

# **KINSTON METROPOLITAN DISTRICT NOS. 1-10**

## **NOTICE OF SPECIAL MEETING AND AGENDA**

<b><u>Board of Directors</u></b>	<b><u>Office</u></b>	<b><u>Term Expiration</u></b>
Kim Perry	President	May 2025
Tim DePeder	Vice President	May 2025
Josh Kane	Treasurer & Asst. Secretary	May 2025
Vacant	Secretary	May 2027
Brad Lenz	Asst. Secretary & Asst. Treasurer	May 2027

**Date: March 11, 2024 (Monday)**

**Time: 10:30 A.M.**

**Place: Microsoft Teams & Teleconference**

[Click here to join the meeting](#)

Meeting ID: 292 443 382 392 Passcode: F7wBBW

[Download Teams](#) | [Join on the web](#)

**Or call in (audio only)**

[+1 720-721-3140,,239444867#](#) Phone Conference ID: 239 444 867#

### **I. ADMINISTRATIVE ITEMS**

- A. Call to Order.
- B. Declaration of Quorum/Director Disclosure of any Potential Conflicts of Interest.
- C. Approval of Agenda. **(Pages 1-2)**
- D. Public Comment. (Limited to 3-Minutes Per Person).
- E. Director Comment.

### **II. CONSENT AGENDA**

- A. Approval of Minutes – February 8, 2024, Regular Meeting. **(Pages 3-7)**
- B. Ratification of Payment of Claims. **(Pages 8-13)**
- C. Unaudited Financial Statements for the period ending September 30, 2023.
- D. Ratification of Contract Modifications. **(Page 14)**

### **III. DISTRICT MANAGER ITEMS**

- A. District Manager's Report. **(Pages 15-17)**

### **IV. CAPITAL INFRASTRUCTURE ITEMS**

- A. District Capital Infrastructure Report and District Project Manager Update. **(Pages 18-22)**
- B. Capital Fund Summary Review. **(Pages 23-26)**
- C. Budget Approval and Contracting.
  1. General Capital (CFS #1)

Professionally Managed by:  
 Pinnacle Consulting Group, Inc.  
 550 W. Eisenhower, Loveland, CO 80537  
 Phone: 970-617-2474 | FAX: 970-669-3612  
 District Email: [KINMDAdmin@PCGI.com](mailto:KINMDAdmin@PCGI.com)  
 District Website: [www.kinstonmd.live](http://www.kinstonmd.live)

- a. Consider Approval of Master Service Agreement and WO 2024-01 with Traceair Technologies Inc, for Drone Mapping Services. (\$25,494.00)
- b. Consider Approval of Amended Project Budget. (\$135,460.00)

**V. LEGAL ITEMS**

**VI. FINANCIAL ITEMS**

- A. Finance Manager's Report. **(Page 30)**

**VII. DIRECTOR ITEMS**

**VIII. OTHER MATTERS**

- IX. EXECUTIVE SESSION** – Pursuant to § 24-6-402(4)(b), C.R.S. for the purpose of receiving legal advice on specific legal questions.

**X. ADJOURNMENT**

***\*\*\*The next Regular Meeting is scheduled for April 11, 2024\*\*\****

## RECORD OF PROCEEDINGS

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### MINUTES OF THE REGULAR MEETING OF KINSTON METROPOLITAN DISTRICT NOS. 1-10

HELD  
February 8, 2024

The Regular Meeting of Kinston Metropolitan District Nos. 1-10 was held via MS Teams and Teleconference on Thursday, February 8, 2024, at 1:00 p.m.

#### ATTENDANCE

##### Directors in Attendance:

Kim Perry, President  
Josh Kane, Treasurer & Secretary  
Brad Lenz, Asst. Secretary & Asst. Treasurer

##### Directors Absent, but Excused:

Tim DePeder, Vice President

##### Also in Attendance:

Alan Pogue; Icenogle Seaver Pogue, P.C.  
Bryan Newby, Sarah Bromley, Jenna Pettit, Irene Buenavista, Dillon Gamber, Christy McCutchen, Nic Ortiz, Casey Milligan, and Brendan Campbell; Pinnacle Consulting Group, Inc.  
Jim Niemczyk, Jeff Breidenbach, and Samantha Cran; McWhinney.

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#### ADMINISTRATIVE ITEMS

Call to Order: The Regular Meeting of the Boards of Directors (collectively, the “Boards”) of the Kinston Metropolitan District Nos. 1-10 (collectively, the “District”) was called to order by Director Perry at 1:02 p.m.

Declaration of Quorum/Director Qualifications/Disclosure of Potential Conflicts of Interest: Director Perry noted that a quorum was present, with three out of four Directors in attendance. All Board Members confirmed their qualifications to serve on the Boards. Alan Pogue, legal counsel, stated that notices of potential conflicts of interest for all Board Members were filed with the Colorado Secretary of State’s Office, disclosing potential conflicts as Board Members are employees of McWhinney Real Estate Services, Inc. and Land Asset Strategies, which are associated with the primary landowners and developer within the Districts. Mr. Pogue advised the Boards that pursuant to Colorado law, certain disclosures by the 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 Member present 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.

## RECORD OF PROCEEDINGS

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Additionally, the Boards determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Boards to act.

