

# RECORD OF PROCEEDINGS

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## MINUTES OF THE REGULAR MEETING OF WILDWING METROPOLITAN DISTRICT NOS. 1-5

HELD  
November 15, 2023

The Regular Meeting of Wildwing Metropolitan District Nos. 1-5 was held via Zoom and Teleconference on Wednesday, November 15, 2023, at 5:30 p.m.

### ATTENDANCE

#### Wildwing District No. 1 Directors in Attendance:

John Troka, President/Chairperson  
Barbara Shaw, Secretary/Treasurer  
Randall Black, Vice Chair/Asst. Secretary/Asst. Treasurer  
Steve Lampo, Vice Chair/Asst. Secretary/Asst. Treasurer (Via Videoconference)

#### Wildwing District No. 2 Directors in Attendance:

John Troka, President/Chairperson  
Lisa Brown, Secretary/Treasurer  
Randall Black, Vice Chair/Asst. Secretary/Asst. Treasurer  
Christopher Johnson, Vice Chair/Asst. Secretary/Asst. Treasurer

#### Wildwing District No. 3 Directors in Attendance:

Barbara Shaw, President/Chairperson  
Matthew Clark, Vice Chair/Asst. Secretary/Asst. Treasurer  
Monica Chacon-Baucke, Vice Chair/Asst. Secretary/Asst. Treasurer

#### Wildwing District No. 3 Directors Absent, but Excused:

Theresa Zakavec, Secretary/Treasurer

#### Wildwing District No. 4 Directors in Attendance:

Steve Lampo, President/Chairperson (Via Videoconference)  
Marshall Theisen, Vice President/Asst. Secretary (Via Videoconference)  
Stuart Van Greuningen, Secretary/Treasurer

#### Wildwing District No. 5 Directors in Attendance:

John Troka, President/Chairperson  
Scott O'Brien, Secretary/Treasurer

#### Also in Attendance:

David O'Leary; Spencer Fane, LLP.  
Tiffany Skoglund, Kevin Mitts, Kieyesia Conaway, Tracie Kaminski, and Dillon Gamber; Pinnacle Consulting Group, Inc.  
Bonnie Clark, Mike B., Rex Yancey, Robert Wolf, Thomas Love, Kristine Reinking, Kelli Nuber, Rhonda Rodriguez, Jamie Schindler,

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Janette VanGalder, Michael Lowry, and Christy Gibbins; Members of the Public.

ADMINISTRATIVE  
ITEMS

Call to Order: The Regular Meeting of the Boards of Directors (collectively, the “Boards”) of the Wildwing Metropolitan District Nos. 1-5 (collectively, the “District”) was called to order by Director Troka at 5:31 p.m.

Coordinated Meetings: The Boards of Directors of the Districts determined to hold coordinated meetings and prepare coordinated minutes of action taken by the Districts at such meetings. Unless otherwise noted herein, all official action reflected in these minutes shall be deemed to be the action of all the Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

Declaration of Quorum/Director Qualifications/Disclosure of Potential Conflicts of Interest: Director Troka noted that a quorum was present, with four out of four Directors in attendance for District No. 1, four out of four Directors in attendance for District No. 2, three out of four Directors in attendance for District No. 3, three out of three Directors in attendance for District No. 4 and two out of two Directors in attendance for District No. 5. All Board Members confirmed their qualifications to serve on the Boards. Notice of the meeting was also posted in accordance with statutory required. Mr. O’Leary noted that notices of potential conflicts of interest for Board Members were filed. Mr. O’Leary advised the Boards that pursuant to Colorado law, certain disclosures by Board Members might be required prior to taking official action at a meeting. The Boards reviewed the agenda for the meeting, following which each Board Members 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 Members 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 approval of the agenda. Following review and discussion, upon a motion duly made by Director Shaw, seconded by Director Chacon-Baucke, and upon vote, unanimously carried, it was

**RESOLVED** to approve the agenda, as amended to add item IV A – to provide an Update on Bond Refinance for the Districts.

Public Comment: There were no Public Comments received.

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Director Comment: There were no Director Comments received.

Minutes: Director Troka Presented the October 18, 2023 Regular Meeting and Annual Meeting Minutes to the Board and answered questions. Following review and discussion, upon a motion duly made by Director Shaw, seconded by Director Van Greuningen, and upon vote, unanimously carried, it was

**RESOLVED** to approve the October 18, 2023 Regular Meeting and Annual Meeting Minutes subject to changes requested by Director Troka.

