

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF FOUNDRY LOVELAND METROPOLITAN DISTRICT

HELD

August 19, 2021

The Board of Directors of the Foundry Loveland Metropolitan District held a regular meeting, open to the public, via MS Teams at 3:00 p.m., Thursday August 19, 2021.

Due to the State of Emergency declared by Governor Polis and the threat to health and safety posed by the COVID-19 pandemic, this meeting was held via MS Teams.

ATTENDANCE

A regular meeting of the Board of Directors of Foundry Loveland Metropolitan District was called and held as shown above and in accordance with the applicable statues of the State of Colorado. The following directors, having confirmed their qualifications to serve on the Board, were in attendance:

Directors in Attendance: (via teleconference)

Brandy Natalzia, President
Easton Enge, Treasurer
Ashley Davidson, Secretary

Directors Absent but Excused:

Jordan Swisher, Assistant Secretary & Assistant Treasurer

Also in Attendance: (via teleconference)

Alan Pogue, Esq.; Icenogle Seaver Pogue, P.C.
Michael Hogan; City of Loveland
Shannon McEvoy, Geol Scheirman, Molly Janzen, Kirsten Starman and
Elaina Cobb; Pinnacle Consulting Group, Inc.

CALL TO ORDER

The meeting was called to order at 3:03 p.m. by Director Natalzia.

CONFLICT OF INTEREST DISCLOSURE

Mr. Pogue noted that notices of potential conflicts of interest for all Board Members were filed with the Colorado Secretary of State's office and with the District's Board. Mr. Pogue 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

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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 reviewed the agenda. Upon motion duly made by Director Davidson, and seconded by Director Natalzia, it was unanimously

RESOLVED to approve the agenda, as presented.

APPROVAL OF MINUTES

The minutes of the regular meeting held on May 20, 2021 were presented. Upon motion duly made by Director Davidson, and seconded by Director Natalzia, it was unanimously

RESOLVED to approve the minutes of the May 20, 2021 meeting, as presented.

PUBLIC COMMENT

There were no comments made by members of the public.

FINANCIAL ITEMS

Ratification of Payables: Ms. Janzen presented, and the Board reviewed, the check detail from May 12, 2021 through August 6, 2021 for ratification and approval. Following review and discussion, and upon motion duly made by Director Davidson, and seconded by Director Enge, it was unanimously

RESOLVED to ratify payables in the amount of \$396,598.23.

Financial Statements as of June 30, 2021: Ms. Janzen presented the financial statements as of June 30, 2021 and answered questions. Following review and discussion, and upon motion duly made by Director Davidson, and seconded by Director Enge, it was unanimously

RESOLVED to approve the financial statements as of June 30, 2021.

DISTRICT MANAGER ITEMS

Contracts and Contract Modification: Mr. McEvoy discussed the Contracts and Contract Modifications and answered questions. Following review and discussion, and upon motion duly made by Director Davidson, and seconded by Director Natalzia, it was unanimously

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RESOLVED to approve the Contracts and Contract Modifications.

Managers' Report: Mr. McEvoy presented the Manager's Report to the Board and answered questions.

ITEMS FROM DIRECTORS

The Board discussed a request from Betta' Gumbo to permanently have extended patio space. Following review and discussion no action was taken at this time and the Board with have further discussion.

OTHER ITEMS

The Board noted BCI is filing a lawsuit against Vortex and pursuing legal advice on who should file a claim. It was discussed to have the metropolitan district file a claim against Foundry Loveland and have Foundry Loveland file a claim against BCI. Mr. Pogue suggested the Metro District send a letter to Vortex prior to submitting a claim.

ADJOURNMENT

There being no further business to come before the Board at this time the meeting was adjourned at 4:02 p.m.

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

Respectfully Submitted,



Elaina Cobb, Secretary for the Meeting