Coordinated Meetings: The Boards determined to hold joint meetings and to prepare joint minutes of actions taken by the Boards at such meetings. Unless otherwise noted below, the matters set forth below shall be deemed to be the actions of the Board of Directors of Kinston Metropolitan District No. 1, with concurrence by the Boards of Directors of Kinston Metropolitan District Nos. 2, 3, 4, 5, 6, 7, 8, 9 and 10.

Approval of Agenda: The Boards considered the approval of the agenda. Following review and discussion, upon a motion duly made by Director Lenz, seconded by Director Kane, and upon vote, unanimously carried, it was

**RESOLVED** to approve the agenda, as amended to add Consideration and Approval of Second Amendment to Resolution Approving the Imposition of an Operations and Maintenance Fee on Lots within the Boundaries of Kinston Metropolitan District Nos. 2, 3, 4, 5, and 10 following item V. B.

Appointment to Fill Board Vacancy: Mr. Pogue addressed the Boards and provided an overview of the process for appointing interested candidates to the Board, noting there is one interested candidate to fill the vacancy on the Boards of District No. 1-10. Following review and discussion, upon motion duly made by Director Kane, seconded by Director Lenz, and upon vote, unanimously carried, it was

**RESOLVED** to appoint Wendy Messinger to the Board of Directors for District No. 1-10 to fill the terms expiring in 2027.

Election of Officers: Mr. Pogue discussed the Election of Officers with the Boards. Following review and discussion, upon a motion duly made by Director Kane seconded by Director Lenz, and upon vote, unanimously carried, it was

**RESOLVED** to elect Wendy Messinger to the office of Secretary.

Public Comment: There were no Public Comments received.

Director Comment: There were no Director Comments received.

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**RECORD OF PROCEEDINGS**

CONSENT  
AGENDA

Director Perry reviewed the items on the consent agenda with the Boards. Director Perry advised the Boards 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 by Director Kane, Seconded by Director Lenz, the following items on the consent agenda were unanimously approved, ratified, and adopted:

- A. Approval of Minutes – December 14, 2023, Regular Meeting.
- B. Payment of Claims.
- C. Unaudited Financial Statements for the period ending December 31, 2023.
- D. Contract Modifications.

DISTRICT  
MANAGER ITEMS

District Manager’s Report: Mr. Newby presented the District Manager’s Report to the Boards and answered questions.

Operations and Maintenance Report: Mr. Gamber presented the Operations and Maintenance Report to the Boards and answered questions.

Community Updates & Activities Management Updates: Ms. McCutchen presented the Community Updates & Activities Management Updates to the Boards and answered questions. Mr. Lenz requested to be included in all district emails from community management that are sent to residents.

CAPITAL  
INFRASTRUCTURE  
ITEMS

Capital Infrastructure Report & District Project Manager Update: Mr. Ortiz presented the Capital Infrastructure Report and Mr. Breidenbach provided the District Project Manager Update to the Boards and answered questions.

Capital Fund Summary & Capital Needs Assessment: Mr. Ortiz reviewed the Capital Fund Summary with the Boards and answered questions.

## RECORD OF PROCEEDINGS

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### LEGAL ITEMS

AHV Communities Estoppel Certificate: Mr. Pogue presented the AHV Communities Estoppel Certificate to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Kane, seconded by Director Lenz, and upon vote, unanimously carried, it was

**RESOLVED** to approve the AHV Communities Estoppel Certificate.

Snow Removal Maintenance Policy: Mr. Pogue presented the Snow Removal Maintenance Policy to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Kane, seconded by Director Lenz, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Snow Removal Maintenance Policy.

Second Amendment to Resolution Approving the Imposition of an Operations and Maintenance Fee on Lots within the Boundaries of Kinston Metropolitan District Nos. 2, 3 ,4, 5, and 10: Mr. Pogue presented the Second Amendment to Resolution Approving the Imposition of an Operations and Maintenance Fee on Lots within the Boundaries of Kinston Metropolitan District Nos. 2, 3 ,4, 5, and 10 to the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Lenz, seconded by Director Kane, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Second Amendment to Resolution Approving the Imposition of an Operations and Maintenance Fee on Lots within the Boundaries of Kinston Metropolitan District Nos. 2,3,4,5, and 10.

### FINANCIAL ITEMS

Finance Manager's Report: Ms. Buenavista presented the Finance Manager's Report to the Boards and answered questions.

### 2023 AMENDED BUDGET HEARING

Director Perry opened the 2023 Amended Budget Hearing for Kinston Metropolitan District No. 2. Mr. Newby reported that notice of the budget hearing was published on February 3, 2024, in the Loveland Reporter-Herald in accordance with state budget law. Ms. Buenavista reviewed the amended budgets in detail and answered questions. The budgets for the District are as follows:

District No. 2  
General Fund: \$16,365

## RECORD OF PROCEEDINGS

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

**RESOLVED** to approve the Resolution to Adopt the 2023 Amended Budget and appropriate funds for Kinston Metropolitan District No. 2 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.

DIRECTOR  
MATTERS

Director Lenz informed the Boards that Lennar has committed to development on lots in ME13th.

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 Perry, the meeting was adjourned at 1:53 p.m.