Payment of Claims: Tracie Kaminski and Director Troka presented the Payment of Claims to the Board for ratification and answered questions. Following review and discussion, upon a motion duly made by Director Troka, seconded by Director Brown, and upon vote, unanimously carried, it was

**RESOLVED** to approve and ratify the Payment of Claims.

Contract Work Order Modifications: Director Troka presented the Contract Work Order Modifications to the Board and answered questions. Following review and discussion, upon a motion duly made by Director Troka, seconded by Director Van Greuningen, and upon vote, unanimously carried, it was

**RESOLVED** to ratify the Contract Work Order Modifications.

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DISTRICT MANAGER  
ITEMS

District Manager's Report: Ms. Skoglund and Mr. Gamber presented the District Manager's Report to the Boards and answered questions. Director O'Brien requested a Dog Waste Station added near the roundabout at the intersection of WildWing Dr. and Majestic View Drive. Director Troka tasked the Landscape Committee to investigate cost and present to the Board at the next meeting a recommendation on the necessity and best location additional dog waste stations.

WW Development LLC. Request to Amend Phase 3B Landscape Plan: Director Troka presented and answered questions regarding WW Development LLC's request to the District to support their request to the Town of Timnath to amend the Phase3B Landscape. Following review and discussion, upon a motion duly made by Director Troka, seconded by Director Brown, and upon vote, unanimously carried, it was

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**RESOLVED** to support WW Development LLC's request to the Town of Timnath to amend the Phase 3B Landscape Plan.

Discuss and Consider the Sale of District Owned Potable Water Tap to North Weld County Water District: Mr. Gamber and Director Troka presented information regarding the sale of a District owned potable water tap to North Weld County Water District to the Boards and answered questions. The Board asked the District consultants to see if the tap is transferrable, if it is able to be sold or traded for additional water. No additional action was taken pending the gathering of additional information regarding this water tap and what could be done with the tap.

2024 Master Service Agreements with Operations and Maintenance Service Contractors: Mr. Gamber presented the list of 2024 Master Service Agreements with Operations and Maintenance Service Contractors to the Boards and answered questions.

- i. Affordable Pest Control
- ii. Denver Commercial Property Services
- iii. E3 Signs
- iv. Foothills Landscape Maintenance
- v. GoPlay, Inc.
- vi. On-Demand Concrete
- vii. SavATree
- viii. SWPPP Colorado

Following review and discussion, upon a motion duly made by Director Chacon-Baucke, seconded by Director Lampo, and upon vote, unanimously carried, it was

**RESOLVED** to approve the 2024 Master Service Agreements with Operations and Maintenance Service Contractors within the Approved 2024 Budget, as presented.

Landscape Committee Member Appointment Request: Director Troka presented the Landscape Committee Member Appointment Request to the Board and answered questions. Following review and discussion, upon a motion duly made by Director Troka, seconded by Director O'Brien, and upon vote, unanimously carried, it was

**RESOLVED** to appoint Kristine Reinking to the Landscape Committee.

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## FINANCIAL ITEMS

Bond Update: Director Shaw presented a bond refinancing update to the Boards and answered questions noting that engagement letters are with DA Davidson at this time.

Financial Report: Ms. Kaminski reviewed the unaudited Financial Statements for the period ending September 30, 2023, with the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Troka, seconded by Director Shaw, and upon vote, unanimously carried, it was

**RESOLVED** to accept the unaudited Financial Statements for the period ending September 30, 2023, as presented.

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## 2023 AMENDED BUDGET HEARING

Upon a motion duly made by Director Troka, seconded by Director Van Greuningen, and upon vote unanimously carried, Director Troka opened the 2023 Amended Budget Hearing for Wildwing Metropolitan District Nos. 1 - 5. Ms. Skoglund reported that notice of the budget hearing was published on November 1, 2023, in the Coloradoan, in accordance with state budget law. There being no public input, upon a motion duly made by Director Troka, seconded by Director Van Greuningen, and vote unanimously carried, the public portion of the budget hearing was closed. Ms. Kaminski reviewed the amended budgets in detail and answered questions. The amended expenditure budgets for the District proposed were as follows:

District No. 1

General Fund: \$645,925

Sewer Reserve Fund (Formally Debt Service Fund): \$163,507

Following review and discussion, upon a motion duly made by Director Troka, seconded by Director Van Greuningen, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Resolutions to Adopt the 2023 Amended Budgets and appropriate funds for Wildwing Metropolitan District Nos. 1 - 5 and authorize such further actions of the officers and consultants necessary to sign related documents and submit and file such documents required to finalize the amended budgets. For District No. 1 the 2023 Debt Service Fund will hereby be renamed the Sewer Reserve Fund.

