

RECORD OF PROCEEDINGS

**MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
AVIATION STATION NORTH METROPOLITAN DISTRICT NO. 4
HELD
APRIL 5, 2022**

A Special Meeting of the Board of Directors (the “Board”) of Aviation Station North Metropolitan District No. 4 (the “District”), City and County of Denver, Colorado, was duly posted and held on Tuesday, April 5, 2022 at 10:06 a.m. The meeting was held by video conference via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Marcia A. Lujan, Treasurer
Mark T. Throckmorton, Secretary

Director Ferdinand L. Belz, III was absent and excused.

Also in Attendance:

Paula Williams, Esq. and Erica Montague, Esq.; McGeady Becher P.C.
Matt Urkoski, Shauna D’Amato, and Alyssa Ferreira; CliftonLarsonAllen LLP (“CLA”)
Matthew Stewart; L.C. Fulenwider, Inc.

ADMINISTRATIVE MATTERS

Disclosure of Potential Conflicts of Interest: The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. It was noted by Attorney Williams that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors, and no additional conflicts were disclosed at the meeting.

Resolution Returning the District to Active Status: Following discussion, upon a motion duly made by Director Throckmorton, seconded by Director Lujan, and upon vote, unanimously carried, the Board adopted the Resolution Returning the District to Active Status and authorized District Counsel to take all necessary actions in connection therewith.

Quorum, Location of Meeting and Posting of Meeting Notice: The presence of a quorum was confirmed.

The Board entered into discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District’s Board meeting. Following discussion, upon motion duly made by Director Lujan, seconded by Director

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Throckmorton and, upon vote unanimously carried, the Board determined to conduct this meeting via video conference and encouraged public participation via Microsoft Teams. The Board further noted that notice of the time, date and Microsoft Teams access information was duly posted and that no objections or requests that the means of hosting the meeting be changed by taxpaying electors within the District's boundaries have been received.

Agenda: Following review and discussion, upon motion duly made by Director Lujan, seconded by Director Throckmorton, and upon vote unanimously carried, the Board approved the Agenda, as amended to include the appointment of officers.

Appointment of Officers: Following discussion, upon a motion duly made by Director Lujan, seconded by Director Throckmorton, and upon vote, unanimously carried, the Board appointed Director Throckmorton as Acting President for this meeting and appointed the below slate of officers:

President: Ferdinand L. Belz, III
Treasurer: Marica Lujan
Secretary: Matt Urkoski
Assistant Secretary: Mark Throckmorton

Minutes of December 4, 2013 Regular Meeting: The Board reviewed the Minutes of the December 4, 2013 Regular Meeting. Following discussion, upon a motion duly made by Director Lujan, seconded by Director Throckmorton, and upon vote, unanimously carried, the Board approved the Minutes of the December 4, 2013 Regular Meeting.

Insurance Requirements and Proposals (Public Officials' Liability, General Liability, Workers' Compensation, Comprehensive Crime and Special District Association ("SDA") Membership): Following discussion, upon a motion duly made by Director Lujan, seconded by Director Throckmorton, and upon vote, unanimously carried, the Board authorized management to take the necessary steps to obtain insurance coverage and SDA membership.

Agency Services Agreements between the District and T. Charles Wilson Insurance Service: Following discussion, upon a motion duly made by Director Lujan, seconded by Director Throckmorton, and upon vote, unanimously carried, the Board approved the Agency Services Agreement between the District and T. Charles Wilson for Insurance Services.

Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting 24-Hour Notices: Following discussion, upon a motion duly made by Director Lujan, seconded by Director Throckmorton, and upon vote, unanimously carried, the Board approved the 2022 meeting schedule (1st Wednesday of June, September and December at 2:00 p.m.) and adopted the

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Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting 24-Hour Notices.

District Website: Following discussion, upon a motion duly made by Director Lujan, seconded by Director Throckmorton, and upon vote, unanimously carried, the Board authorized the addition of the District to the website for Aviation Station North Metropolitan District Nos. 1, 2 and 3.

Section 32-1-809, C.R.S., Reporting Requirements (Transparency Notice): Following discussion, upon a motion duly made by Director Lujan, seconded by Director Throckmorton, and upon vote, unanimously carried, the Board directed the District Manager to post the Transparency Notice on the Special District Association website and the District website.

PUBLIC COMMENT None.

FINANCIAL MATTERS

2013 Application for Exemption from Audit: Ms. Ferreira reviewed the Exemption with the Board. Following discussion, upon a motion duly made by Director Lujan, seconded by Director Throckmorton, and upon vote, unanimously carried, the Board ratified approval of the preparation, execution and filing of the 2013 Application for Exemption from Audit.