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

Respectfully submitted,

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Jenna Pettit, Recording Secretary for the Meeting

## Check Detail

February 2 through March 5, 2024

Type	Num	Date	Name	Item	Account	Paid Amount
Liability Check		02/21/2024	QuickBooks Payroll Service		1-11000 · Cash - Checking	
					66000 · Payroll Expenses	12.00
			QuickBooks Payroll Service		2110 · Direct Deposit Liabilities	554.10
TOTAL						566.10
Bill Pmt -Check	ACH	02/06/2024	Bill.com		1-11000 · Cash - Checking	
Bill	24026103306	01/31/2024			1-51120 · Office, Dues & Other	81.79
TOTAL						81.79
Bill Pmt -Check	ACH	02/27/2024	City of Loveland - 060308		1-11000 · Cash - Checking	
Bill	0185312-060308 01.24	01/20/2024			1-51400 · Utilities	31.69
TOTAL						31.69
Bill Pmt -Check	ACH	02/27/2024	City of Loveland - 056674		1-11000 · Cash - Checking	
Bill	0185312-056674 01.24	01/20/2024			1-51400 · Utilities	33.55
					1-51400 · Utilities	31.59
TOTAL						65.14
Bill Pmt -Check	ACH	02/27/2024	City of Loveland - 056668		1-11000 · Cash - Checking	
Bill	0185312-056668 01.24	01/20/2024			1-51400 · Utilities	34.63
					1-51400 · Utilities	64.99
TOTAL						99.62
Bill Pmt -Check	ACH	02/27/2024	City of Loveland - 059154		1-11000 · Cash - Checking	
Bill	0185312-059154 01.24	01/20/2024			1-51400 · Utilities	33.54
					1-51400 · Utilities	31.20
TOTAL						64.74
Bill Pmt -Check	ACH	02/27/2024	City of Loveland - 059062		1-11000 · Cash - Checking	
Bill	0185312-059062 01.24	01/20/2024			1-51400 · Utilities	37.01
TOTAL						37.01
Bill Pmt -Check	ACH	02/27/2024	City of Loveland - 054470		1-11000 · Cash - Checking	
Bill	0185312-054470 01.24	01/20/2024			1-51400 · Utilities	620.33
TOTAL						620.33
Bill Pmt -Check	ACH	02/27/2024	City of Loveland - 056670		1-11000 · Cash - Checking	
Bill	0185312-056670 01.24	01/20/2024			1-51400 · Utilities	31.16
TOTAL						31.16



## Check Detail

February 2 through March 5, 2024

Type	Num	Date	Name	Item	Account	Paid Amount
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Coyote Ridge Construction LLC</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	23	11/15/2023		3-55601 · Project-Direct		250,157.04
TOTAL						250,157.04
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Pinnacle Consulting Group, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	25545	12/15/2023		3-56003 · Project Administration		315.00
TOTAL						315.00
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Pinnacle Consulting Group, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	25549	12/15/2023		3-55303 · Project Administration		487.50
TOTAL						487.50
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Pinnacle Consulting Group, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	25546	12/15/2023		3-57003 · Project Administration		980.00
TOTAL						980.00
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Pinnacle Consulting Group, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	25540	12/15/2023		3-55603 · Project Administration		1,237.50
TOTAL						1,237.50
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Pinnacle Consulting Group, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	25538	12/15/2023		3-51040 · District Management, Capital		3,187.50
TOTAL						3,187.50
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Pinnacle Consulting Group, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	25539	12/15/2023		3-55703 · Project Administration		595.00
TOTAL						595.00
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Prairie Mountain Media, LLC</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	0000370242	12/31/2023		1-51120 · Office, Dues & Other		42.63
TOTAL						42.63
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Earth Engineering Consultants, LLC</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	1234008.6	12/15/2023		3-55604 · Engineering		392.00
TOTAL						392.00
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>McWhinney Real Estate Services, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	425602	12/15/2023		3-57002 · Project Management		29,562.70
TOTAL						29,562.70

## Check Detail

February 2 through March 5, 2024

Type	Num	Date	Name	Item	Account	Paid Amount
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>CMS Environmental Solutions, LLC</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	153414	12/15/2023		3-55101 · Project-Direct		395.00
TOTAL						395.00
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Kinston Hub, LLC</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	420777	11/30/2023		1-52700 · Amenities		166.70
TOTAL						166.70
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>McWhinney Real Estate Services, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	425623	12/15/2023		3-51170 · Project Infrastructure		1,016.25
TOTAL						1,016.25
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>CMS Environmental Solutions, LLC</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	162117	12/15/2023		3-55101 · Project-Direct		395.00
TOTAL						395.00
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Pinnacle Consulting Group, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	25621	12/31/2023		1-51048 · Routine Communications		1,050.00
				1-51041 · Property Transfers		1,435.00
TOTAL						2,485.00
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Kinston Community Association, Inc</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	46234-202307	12/29/2023		1-52600 · HOA Maintenance		3,756.71
TOTAL						3,756.71
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Kinston Community Association, Inc</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	46234-202306	12/31/2023		1-52600 · HOA Maintenance		1,844.96
TOTAL						1,844.96
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Theodore Hehn (v)</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	Refund 12.23	12/27/2023		1-11515 · AR Other		62.50
TOTAL						62.50
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Pinnacle Consulting Group, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	25440	11/30/2023		1-51048 · Routine Communications		385.00
				1-51041 · Property Transfers		1,155.00
TOTAL						1,540.00
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Pinnacle Consulting Group, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	25544	12/15/2023		3-56103 · Project Administration		875.00
TOTAL						875.00

