

# RECORD OF PROCEEDINGS

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## MINUTES OF THE SPECIAL MEETING OF LOVELAND MIDTOWN METROPOLITAN DISTRICT HELD March 22, 2021

The Board of Directors (collectively, "Board") of the Loveland Midtown Metropolitan District, ("District") held a special meeting, open to the public, via Zoom/Telephone conference; at 10:00 a.m. on Monday, March 22, 2021. Notice of the meeting was duly posted on the District's website at <http://www.lovelandmidtownmetrodistrict.com>

### ATTENDANCE

#### Directors in Attendance:

Blaine Rappe, President  
Eric Holsapple, Vice President  
Chris Johnston, Assistant Secretary/Treasurer

#### Directors Absent but Excused:

Nathan Klein, Secretary/Treasurer

#### Also in Attendance:

Deborah Early, Esq.; Icenogle Seaver Pogue, P.C.  
Crystal Clemens, Molly Janzen, and Andrew Kunkel; Pinnacle Consulting Group, Inc.

### CALL TO ORDER

The meeting was called to order at 10:02 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 all Board Members were filed with the Office of the Colorado Secretary of State. 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

The Board considered the agenda. Upon motion duly made by Director Johnston, seconded by Director Holsapple, and upon vote, unanimously carried, it was,

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

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### APPROVAL OF MINUTES

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The Board reviewed the minutes of the October 29, 2020 special meeting. Following review, upon motion duly made by Director Holsapple, seconded by Director Johnston, and upon vote, unanimously carried, it was

**RESOLVED** to approve the minutes of the October 29, 2020 special 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

Claims Presented for Payment: Ms. Janzen reviewed with the Board the payables listing dated October 22, 2020 through March 12, 2021, totaling \$126,099.21. Following review and discussion, upon motion duly made by Director Johnston, seconded by Director Holsapple, and upon vote, unanimously carried, it was

**RESOLVED** to ratify approval of the claims presented for payments made in the total amount noted above.

Financial Report: Ms. Janzen reviewed with the Board the unaudited Financial Statements for the period ended December 31, 2020 and answered questions. Ms. Early noted the District's voter authorization is going to expire soon and suggested that the Board explore options to refund the bonds and possibly pay off more of the capital note. More discussion will occur at the next Board meeting in September. Following review and discussion, upon motion duly made by Director Holsapple, seconded by Director Johnston, and upon vote, unanimously carried, it was

**RESOLVED** to accept the unaudited Financial Statements for the period ended December 31, 2020, as presented.

2020 Application for Exemption from Audit: Ms. Janzen presented and reviewed the 2020 Application for Exemption from Audit. Following review and discussion, upon motion duly made by Director Holsapple, seconded by Director Johnston, and upon vote, it was unanimously

**RESOLVED** to ratify approval of the 2020 Application for Exemption from Audit as presented.

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### MANAGEMENT MATTERS

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

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Covenant Enforcement/Architectural Control Committee Update: Ms. Clemens reviewed with the Board the Architectural/Covenant Violation Tracker noting 93 properties were contacted concerning violations, and 12 ARC requests were submitted for review and approval for the period January 1, 2020 through December 31, 2020.

Discussion of Action Steps for Ongoing Covenant Violations: Ms. Early reviewed with the Board the ongoing covenant violations for 1903 Sagittarius. Ms. Early requested direction from the Board regarding whether or not to consult with an HOA Attorney and to proceed with filing a lien against the property. The consensus of the Board was for Ms. Early to consult with the HOA Attorney.

Contract Modifications Report: Ms. Clemens reviewed the Contracts and Contract Modifications report with the Board and answered questions. Following review and discussion, upon motion duly made by Director Holsapple, seconded by Director Johnston, and upon vote, it was unanimously

**RESOLVED** to approve the Contracts and Contract Modifications, as presented.

LEGAL MATTERS

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The were no legal items presented to the board for consideration.

DIRECTOR'S  
ITEMS

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There were no director's items presented to the Board for consideration.

OTHER BUSINESS


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There were no other business items presented to the Board for consideration.

ADJOURNMENT

Upon a motion by Director Holsapple, seconded by Director Johnston, and upon unanimous vote, the meeting was adjourned at 10:32 a.m.

Respectfully submitted,

  
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Andrew Kunkel,  
Secretary for the Meeting