2022 Budget Preparation: Following discussion, upon a motion duly made by Director Lujan, seconded by Director Throckmorton, and upon vote, unanimously carried, the Board acknowledged the appointment of the District Accountant to prepare the 2022 Budget.

Public Hearing on 2022 Budget: The Board opened the public hearing to consider the proposed 2022 Budget and to discuss related issues.

It was noted that Notice stating that the Board would consider adoption of the 2022 budget and the date, time and place of the public hearing was published pursuant to statute. No written objections were received prior to the public hearing.

No public comments were received, and the public hearing was closed.

Ms. Ferreira reviewed the 2022 Budget with the Board. Following discussion, upon motion duly made by Director Lujan, seconded by Director Throckmorton, and upon vote, unanimously carried, the Board approved the 2022 Budget, as discussed, and considered adoption of the Resolution to Adopt the 2022 Budget and Appropriate Sums of Money. Following discussion, upon vote unanimously carried, the Board adopted the Resolution and authorized execution of the Certification of Budget. The District Accountant was directed to file the Budget with the Division of Local Government.

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Preparation of 2023 Budget and 2022 Application for Exemption from Audit:

Following discussion, upon a motion duly made by Director Lujan, seconded by Director Throckmorton, and upon vote, unanimously carried, the Board approved the appointment of the District Accountant to prepare the 2023 Budget and 2022 Application for Exemption from Audit.

LEGAL MATTERS

Public Hearing on the Petition for Inclusion of Property Owned by Rail Stop

LLC: The Board opened the public hearing to consider the Petition received from Rail Stop LLC to Include Real Property (approximately 7.2795 acres) into the District boundaries.

It was noted that publication of Notice stating that the Board would consider approving the inclusion of the Real Property owned by Rail Stop LLC into the District was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received, and the public hearing was closed.

Following discussion, the Board considered the adoption of the Resolution for Inclusion of Real Property into the District as set forth in the Petition. Upon motion duly made by Director Throckmorton, seconded by Director Lujan, and upon vote unanimously carried, the Board adopted the Resolution for Inclusion of Real Property.

Facilities Funding, Construction and Operations Agreement by and among Aviation Station North Metropolitan District No. 1, Aviation Station North Metropolitan District No. 2, Aviation Station North Metropolitan District No. 3, the District and Aviation Station North Metropolitan District No. 6:

Attorney Williams reviewed the Agreement with the Board. Following discussion, upon a motion duly made by Director Lujan, seconded by Director Throckmorton, and upon vote, unanimously carried, the Board acknowledged approval of the Facilities Funding, Construction and Operations Agreement by and among Aviation Station North Metropolitan District No. 1, Aviation Station North Metropolitan District No. 2, Aviation Station North Metropolitan District No. 3, the District and Aviation Station North Metropolitan District No. 6.

First Amendment to Resolution No. 2013-12-04; Resolution Regarding Colorado Open Records Act Requests:

Attorney Williams reviewed the First Amendment with the Board. Following discussion, upon a motion duly made by Director Throckmorton, seconded by Director Lujan, and upon vote, unanimously carried, the Board adopted the First Amendment to Resolution No. 2013-12-04; Resolution Regarding Colorado Open Records Act Requests.

Resolution Regarding the Retention and Disposal of Public Records and Adopting a Public Records Retention Schedule:

Attorney Williams reviewed the Resolution with the Board. Following discussion, upon a motion duly made by

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Director Throckmorton, seconded by Director Lujan, and upon vote, unanimously carried, the Board adopted the Resolution Regarding the Retention and Disposal of Public Records and Adopted a Public Records Retention Policy.

Resolution Calling May 2016, 2018, 2020 and 2022 Elections: Attorney Williams discussed the Resolutions with the Board. Following discussion, upon a motion duly made by Director Throckmorton, seconded by Director Lujan, and upon vote, unanimously carried, the Board acknowledged the adoption of the Resolutions Calling the May 2016, 2018, 2020 and 2022 Elections.

May 3, 2022 Regular Election: Attorney Williams informed the Board that the May 3, 2022 Regular Election for Directors was cancelled, as allowed by statute, because there were not more candidates than seats available on the Board. It was noted that Ferdinand Belz and Henry “Rick” Wells were each deemed elected by acclamation to 3-year terms expiring in May, 2025 and Matthew Stewart was deemed elected by acclamation to a 1-year term expiring in May, 2023.

Update to McGeady Becher P.C. Document Retention Policy: Attorney Williams presented the update to the McGeady Becher P.C. Document Retention Policy to the Board. Following discussion, upon a motion duly made by Director Throckmorton, seconded by Director Lujan, and upon vote, unanimously carried, the Board acknowledged the update and directed a copy of the approved updated McGeady Becher P.C. Document Retention Policy be attached to the Minutes for this meeting. Accordingly, a copy of the updated McGeady Becher P.C. Document Retention Policy is attached hereto and incorporated herein by reference.