## Check Detail

February 2 through March 5, 2024

Type	Num	Date	Name	Item	Account	Paid Amount
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Kinston Hub, LLC</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	421544	12/14/2023		1-52700 · Amenities		275.31
TOTAL						275.31
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Icenogle Seaver Pogue, P.C.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	24813	12/31/2023		1-51110 · Legal Services		4,384.00
TOTAL						4,384.00
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Kinston Hub, LLC</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	421433	12/18/2023		1-52700 · Amenities		416.75
TOTAL						416.75
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Kinston Hub, LLC</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	420782	11/30/2023		1-52700 · Amenities		344.74
TOTAL						344.74
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Soilogic Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	120191	12/15/2023		3-55604 · Engineering		5,380.00
TOTAL						5,380.00
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>McWhinney Real Estate Services, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	425600	12/15/2023		3-55602 · Project Management		7,843.00
TOTAL						7,843.00
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Kinston Hub, LLC</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	420778	11/30/2023		1-52700 · Amenities		66.68
TOTAL						66.68
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>CMS Environmental Solutions, LLC</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	162640	12/15/2023		3-55601 · Project-Direct		625.00
TOTAL						625.00
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>McWhinney Real Estate Services, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	425618	12/15/2023		3-51170 · Project Infrastructure		1,210.25
TOTAL						1,210.25
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Pinnacle Consulting Group, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	25548	12/15/2023		3-55103 · Project Administration		1,387.50
TOTAL						1,387.50

**Kinston Metropolitan District No. 1**  
**Check Detail**  
February 2 through March 5, 2024

Type	Num	Date	Name	Item	Account	Paid Amount
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>MWater Development, LLC</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	2023-01	12/15/2023		3-55101 · Project-Direct		120,130.00
TOTAL						<u>120,130.00</u>
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Pinnacle Consulting Group, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	25620	12/31/2023		1-51080 · Facilities Management		827.26
				1-51040 · District Management		861.72
TOTAL						<u>1,688.98</u>
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Pinnacle Consulting Group, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	25550	12/15/2023		3-55903 · Project Administration		262.50
TOTAL						<u>262.50</u>
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Pinnacle Consulting Group, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	25541	12/15/2023		3-55203 · Project Administration		420.00
TOTAL						<u>420.00</u>
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Kinston Hub, LLC</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	420781	11/30/2023		1-52700 · Amenities		100.02
TOTAL						<u>100.02</u>
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>McWhinney Real Estate Services, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	425599	12/15/2023		3-55602 · Project Management		7,843.00
TOTAL						<u>7,843.00</u>
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Pinnacle Consulting Group, Inc.</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	25547	12/15/2023		3-56303 · Project Administration		187.50
TOTAL						<u>187.50</u>
<b>Bill Pmt -Check</b>	<b>Bill.com</b>	<b>02/12/2024</b>	<b>Coyote Ridge Construction LLC</b>		<b>1072 · Bill.com Money Out Clearing</b>	
Bill	INV 24	12/15/2023		3-55601 · Project-Direct		26,518.02
TOTAL						<u>26,518.02</u>
<b>Paycheck</b>	<b>DD1082</b>	<b>02/22/2024</b>	<b>Bradley D Lenz</b>		<b>1-11000 · Cash - Checking</b>	
				1-51030 · Directors' Fees		200.00
				66000 · Payroll Expenses		12.40
				24000 · Payroll Liabilities		-12.40
				24000 · Payroll Liabilities		-12.40
				66000 · Payroll Expenses		2.90
				24000 · Payroll Liabilities		-2.90
				24000 · Payroll Liabilities		-2.90
				2110 · Direct Deposit Liabilities		-184.70
TOTAL						<u>0.00</u>

**Check Detail**

February 2 through March 5, 2024

Type	Num	Date	Name	Item	Account	Paid Amount
Paycheck	DD1083	02/22/2024	Josh Kane		1-11000 · Cash - Checking	0.00
					1-51030 · Directors' Fees	200.00
					66000 · Payroll Expenses	12.40
					24000 · Payroll Liabilities	-12.40
					24000 · Payroll Liabilities	-12.40
					66000 · Payroll Expenses	2.90
					24000 · Payroll Liabilities	-2.90
					24000 · Payroll Liabilities	-2.90
					2110 · Direct Deposit Liabilities	-184.70
TOTAL						<u>0.00</u>
Paycheck	DD1084	02/22/2024	Kim Perry		1-11000 · Cash - Checking	0.00
					1-51030 · Directors' Fees	200.00
					66000 · Payroll Expenses	12.40
					24000 · Payroll Liabilities	-12.40
					24000 · Payroll Liabilities	-12.40
					66000 · Payroll Expenses	2.90
					24000 · Payroll Liabilities	-2.90
					24000 · Payroll Liabilities	-2.90
					2110 · Direct Deposit Liabilities	-184.70
TOTAL						<u>0.00</u>
					<b>Total</b>	<u><u>\$ 480,174.82</u></u>

