

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

HARMONY TECHNOLOGY PARK METROPOLITAN DISTRICT

Held: Tuesday, October 22, 2019, at 1:00 P.M. at 5042 Technology Parkway, Suite 200, Fort Collins, Colorado.

Attendance

The special meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following Directors, having confirmed their qualification to serve, were in attendance:

Joseph Knopinski
John Hutto

Director Gooch was absent. All absences are deemed excused unless otherwise noted in these minutes.

Also present were Clint C. Waldron, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District general counsel; Diane Wheeler, Simmons and Wheeler, P.C., District accountant; and Caroline Smith, Rob Aldrich (via telephone), and Dan Kelly (via telephone), MAVDevelopment Company.

Call to Order

Director Knopinski noted that a quorum of the Board was present and called the meeting to order.

Director Conflict of Interest Disclosures/Declaration of Quorum

Mr. Waldron advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Waldron reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. Waldron inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda The Board reviewed the proposed agenda. Following discussion, upon motion duly made and seconded, the Board unanimously approved the agenda as amended.

Public Comment None

Consent Agenda The Board reviewed the items on the consent agenda. Mr. Waldron advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any director. No items were requested to be removed from the consent agenda. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved, ratified and adopted:

- Minutes from the September 19, 2018 Special Meeting
- Resolution Adopting a Personal Data Privacy Policy
- 2018 Annual Report
- Notice to Electors Pursuant to §32-1-809, C.R.S.
- Resolution Designating the 24-Hour Posting Location
- Special Warranty Deed - Tract A Filing No. 3; Tract A, Filing No. 6
- Agreements to Vacate Easement and Release All Obligations – Tract A, Filing No. 3; Tract A, Filing No. 6

Legal Matters

Discuss Adoption of Resolution Concerning Online Notice of Regular and Special Meetings Mr. Waldron reviewed the Resolution Concerning Online Notice of Regular and Special Meetings with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the Resolution Concerning Online Notice of Regular and Special Meetings.

Consider Adoption of 2020 Annual Administrative Resolution Mr. Waldron reviewed the 2020 Annual Administrative Resolution with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the 2020 Annual Administrative Resolution.

Consider Ratification of Independent Contractor Agreement with MAVD for Landscape Maintenance Services Mr. Waldron reviewed the Independent Contractor Agreement with MAVD for Landscape Maintenance Services. Following discussion, upon a motion duly made and seconded, the Board unanimously ratified the Independent Contractor Agreement with MAVD.

Consider Approval of Property and Liability Schedule and Limits Mr. Waldron review the District's property and liability schedule and limits with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the schedule and directed legal counsel to bind coverage.

Discuss Legislative Update Mr. Waldron reviewed the legislative update with the Board.

Consider Adoption of Resolution Calling the May 5, 2020 Election Mr. Waldron reviewed the Resolution Calling the May 5, 2020 Election with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the Resolution Calling the May 5, 2020 Election.

Other Legal Matters None.

Financial Matters

Review and Consider Acceptance of Financials and Claims Listing Ms. Wheeler reviewed the September 30, 2019 unaudited financials and check listing with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the September 30, 2019 unaudited financials, ratified claims in the amount of \$42,769.41 and approved claims of \$16,052.65 plus director's fees.

Consider Ratification of the 2018 Audit Ms. Wheeler reviewed the 2018 Audit with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously ratified the 2018 audit.

Public Hearing on 2019 Budget Amendment & Consider Adoption of Resolution Amending the 2019 Budget (if necessary) Not needed.

Public Hearing on 2020 Proposed Budget Director Knopinski opened the public hearing on the proposed 2020 Budget. Mr. Waldron noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Adoption of 2020 Budget Resolution Ms. Wheeler reviewed the 2020 Budget Resolution with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2020 Budget, appropriating funds therefor and certifying 5.000 mills for the general fund and 20.500 mills for the debt service fund.

Consider Auditor Proposal for 2019 Audit Ms. Wheeler reviewed the Proposals for the 2019 Audit with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the 2019 Auditor Proposal with Stratagem CPA in an amount not to exceed \$4,600.00.

Other Financial Matters None.

Other Business

Discussion Regarding Director Parcel The Board engaged in a general discussion regarding the Director Parcel.


Discussion Regarding Right-of-Way Maintenance The Board engaged in a general discussion regarding right-of-way maintenance.

Discussion Regarding Acquisition of Detention Pond The Board engaged in a general discussion regarding the potential acquisition of an additional detention pond.

Discussion Regarding Traffic Light The Board engaged in a general discussion regarding the obligation for a traffic light.

Adjourn There being no further business to come before the Board, and following discussion and upon motion duly made, seconded and unanimously carried, the Board adjourned the meeting.

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


Secretary for the Meeting

The foregoing minutes was approved on the 16th day of July, 2020.