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2024  
BUDGET HEARING

Upon a motion duly made by Director Troka, seconded by Director Van Greuningen, and upon vote unanimously carried, Director Troka opened the 2024 Budget Hearing for Wildwing Metropolitan District Nos. 1-5. Ms. Skoglund reported that notice of the budget hearing was published on November 1, 2023, in the Coloradoan, in accordance with state budget law. Ms. Kaminski reviewed the mill levies, estimated revenues, and expenditures in detail and answered questions. The expenditure budgets for the Districts are as follows:

District No. 1  
Mill Levy: 0.00 mills  
General Fund: \$663,875  
Sewer Reserve Fund: \$0

District No. 2  
Mill Levy: 58.607 mills  
General Fund: \$681,918

District No. 3  
Mill Levy: 58.719 mills  
General Fund: \$403,172

District No. 4  
Mill Levy: 58.739  
General Fund: \$461,700

District No. 5  
Mill Levy: 57.144  
General Fund: \$28,949  
Debt Service Fund: \$1,118,036

There being no public input, upon a motion duly made by Director Troka, seconded by Director Van Greuningen, and upon vote unanimously carried, the public portion of the budget hearing was closed. After further review and discussion, upon a motion duly made by Director Troka, seconded by Director Shaw, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Resolutions to Adopt the 2024 Budgets for Wildwing Metropolitan District Nos. 1-5, set the mill levies, and appropriate budgeted funds upon final certification of values being received by the County of Larimer, and approve all other documents related to the 2024 budgets. The District Manager is authorized to make minor modifications that may be necessary following receipt of final assessed values.

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### FINANCIAL ITEMS CONTINUED

Engagement of Haynie & Company for 2023 Audit: Ms. Kaminski discussed and requested approval to engage Haynie & Company to perform the 2023 Audits for District Nos. 1 & 5 with the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Troka, seconded by Director Chacon-Baucke, and upon vote, unanimously carried, it was

**RESOLVED** to approve the engagement of Haynie & Company to perform the 2023 Audits for District Nos 1 & 5.

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### LEGAL ITEMS

2024 Annual Administrative Matters Resolution: Mr. O’Leary presented the 2024 Annual Administrative Matters Resolution to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Troka, seconded by Director Van Greuningen, and upon vote, unanimously carried, it was

**RESOLVED** to approve the 2024 Annual Administrative Matters Resolution.

Worker’s Compensation Exclusion Resolution: Mr. O’Leary presented the Worker’s Compensation Exclusion Resolution to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Troka, seconded by Director Van Greuningen, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Worker’s Compensation Exclusion Resolution.

Updates Necessary to the Developer Funding and Reimbursement Agreement for Operations & Maintenance Costs, Advance and Reimbursement Agreement for Capital Costs, Improvement Acquisition Agreement, and related Promissory Notes: Mr. O’Leary presented Updates Necessary to the Developer Funding and Reimbursement Agreement for Operations & Maintenance Costs, Advance and Reimbursement Agreement for Capital Costs, Improvement Acquisition Agreement, and related Promissory Notes to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Troka, seconded by Director Van Greuningen, and upon vote, unanimously carried, it was

**RESOLVED** to approve Any Updates Necessary to the Developer Funding and Reimbursement Agreement for Operations & Maintenance

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Costs, Advance and Reimbursement Agreement for Capital Costs, Improvement Acquisition Agreement, and related Promissory Notes.

Annual Engagement of District Consultants: Mr. O’Leary presented the Annual Engagement of District Consultants to the Board and answered questions. Following review and discussion, upon a motion duly made by Director Troka, seconded by Director Van Greuningen, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Annual Engagement of District Consultants as follows:

Pinnacle Consulting Group, Inc.; District Management  
Spencer Fane; Legal Counsel

DIRECTOR  
MATTERS

There were no Director Matters to come before the Boards.

OTHER  
MATTERS

There were no Other Matters to come before the Boards.

ADJOURNMENT

There being no further business to come before the Boards, upon motion duly made by Director Troka, seconded by Director Chacon-Baucke, and upon unanimous vote, the meeting was adjourned at 8:16 p.m.

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

Respectfully submitted,

*Kieyesia Conaway*  
Kieyesia Conaway, Recording Secretary for the Meeting