# Contract Modifications for Board Ratification

## Kinston Metropolitan District No. 1

### Kinston Millennium East 14th (KIN-ME14)

<i>Contractor:</i> <b>Coyote Ridge Construction, LLC</b>	<i>Modification Date:</i> <b>1 /17/2024</b>	<i>Modification Amount:</i> <b>\$28,180.84</b>	<i>Contract #:</i> <b>Cnt-01151</b>
<i>Modification Description:</i> <b>Change Order #18</b>	<i>Payment Method:</i> <b>Unit Price</b>	<i>District Signed Date:</i> <b>1 /29/2024</b>	
<i>Modification Scope:</i> <b>Waterproofing of Underpass/Box Culvert, Additional Road Base, and Credit for Flyash</b>			<i>Contractor Signed Date:</i> <b>1 /30/2024</b>

<i>Contractor:</i> <b>Coyote Ridge Construction, LLC</b>	<i>Modification Date:</i> <b>1 /17/2024</b>	<i>Modification Amount:</i> <b>\$5,042.82</b>	<i>Contract #:</i> <b>Cnt-01151</b>
<i>Modification Description:</i> <b>Change Order #19</b>	<i>Payment Method:</i> <b>Lump Sum</b>	<i>District Signed Date:</i> <b>1 /29/2024</b>	
<i>Modification Scope:</i> <b>Add Waterproofing to Box Culvert Due to Grade Changes</b>			<i>Contractor Signed Date:</i> <b>1 /30/2024</b>

### Kinston Millennium East 15th (KIN-ME15)

<i>Contractor:</i> <b>Coyote Ridge Construction, LLC</b>	<i>Modification Date:</i> <b>1 /18/2024</b>	<i>Modification Amount:</i> <b>\$8,585.81</b>	<i>Contract #:</i> <b>Cnt-01177</b>
<i>Modification Description:</i> <b>Change Order #18</b>	<i>Payment Method:</i> <b>Unit Price</b>	<i>District Signed Date:</i> <b>1 /29/2024</b>	
<i>Modification Scope:</i> <b>Erosion Control Maintenance July and August 2023</b>			<i>Contractor Signed Date:</i> <b>1 /30/2024</b>

<i>Contractor:</i> <b>Coyote Ridge Construction, LLC</b>	<i>Modification Date:</i> <b>1 /18/2024</b>	<i>Modification Amount:</i> <b>\$6,305.77</b>	<i>Contract #:</i> <b>Cnt-01177</b>
<i>Modification Description:</i> <b>Change Order #19</b>	<i>Payment Method:</i> <b>Unit Price</b>	<i>District Signed Date:</i> <b>1 /29/2024</b>	
<i>Modification Scope:</i> <b>Erosion Control Maintenance in October, November, and December</b>			<i>Contractor Signed Date:</i> <b>1 /30/2024</b>

### Kinston Residential Phase 1 Public Infrastructure (KIN-RESPH1-PI)

<i>Contractor:</i> <b>Coyote Ridge Construction, LLC</b>	<i>Modification Date:</i> <b>1 /16/2024</b>	<i>Modification Amount:</i> <b>\$4,171.06</b>	<i>Contract #:</i> <b>Cnt-01057</b>
<i>Modification Description:</i> <b>Change Order #18</b>	<i>Payment Method:</i> <b>Lump Sum</b>	<i>District Signed Date:</i> <b>1 /29/2024</b>	
<i>Modification Scope:</i> <b>Concrete Bands at Observation Deck</b>			<i>Contractor Signed Date:</i> <b>1 /30/2024</b>



To: Kinston Metropolitan District Board of Directors  
 From: Pinnacle Consulting Group, Inc.  
 Subject: Managers' Report  
 Board Meeting Date: March 11, 2024

### General District Matters

- **Primary Contact:** Please contact Bryan Newby, District Manager, at Bryann@pcgi.com or kinmdadmin@pcgi.com for any District matters which include operations, Board of Directors relations, financial management, compliance, and constituent relations.
- **Management & Administration Updates & Activities:**
  - Kinston O&M Fee Process Changes
    - We have updated the verbiage for delinquency letters.
    - We have added 2 new letters that will be sent to residents following delinquency.
      - The first letter will be sent on the first day that accounts become delinquent.
      - The second letter will be sent 30 days before the account is sent to collections and includes verbiage describing the potential consequences of further delinquency.
    - We have started developing a more comprehensive letter to be included in the welcome packet for all new residents that explains the O&M fees in a positive and easily digested way.
- **Website Analytics:** Website analytics allows management to review website activity throughout the year.

Last Month	YTD	Top 3 Pages Viewed
168 Visits	424 Visits	Home Page
162 Unique Visitors	342 Unique Visitors	Online Payments
296 Page Views	848 Page Views	Governance

- **Compliance Matters:** Annually, District Management ensures the District meets required statutory responsibilities and tracks compliance accordingly.

