

# RECORD OF PROCEEDINGS

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## MINUTES OF THE COORDINATED REGULAR MEETING OF JOHNSTOWN NORTH METROPOLITAN DISTRICT NOS. 1-3

HELD  
April 28, 2022

The Boards of Directors of the Johnstown North Metropolitan District Nos. 1-3 held a regular meeting, open to the public, via MS Teams at 10:00 a.m., Thursday, April 28, 2022.

### ATTENDANCE

Directors in Attendance: (Via Teleconference)  
Kim Perry, President & Chairperson  
Abby Kirkbride, Vice President/Assistant Secretary  
Josh Kane, Treasurer/Secretary  
Sam Salazar, Assistant Secretary/Assistant Treasurer  
Tim DePeder, Assistant Secretary/Assistant Treasurer

Also, in Attendance Were: (Via Teleconference)  
Deborah Early; Icenogle Seaver Pogue, P.C.  
Jim Niemczyk, Mike McBride and Samantha Romero; McWhinney  
Shannon McEvoy, Irene Buenavista, Kirsten Starman, Andrew Kunkel,  
Brendan Campbell, Joan Howell, Dillon Gamber, Doug Campbell, and  
Kieyesia Conaway; Pinnacle Consulting Group, Inc.

### CALL TO ORDER

The meeting was called to order at 10:06 a.m. by Director Perry, President of the Boards, noting that a quorum was present. The Directors in attendance confirmed their qualifications to serve.

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### 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 Johnstown North Metropolitan District No. 1, with concurrence by the Johnstown North Metropolitan District Nos. 2 and 3.

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### CONFLICT OF INTEREST DISCLOSURE

Ms. Early noted that notices of potential conflicts of interest for all Board Members were filed with the Colorado Secretary of State at least 72 hours in advance of the meeting, disclosing that potential conflicts of interest may exist, as all Board Members are employees of McWhinney Real Estate Services, Inc. which is associated with the primary landowner and developer of land within the District. Mr. Pogue advised the Boards that pursuant to Colorado law, certain disclosures by the Board Members might be required

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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 considered the agenda. Upon motion duly made by Director DePeder, seconded by Director Kirkbride and, upon vote, it was unanimously.

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

PUBLIC  
COMMENT

There were no members of the public present.

CONSENT  
AGENDA

The Boards considered the following items on the consent agenda:

- A. Approval of Minutes – November 8, 2021 Special Meeting and December 6, 2021 Special Meeting.
- B. Ratification of Payables.
- C. Ratification of Contract Modifications.
- D. Financial Statements as of December 31, 2021.

Following review and discussion, upon motion duly made by Director Kane, seconded by Director Salazar and, upon vote, it was unanimously.

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

CAPITAL  
INFRASTRUCTURE  
ITEMS

District Project Manager Update: Mr. McBride updated the Boards on current District projects and answered questions.

Construction Contract with DaVinci Sign Systems for Monument Sign Construction/Installation: Ms. Starman presented a comprehensive bid analysis memo and recommended the Board approve a contract with DaVinci Sign Systems for Monument Sign Construction/Installation. The Board requested the contractor hold pricing for 6 months. Following review

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

**RESOLVED** to approve a Construction Contract with DaVinci Sign Systems for Monument Sign Construction/Installation, for a not to exceed amount of \$40,571.54.

Construction Contract with Zac George Landscaping for Monument Sign Landscape and Irrigation Installation: Ms. Starman presented a comprehensive bid analysis memo and recommended the Board approve a contract with Zac George Landscaping for Monument Sign Landscape and Irrigation Installation. Following review and discussion, upon motion made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously.

**RESOLVED** to approve a Construction Contract with Zac George Landscaping for Monument Sign Landscape and Irrigation Installation, for a not to exceed amount of \$40,335.00.

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### FINANCIAL ITEMS

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

2021 Audit Exemptions for District Nos. 1-3: Ms. Buenavista presented the 2021 Audit Exemptions for District Nos. 1-3. Following review and discussion, upon motion duly made by Director Kane, seconded by Director Kirkbride and, upon vote, it was unanimously.

**RESOLVED** to approve the 2021 Audit Exemptions for Districts 1-3.

Bond Consultants: Ms. Buenavista presented the following Bond Consultants; Wells Fargo – Underwriter, Piper Sandler – Municipal Advisor, Ballard Spahr – Bond Counsel, Kline Alvarado Veio – Underwriter's Counsel, Causey Demgen & Moore – Financial Forecast, THK – Market study, Pinnacle Consulting Group, Inc. – District Manager, Icenogle Seaver Pouge – District Counsel. Following review and discussion, upon motion duly made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously.



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**RESOLVED** to approve the Bond Consultants; Wells Fargo – Underwriter, Piper Sandler – Municipal Advisor, Ballard Spahr – Bond Counsel, Kline Alvarado Veio – Underwriter’s Counsel, Causey Demgen & Moore – Financial Forecast, THK – Market study, Pinnacle Consulting Group, Inc. – District Manager, Icenogle Seaver Pougé – District Counsel.

Bond Update: Mr. Kane and Ms. Early provided the Bond update and answered questions.

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### LEGAL ITEMS

Election Update: Ms. Early provided an election update stating that Kim Perry and Sam Salazar were elected to three-year terms. Abby Kirkbride and Tim DePeder were elected to one-year terms.

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### MANAGEMENT ITEMS

Master Service Agreement and Work Order 2022-01 with Foothills Landscape Maintenance for Right of Way Mowing: Mr. Gamber presented the Master Service Agreement and Work Order 2022-01 with Foothills Landscape Maintenance for Right of Way Mowing and answered questions. Following review and discussion, upon motion duly made by Director Kane, seconded by Director DePeder and, upon vote, it was unanimously.

**RESOLVED** to approve the Master Service Agreement and Work Order 2022-01 with Foothills Landscape Maintenance for Right of Way Mowing, with Director Perry requested an end of year update on the performance of Foothills Landscape Maintenance.

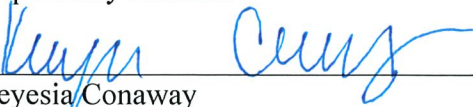
District Manager’s Report: Mr. Gamber provided an update regarding site observations and operations and maintenance updates for spring. Mr. Campbell, Mr. McEvoy, and Ms. Early gave a status update on the grinder pump. The Board directed management to research Town of Johnstown code enforcement related to grease traps.

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### ADJOURNMENT

There being no further business to come before the Boards, the meeting was adjourned at 10:43 a.m.

Respectfully submitted

  
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Kieyesia Conaway  
Recording Secretary for the Meeting