

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

HARMONY TECHNOLOGY PARK METROPOLITAN DISTRICT

Held: Thursday, July 16, 2020, at 9:00 A.M. via teleconference.

Due to Executive Orders issued by Governor Polis and Public Health Orders implementing the Executive Orders issued by the Colorado Department of Health and Environment, and the threat posed by the COVID-19 coronavirus, this meeting was held via teleconference.

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 Gooch
John Hutto

Also present were Clint C. Waldron, Esq. and Audrey G. Johnson, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District general counsel; Diane Wheeler, Simmons & Wheeler, P.C., District accountant; and Caroline Smith, Rob Aldrich, and Dan Kelly, 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 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.

Consider Election of Officers The Board engaged in general discussion regarding the Election of Officers. Following discussion, upon a motion duly made and seconded, the Board unanimously elected Director Knopinski as President, Director Hutto as Treasurer, and Director Gooch as Secretary.

Consider Approval of Resolution Declaring Emergency Procedures and Authorizing Teleconferencing for Regular and Special Meetings Mr. Waldron reviewed the Resolution Declaring Emergency Procedures and Authorizing Teleconferencing for Regular and Special Meetings with the Board. Following discussion, upon motion duly made and seconded, the Board unanimously approved the resolution.

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 October 22, 2019 Special Meeting
- Resolution Establishing an Electronic Signature Policy
- Amended and Restated Public Records Request Policy
- Eligible Governmental Entity Agreement with SIPA

District Operations

Landscape Maintenance The Board engaged in general discussion regarding landscape maintenance of the District maintained areas. Ms. Smith mentioned she is trying to get the District areas a little more manicured, especially the trees and bushes.

District Website The Board discussed the website, noting it was up and running.

Discuss Maintenance Map The Board discussed the preparation of a landscape maintenance map showing the areas the District is responsible for maintaining. Ms. Smith noted she has a landscape maintenance map she will provide to the District.

Legal Matters

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| Discuss Legislative Update | Mr. Waldron reviewed the 2020 overview of legislation affecting special districts. |
| Other Legal Matters | None. |

Financial Matters

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| Review and Consider Acceptance of Unaudited Financials | Ms. Wheeler reviewed the June 30, 2020 unaudited financials with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the June 30, 2020 unaudited financials. |
| Review and Consider Approval and Ratification Claims Listing | Ms. Wheeler reviewed the claims listing with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved and ratified the claims listing in the amount of \$21,538.52. |
| Review and Consider Acceptance of the 2019 Audit | Ms. Wheeler reviewed the 2019 Audit with the Board. Following discussion, upon a motion duly made and seconded, the Board accepted the 2019 Audit subject to final changes from the auditor and final legal review, authorized filing of an extension, and authorized filing the audit subject to a clean audit opinion. |
| Discuss Remaining Bond Proceeds | The Board engaged in general discussion regarding future uses of the remaining bond proceeds, including a traffic signal and a regional detention pond. Ms. Wheeler will follow up with bond counsel to see if any action needs to be taken as the bond proceeds have not yet been spent. |
| Other Financial Matters | Director Knopinski noted he has been working with D.A. Davidson on evaluating refinancing options for the current District debt. The Board engaged in general discussion regarding refinancing options. |
| Other Business | Mr. Aldrich provided an update on development within the District. |

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.



[John M. Hutto \(Oct 27, 2020 13:03 MDT\)](#)

Secretary for the Meeting

The foregoing minutes was approved on the 21st day of October, 2020.