OTHER BUSINESS

None.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Director Throckmorton, the Board adjourned the meeting at 10:23 a.m.

Respectfully submitted,

DocuSigned by:
By Mark Throckmorton
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Secretary for the Meeting

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McGeady Becher P.C. Document Retention Policy

Types of Documents

In representing you we will, or may, take possession of, create, and/or keep various types of documents. These consist of documents you provide to us, documents which constitute the District's official public record, and internal documents we create to assist us in providing services to you.

Documents You Provide to Us

It is our policy to copy and return original documents you provide to us as soon as practicable. Exceptions to this policy are original documents which should be kept as part of the District's official public record, instances where we must have an original document to represent you, and cases where we have affirmatively agreed retain a document for safekeeping.

The District's Record

As a part our engagement, we will maintain the District's official public Record (the “**Record**”). The Record is a highly useful and detailed compilation of documents reflecting the official actions of the District and serves multiple functions. First, it collects those documents which the public is entitled to inspect and copy under various state and federal public records and freedom of information statutes. Second, it organizes the records of the District - such as its contracts, land and title records, and easements - in a manner which is useful in conducting the ongoing business of the District. Third, the Record helps expedite the District's annual audit process. Fourth, in the event you should change legal counsel or employ in-house counsel, the Record will enable that counsel to understand the status and assume representation of the District with maximum efficiency.

The Record includes the District's organizational documents, fully-executed agreements which are still in effect, rules, regulations, resolutions adopted by the District, official minutes books, meeting notices, agendas, insurance policies, District maps, election records, bond documents, audit documents, and many more. A comprehensive list of documents comprising the Record is available from us at any time upon request.

Creating and maintaining the Record is an important and complex task, and you agree to pay our actual costs and hourly fees associated with doing this.

Supplemental Documents

All other documents created in course of representing you are referred to as Supplemental Documents. These include our notes, drafts, memoranda, worksheets, electronic communications, and other electronic documents stored in various media or file servers.

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Documents We Retain

Except as provided in this Document Retention Policy or an amendment thereto, we will keep the Record and any original documents accepted by us for safekeeping so long as we represent you.

Delivery of the Record

Once a matter is concluded, or our has representation terminated, we deliver to you or the District's designee the original, printed Record, together with any original documents we have accepted for safekeeping, provided our fees and costs have been paid in full.

If you do not designate someone to receive these records, we will deliver them to a then- current officer or director of the District. If we are unable to deliver these documents for any reason, we may retain, destroy, or otherwise dispose of them in manner which assures their continued confidentiality within thirty (30) days of our concluding that an authorized recipient cannot be readily located.

We will also confidentially destroy the Record of any District in our possession if a final order of dissolution of the District is entered.

All other documents, including all Supplemental Documents, are routinely, periodically, confidentially, and permanently purged by us once they are no longer useful to us in providing services to you.

Certificate Of Completion

Envelope Id: F837427D9909410782DCB64BE5F9722C	Status: Completed
Subject: ASNMD4: Minutes 04-05-2022 ASNMD4 Final.pdf	
Client Name: ASNMD4	
Client Number: 011-046115-OS01-2022	
Source Envelope:	
Document Pages: 7	Signatures: 1
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped Stamping: Enabled	Kathy Suazo
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 S 6th St Ste 300
	Minneapolis, MN 55402-1418
	Kathy.Suazo@claconnect.com
	IP Address: 165.225.10.178

Record Tracking

Status: Original	Holder: Kathy Suazo	Location: DocuSign
6/6/2022 11:19:53 AM	Kathy.Suazo@claconnect.com	

Signer Events

Mark Throckmorton
 mark@fulenwider.com
 Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

 91BBFFBF1C46484...

Timestamp

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Signature Adoption: Pre-selected Style
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 Using IP Address: 65.132.112.218

Electronic Record and Signature Disclosure:
 Accepted: 4/2/2020 10:38:39 AM
 ID: 6799deac-ee39-486d-bebc-e0a23294735d

In Person Signer Events

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Editor Delivery Events

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Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

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Certified Delivery Events

Status

Timestamp

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Jenny Pino
 jpino@specialdistrictlaw.com
 Security Level: Email, Account Authentication (None)

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Timestamps

Envelope Sent	Hashed/Encrypted	6/6/2022 11:21:13 AM
Certified Delivered	Security Checked	6/6/2022 11:24:21 AM
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Envelope Summary Events	Status	Timestamps
Completed	Security Checked	6/6/2022 11:24:27 AM
Payment Events	Status	Timestamps
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You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

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- Until or unless you notify CliftonLarsonAllen LLP as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by CliftonLarsonAllen LLP during the course of your relationship with CliftonLarsonAllen LLP.