inc.

CALL TO  
ORDER

The meeting was called to order at 11:32 a.m. by Director Rappe, noting that a quorum was present. The directors in attendance confirmed their qualifications to serve.

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.

APPROVAL OF  
AGENDA

Ms. Tinney distributed for the Board's review and approval a proposed agenda for the meeting. Following review, upon motion duly made by Director Holsapple, seconded by Director Klein and, upon vote, unanimously carried, it was,

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

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### APPROVAL OF MINUTES

The Board reviewed the minutes of the September 19, 2018 regular meeting and considered approval of the minutes. Following review, upon motion duly made by Director Klein, seconded by Director Holsapple and, upon vote, unanimously carried, it was

**RESOLVED** to approve the minutes of the September 19, 2018 regular meeting, as presented.

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### PUBLIC COMMENT ON NON-AGENDA ITEMS

There were no members of the public in attendance.

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### FINANCIAL MATTERS

Ratify Previous Claims Presented for Payment: Ms. Janzen presented the check detail for the period September 1, 2018 through March 20, 2019, totaling \$136,715.41 which includes EFT payments in the amount of \$6,280.55 and check numbers 1828 – 1859 in the amount of \$130,434.86, for Board review and consideration of ratification and approval. Following review and discussion, upon motion duly made by Director Holsapple, seconded by Director Klein and, upon vote, unanimously carried, it was

**RESOLVED** to ratify approval of the claims in the amounts and for the check numbers listed above.

Financial Report: Ms. Janzen reviewed with the Board the unaudited Financial Statements for the period ending December 31, 2018, with 2018 amended General Fund budget and 2019 adopted budget. Following review and discussion, upon motion duly made by Director Klein, seconded by Director Holsapple and, upon vote, unanimously carried, it was

**RESOLVED** to accept the unaudited Financial Statements for the period ending December 31, 2018, subject to revisions as discussed.

2018 Application for Exemption from Audit: Ms. Janzen presented and reviewed the 2018 Application for Exemption from Audit. Following review and discussion, upon motion duly made by Director Klein, seconded by Director Holsapple and, upon vote, unanimously carried, it was

**RESOLVED** to accept the 2018 Application for Exemption from Audit as presented.

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### MANAGEM ENT MATTERS

Architectural/Covenant Control Committee Update: Ms. Tinney reviewed with the Board the Architectural/Covenant Violation Tracker noting that one property was

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recently contacted concerning repeated nuisance violations. The tenant has since been evicted by the owner and the owner has paid the accrued fines.

2019 Landscape/Irrigation Maintenance Services and Coordination: Ms. Tinney reviewed status of the 2019 landscape and irrigation maintenance services noting that seasonal start-up is underway. The website has been updated with reminders regarding spring clean-up, continued snow removal as needed, and routine property maintenance. The permanent posting signs are being fabricated and will be installed soon.

Utility Notification Center of Colorado: Ms. Tinney discussed with the Board the recent legislation requiring all entities with underground utilities to utilize the services of the Utility Notification Center of Colorado (UNCC). Ms. Tinney presented for consideration the estimated cost to subscribe to and implement the service. The fee required to move to Tier I is \$1.45 per locate, plus \$25.00 to enroll, and Pinnacle Consulting Group, Inc. staff time for review and coordination is estimated to total \$1,000.00 in 2019. Following review and discussion, upon motion duly made by Director Holsapple, seconded by Director Klein, and unanimously carried, it was

**RESOLVED** to approve membership with UNCC and establish procedures as required.

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### LEGAL MATTERS

Data Security Resolution: Ms. Early presented the Data Security Resolution which sets forth procedures for protecting and destroying customer information maintained by the district. Following review and discussion, upon motion duly made by Director Holsapple, seconded by Director Klein, and unanimously carried, it was

**RESOLVED** to adopt the Data Security Resolution as presented.

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### BOARD VACANCIES

Director Holsapple noted that there are currently two vacancies on the Board of Directors. Ms. Early reviewed the process for appointing eligible electors to the Board, including required notice of the vacancy by publication. The Board directed that notice of the vacancies be published and posted to the District's website again in August 2019, prior to the regular meeting in September.

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### OTHER BUSINESS

There was no other business brought before the Board for consideration.

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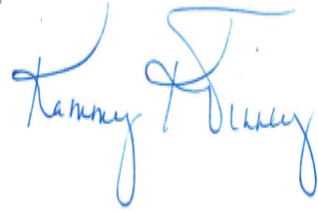
### ADJOURNMENT

Upon a motion by Director Holsapple, seconded by Director Klein, and unanimous vote, the meeting was adjourned at 12:04 p.m.

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Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Kammy Tinney". The signature is written in a cursive style with a large initial "K" and "T".

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Kammy Tinney  
Secretary for the Meeting