

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF LAKOTA POINTE METROPOLITAN DISTRICT

HELD
June 12, 2023

The Board of Directors of the Lakota Pointe Metropolitan District held a regular meeting, open to the public, on Monday, June 12, 2023, at 2:00 p.m. Notice of the meeting was posted twenty-four hours in advance of said meeting to the District website.

ATTENDANCE

Directors in Attendance via teleconference:
Kenneth Boenish, Director

Also, in Attendance Were:

Alan Pogue; Icenogle Seaver Pogue, P.C.
Jason Woolard, Shannon Randazzo, Kieyesia Conaway, Amanda Castle,
Michael Garcia, Casey Milligan, and Nic Ortiz; Pinnacle Consulting Group,
Inc.
Adam Dowling, Lakota Pointe Development LLC

CALL TO ORDER

The meeting was called to order at 2:04 p.m. by Ms. Randazzo, noting that a quorum was present. The Directors in attendance confirmed their qualifications to serve.

CONFLICT OF INTEREST DISCLOSURE

Mr. Pogue noted that notices of potential conflict of interest for all Board Members were filed with the Colorado Secretary of State's Office. Mr. Pogue advised the Board that pursuant to Colorado law, certain disclosures by the Board might be required prior to taking official action at a meeting. The Board reviewed the agenda for the meeting, following which the Directors confirmed the contents of the written disclosure 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 made by Director Boenish, unanimously carried, it was

RESOLVED to approve the agenda, as presented.

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APPOINTMENT FOR VACANCY

The Board discussed the appointment for a Vacancy on the Board of Directors. Following review and discussion, upon motion duly made by Director Boenish, unanimously carried, it was

RESOLVED to approve appointing Adam Dowling to the vacant position on the Board of Directors.

ELECTION OF OFFICERS

The Board Discussed officer positions for the Board of Directors. Following review and discussion, upon motion made by Director Boenish, unanimously carried, it was

RESOLVED to appoint each Director to the following position:

Kenneth Boenish President
Adam Dowling Secretary and Treasurer

PUBLIC COMMENT

There were no Members of the Public present at this meeting.

DIRECTOR COMMENT

There were no Director comments to come before the Board.

CONSENT AGENDA

The Boards considered the following consent agenda item:

- A. Approval of Minutes – January 24, 2023, Special Meeting Minutes.
- B. Ratification of Payables.

Following review and discussion, upon motion made by Director Boenish, unanimously carried, it was

RESOLVED to approve the Consent Agenda, as presented.

FINANCIAL ITEMS

Financial Update: Ms. Castle provided a Financial Update to the Board and answered questions.

2021 Audit Exemption: Ms. Castle presented and requested approval of the 2021 Audit Exemption to the Board and answered questions. Following review and discussion, upon motion duly made by Director Boenish, unanimously carried, it was

RESOLVED to approve the 2021 Audit Exemption.

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2022 Audit Exemption: Ms. Castle presented and requested ratification the 2022 Audit Exemption to the Board and answered questions. Following review and discussion, upon motion duly made by Director Boenish, unanimously carried, it was

RESOLVED to ratify the 2022 Audit Exemption.

Unaudited Financial Statements for the period ending December 31, 2022: Ms. Castle Presented the Unaudited Financial Statements for the period ending December 31, 2022 and answered questions. Following review and discussion, upon motion duly made by Director Boenish, unanimously carried, it was

RESOLVED to approve the Unaudited Financial Statements for the period ending December 31, 2022.

2022 AMENDED
BUDGET HEARING

Director Boenish opened the 2022 Amended Budget Hearing to the public. It was confirmed that notice of the hearing had been published in accordance with state budget law on June 8, 2023. There being no public input, Director Boenish closed the hearing. Ms. Castle reviewed the proposed 2022 Amended Budget with the Board, which detailed estimated revenues and expenditures.

Capital Projects Fund: \$0

Capital Projects Fund: \$57,869

Following review and discussion, upon motion duly made by Director Boenish, unanimously carried, it was

RESOLVED to approve the 2022 Amended Budget, as presented.

2023 AMENDED
BUDGET HEARING

Director Boenish opened the 2023 Amended Budget Hearing to the public. It was confirmed that notice of the hearing had been published in accordance with state budget law on June 8, 2023. There being no public input, Director Boenish closed the hearing. Ms. Castle reviewed the proposed 2023 Amended Budget with the Board, which detailed estimated revenues and expenditures.

General Fund: \$94,000

General Fund: \$114,000

Following review and discussion, upon motion duly made by Director Boenish, and upon vote, unanimously carried, it was

RESOLVED to approve the 2023 Amended Budget, as presented.

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CAPITAL ITEMS

Lakota Pointe Phase 1 District Project Management Services Bid Summary: Mr. Ortiz presented the District Project Management Services Bid Summary with the Board and answered questions.

Lakota Pointe Phase 1 Master Services Agreement and WO 2023-01 with Cirque Property, LLC for District Project Management Services: Mr. Ortiz presented the Master Services Agreement and WO 2023-01 with Cirque Property, LLC for District Project Management Services to the Board and answered questions. Following review and discussion, upon motion duly made by Director Boenish, and upon vote, unanimously carried, it was

RESOLVED to approve the Master Services Agreement and WO 2023-01 with Cirque Property, LLC for District Project Management Services not to exceed 5% of total project costs.

Lakota Pointe Phase 1 Master Service Agreement and Work Order 2023-01 with Topographic Services for Survey and Staking Services: Mr. Ortiz presented the Master Service Agreement and Work Order 2023-01 with Topographic Services for Survey and Staking Services to the Board and answered questions. Following review and discussion, upon motion duly made by Director Boenish, and upon vote, unanimously carried, it was

RESOLVED to ratify the Master Service Agreement and Work Order 2023-01 with Topographic Services for Survey and Staking Services in the amount of \$19,900.

DISTRICT MANAGER ITEMS

Manager's Report: Ms. Randazzo presented the District Manager's Report to the Board and answered questions.

Change Order 2023-02 with Topographic for Service Plan Survey Services: Ms. Randazzo presented the Change Order 2023-02 with Topographic for Service Plan Survey Services to the Board and answered questions. Following review and discussion, upon motion duly made by Director Boenish, and upon vote, unanimously carried, it was

RESOLVED to ratify Change Order 2023-02 with Topographic for Service Plan Survey Services in the amount of \$3,000.

Work Order 2023-03 with Terracina Design LLC for Service Plan Amendment: Ms. Randazzo presented the Work Order 2023-03 with Terracina Design LLC for Service Plan Amendment to the Board and answered questions. Following review and discussion, upon motion duly made by Director Boenish, and upon vote, unanimously carried, it was

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RESOLVED to ratify Work Order 2023-03 with Terracina Design LLC for Service Plan Amendment in the amount of \$5,050.

LEGAL ITEMS

Resolution for Condemnation of Sewer Easement: Mr. Pogue presented the Resolution for Condemnation of Sewer Easement to the Board and answered questions. Following review and discussion, upon motion duly made by Director Boenish, and upon vote, unanimously carried, it was

RESOLVED to approve the Resolution for Condemnation of Sewer Easement.

OTHER ITEMS

Developer Update: Mr. Dowling presented the Developer Update to the Board and answered questions.

ADJOURNMENT

There being no further business to come before the Boards, the meeting was adjourned at 2:23 p.m.

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

Respectfully Submitted,

Kieyesia Conaway
Kieyesia Conaway, Secretary for the Meeting