Compliance Matters	Responsible	Due Date	Completion Date
File Boundary Map	PCGI	01/01/24	Complete
Post Transparency Notice	PCGI	01/15/24	Complete
File Certified Copy of Adopted Budget	PCGI	01/30/24	Complete
Renew SDA Membership	PCGI	03/01/24	Complete
File Audit Exemptions	PCGI	03/31/24	
Submit Audit to Governing Board	PCGI	06/30/24	
File Audit	PCGI	07/30/24	

Kinston Metropolitan District  
 c/o Pinnacle Consulting Group, Inc.  
 Main office located at 550 W. Eisenhower Blvd., Loveland, CO 80537  
 Phone: (970) 669 3611  
 Email: kinmdadmin@pcgi.com

*Serving our clients and community through excellent dependable service.*

File Annual Report	PCGI	10/01/24	
Draft 2025 Budgets Distributed to Board of Directors	PCGI	10/15/24	
Renew Property & Liability Insurance	PCGI	12/01/24	
Certify Mill Levies	PCGI	12/15/24	
Adopt Budget	PCGI	12/31/24	
Ensure Website Compliance	PCGI	12/31/24	
Payables	PCGI/Board	Monthly	Sent to Board third week of the month

## Operations & Maintenance Updates & Activities

- **O&M Updates:**
  - SWPPP completed 1<sup>st</sup> quarter inspection and maintenance of storm structures and drainage areas.
  - Continuing preparation and planning for management of warranty maintenance with Bath at all landscape areas and acceptance process of Phase 1 landscaping planned for late 2024.
  - Coordination with MRES on splash pad maintenance and start up in spring 2024; contract has been executed for these services within approved budget amounts.
  - PCGI team continues coordination with KCA, Cohere, and MRES on various onsite operations via bi-weekly meetings, as well as planning for upcoming asset and scope additions later in 2024 into 2025.



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## **Community Management Updates & Activities**

- **Phone and Email Communications:** In order for our team to manage the structure and budget allocation adopted by the Kinston Metro District, all emails and voicemails are checked daily by team members and responded to or elevated for a response from management if necessary.
  - The Management team has made three posts on the District's website for news to the residents in 2024. Most recently a post was made to provide the Board meeting dates for 2024. The next planned post will include information on spring reminders for the community.
  - The District has sent out two email blasts to the community in 2024.
  - The District has received 21 incoming calls in 2024. The top reasons for calls are listed below:
    - How to make a payment.
    - When the payment is due.
  
- **Homeowner Closings:**
  - The District's management team processed 14 homeowner closings YTD. This includes all sales, including from developer to builder, builder to owner, and owner to owner.
  
- **Update on Lot Closings and Collection of Operations Fees:**
  - Operation Fees: On January 1st, the Management Team billed first-quarter operations fees. There was a total of 204 billed for a total of \$12,750 in operation fees.
  - Total Operation fees outstanding for Quarter four are 33 accounts. The total outstanding for Quarter One is 44 accounts. This includes the 33 accounts past due for Q4, leaving just 11 accounts that only owe from quarter one.

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To: Kinston Metropolitan District Board of Directors  
 From: Pinnacle Consulting Group, Inc.  
 Subject: District Capital Infrastructure Project Report  
 Board Meeting Date: March 11, 2024

## **BIDDING**

1. Kinston Millennium East 16<sup>th</sup> Phase 2 Public Infrastructure
  - This project consists of public infrastructure to support the residential lots that make up Millennium East 16<sup>th</sup> Subdivision.
  - A pre-bid meeting took place on January 26, 2024 with a bid opening on February 16, 2024. The bid results will be presented at a future board meeting.

## **CONTRACTING**

2. Kinston Millennium East 16<sup>th</sup> Phase 1 Public Landscaping (CFS #7)
  - This project consists of public landscaping improvements to support the residential lots that make up Millennium East 16<sup>th</sup> Subdivision.
  - Bid results were presented at the October 12, 2023 board meeting and the board awarded a contract with Bath, Inc. The District is working on finalizing the construction contract.

## **CONSTRUCTION**

3. Kinston Millennium East 14<sup>th</sup> Subdivision Public Infrastructure (CFS #5)
  - This project consists of public infrastructure to support the residential lots that make up Millennium East 14<sup>th</sup> Subdivision.
  - Coyote Ridge Construction is working on the sidewalk at the pedestrian underpass along Elk River. Completion is anticipated in February 2024 pending weather.
4. Kinston Residential Phase 1 Landscaping (CFS #2)
  - This project consists of public landscaping improvements to support the residential lots that make up Phase 1 (ME 10<sup>th</sup>) and the infill lots located within Phase 1B (ME 11<sup>th</sup> PH1) and the landscaping improvements along Centerra Parkway.
  - Bath Landscaping has completed landscaping along Centerra Parkway and is working on finishing up the landscaping along Kinston Parkway. Completion is anticipated in the spring of 2024.
5. Kinston Residential Phase 1 Public Fencing (CFS #2)
  - This project consists of public fencing to support the residential lots that make up Phase 1 (ME10<sup>th</sup>).
  - Custom Fence and Supply has started construction of the fencing and anticipates completion in spring of 2024.

## **WARRANTY**

**Loveland**  
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**Denver**  
 6950 E. Belleview Ave, Suite 200  
 Greenwood Village, CO 80111  
 (303) 333.4380



6. Kinston Millennium East 16<sup>th</sup> Phase 1 Public Infrastructure (CFS #7)
  - This project consists of public infrastructure to support the residential lots that make up Millennium East 16<sup>th</sup> Subdivision.
  - City of Loveland warranty period expires on November 11, 2025. Final acceptance will be requested in October of 2025.
  
7. Kinston Millennium East 15<sup>th</sup> Phase 2 Public Infrastructure (CFS #12)
  - This project consists of public infrastructure to support the residential lots that make up Millennium East 15<sup>th</sup> Subdivision Phase 2.
  - City of Loveland warranty period expires on October 25, 2025. Final acceptance will be requested in September of 2025.
  
8. Kinston Millennium East 15<sup>th</sup> Phase 1 Public Infrastructure (CFS #3)
  - This project consists of public infrastructure to support the residential lots that make up Millennium East 15<sup>th</sup> Subdivision.
  - City of Loveland warranty period expires on October 10, 2025. Final acceptance will be requested in September of 2025.
  
9. Kinston Welcome Center Public Park (CFS #4)
  - This project includes the public infrastructure and landscaping improvements surrounding the Welcome Center building pad site.
  - A final acceptance walk with Bath took place on August 15, 2023 and a punch list has been created. Bath is working on correction of the punch list items.
  
10. Kinston Residential Phase 1 (ME 10<sup>th</sup>) and Phase 1B (ME 11<sup>th</sup> PH1) Public Infrastructure (CFS #2)
  - City streets/storm warranty period expires on January 7, 2024. A Final acceptance walk has been requested from the City of Loveland.
  - City water/sewer warranty period expires on March 2, 2024. Final acceptance will be requested in February of 2024.
  
11. Kinston Residential Phase 1B (ME 11<sup>th</sup> PH1) Public Infrastructure (CFS #2)
  - The punch list for the water and power department has been completed and the District is awaiting the final acceptance letter from the City.
  - City streets/storm warranty expires on July 11, 2024. Final acceptance will be requested in June of 2024.

**Loveland**

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 **PINNACLE**  
CONSULTING GROUP, INC.  
Kinston Phase 1



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 **PINNACLE**  
CONSULTING GROUP, INC.  
Kinston ME 14<sup>th</sup>



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 **PINNACLE**  
CONSULTING GROUP, INC.

Kinston ME 15<sup>th</sup> Phase 1



Kinston ME 16<sup>th</sup> Phase 1



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**Kinston Metropolitan District  
Capital Fund Summary  
As of 2/21/2024**

<b>Active Projects</b>							
<b>CFS #</b>	<b>Project Name</b>	<b>Approved Project Budget</b>	<b>Estimated Project Total</b>	<b>Change in Estimated Project Total From Prior Report</b>	<b>Projected Over/(Under) Cost Estimate</b>	<b>Total Expenditures thru 01/31/2024</b>	<b>Estimated Remaining Project Costs</b>
1	General Capital	99,960	135,460	35,500	35,500	2,000	133,460
2	Kinston Residential Phase 1 (ME 10th) and 1B (ME 11th)	19,860,358	19,860,459	-	101	19,653,533	206,926
3	Millennium East 15th Subdivision	2,846,704	2,846,704	-	-	2,315,890	530,814
4	Kinston Welcome Center Public Park	1,423,599	1,423,599	-	-	1,404,645	18,954
5	Millennium East 14th Subdivision	8,097,027	8,097,027	-	-	5,710,377	2,386,650
6	Millennium East 13th Subdivision	8,603,079	745,067	-	(7,858,012)	511,418	233,649
7	Millennium East 16th Subdivision Phase 1	4,401,876	4,401,876	-	-	3,261,552	1,140,324
8	Kinston Welcome Center Park Phase 2	187,440	187,560	-	120	133,179	54,381
9	Millennium East 17th Subdivision	773,558	887,218	-	113,660	478,508	408,710
10	Millennium East 18th Subdivision	1,141,973	1,153,573	-	11,600	641,091	512,482
11	Millennium East 19th Subdivision	1,127,422	1,160,462	-	33,040	572,393	588,069
12	Millennium East 15th Subdivision Phase 2	626,797	626,797	-	-	324,465	302,332
13	Kinston Offsite Drainage	300,000	343,295	-	43,295	104,882	238,413
14	Millennium East 16th Phase 2	-	2,271,858	2,271,858	2,271,858	4,617	2,267,242
<b>Totals</b>		<b>49,489,793</b>	<b>44,140,955</b>	<b>2,307,358</b>	<b>(5,348,838)</b>	<b>35,118,549</b>	<b>9,022,406</b>

Anticipated Capital Advance (\$8,320,756)

This document is intended for planning purposes only, please see the 2024 Adopted Budgets for District approved and appropriated funds.

**Kinston Metropolitan District  
Capital Fund Summary - Detail  
As of 2/21/2024**

	A Approved Project Budget	B Approved Contract Amounts	C Other Projected Costs	D Estimated Projected Total (B+C)	Estimated Projected Total (Prior Month Report)	E Change in Estimated Project Total From Prior Report Incr/(Decr)	F Projected Over/(Under) Project Budget (D-A)	G Total Expenditures thru 1/31/2024	H Remaining Project Costs (D-G)
<b>(1) General Capital</b>									
District Planning/Engineering Management	25,000	25,000	0	25,000	25,000	0	0	0	25,000
District Management	24,960	24,960	0	24,960	24,960	0	0	2,000	22,960
District Engineering	50,000	50,000	35,500	85,500	50,000	35,500	35,500	0	85,500
Office and Other	0	0	0	0	0	0	0	0	0
	99,960	99,960	35,500	135,460	99,960	35,500	35,500	2,000	133,460
<b>(2) Project: Kinston Residential Phase 1 (ME 10th) and 1B (ME 11th)</b>									
Indirect Project Costs	2,686,783	2,246,562	0	2,246,562	2,246,562	0	(440,221)	2,249,055	(2,493)
Direct Project Costs	15,886,971	17,613,628	0	17,613,628	17,613,628	0	1,726,657	17,404,478	209,150
Contingency	1,054,268	0	269	269	269	0	(1,053,999)	0	269
Warranty Maintenance/Repairs	232,336	0	0	0	0	0	(232,336)	0	0
1B (ME 11th)	19,860,358	19,860,190	269	19,860,459	19,860,459	0	101	19,653,533	206,926
<b>(3) Project: Millennium East 15th Subdivision</b>									
Indirect Project Costs	444,179	561,178	0	561,178	561,178	0	116,999	479,423	81,755
Direct Project Costs	2,139,377	1,986,028	296,602	2,282,630	2,267,738	14,892	143,253	1,836,467	446,163
Contingency	220,360	0	0	0	0	0	(220,360)	0	0
Warranty Maintenance/Repairs	42,788	0	2,896	2,896	17,788	(14,892)	(39,892)	0	2,896
	2,846,704	2,547,206	299,498	2,846,704	2,846,704	0	0	2,315,890	530,814
<b>(4) Project: Kinston Welcome Center Public Park</b>									
Indirect Project Costs	293,396	297,040	0	297,040	297,040	0	3,644	287,808	9,232
Direct Project Costs	1,053,252	1,116,838	0	1,116,838	1,116,838	0	63,586	1,116,837	1
Contingency	64,126	0	9,205	9,205	9,205	0	(54,921)	0	9,205
Warranty Maintenance/Repairs	12,825	0	516	516	516	0	(12,309)	0	516
	1,423,599	1,413,878	9,721	1,423,599	1,423,599	0	0	1,404,645	18,954
<b>(5) Project: Millennium East 14th Subdivision</b>									
Indirect Project Costs	985,414	651,204	245,582	896,786	896,786	0	(88,628)	630,048	266,738
Direct Project Costs	6,338,286	5,496,433	1,590,342	7,086,775	7,086,775	0	748,489	5,080,329	2,006,446
Contingency	646,561	0	11,700	11,700	11,700	0	(634,861)	0	11,700
Warranty Maintenance/Repairs	126,766	0	101,766	101,766	101,766	0	(25,000)	0	101,766
	8,097,027	6,147,637	1,949,390	8,097,027	8,097,027	0	0	5,710,377	2,386,650
<b>(6) Project: Millennium East 13th Subdivision</b>									
Indirect Project Costs	1,256,834	745,067	0	745,067	745,067	0	(511,767)	511,418	233,649
Direct Project Costs	6,559,147	0	0	0	0	0	(6,559,147)	0	0
Contingency	655,915	0	0	0	0	0	(655,915)	0	0
Warranty Maintenance/Repairs	131,183	0	0	0	0	0	(131,183)	0	0
	8,603,079	745,067	0	745,067	745,067	0	(7,858,012)	511,418	233,649

This document is intended for planning purposes only, please see the 2024 Adopted Budgets for District approved and appropriated funds.



**Kinston Metropolitan District  
Capital Fund Summary - Detail  
As of 2/21/2024**

	A Approved Project Budget	B Approved Contract Amounts	C Other Projected Costs	D Estimated Projected Total (B+C)	Estimated Projected Total (Prior Month Report)	E Change in Estimated Project Total From Prior Report Incr/(Decr)	F Projected Over/(Under) Project Budget (D-A)	G Total Expenditures thru 1/31/2024	H Remaining Project Costs (D-G)
<b><u>(7) Project: Millennium East 16th Subdivision Phase 1</u></b>									
Indirect Project Costs	563,207	451,783	0	451,783	451,783	0	(111,424)	420,018	31,765
Direct Project Costs	3,420,714	3,762,884	98,118	3,861,002	3,861,002	0	440,288	2,841,534	1,019,468
Contingency	349,541	0	20,677	20,677	20,677	0	(328,864)	0	20,677
Warranty Maintenance/Repairs	68,414	0	68,414	68,414	68,414	0	0	0	68,414
	4,401,876	4,214,667	187,209	4,401,876	4,401,876	0	0	3,261,552	1,140,324
<b><u>(8) Project: Kinston Welcome Center Park Phase 2</u></b>									
Indirect Project Costs	187,440	187,560	0	187,560	187,560	0	120	133,179	54,381
Direct Project Costs	0	0	0	0	0	0	0	0	0
Contingency	0	0	0	0	0	0	0	0	0
Warranty Maintenance/Repairs	0	0	0	0	0	0	0	0	0
	187,440	187,560	0	187,560	187,560	0	120	133,179	54,381
<b><u>(9) Project: Millennium East 17th Subdivision</u></b>									
Indirect Project Costs	773,558	887,218	0	887,218	887,218	0	113,660	478,508	408,710
Direct Project Costs	0	0	0	0	0	0	0	0	0
Contingency	0	0	0	0	0	0	0	0	0
Warranty Maintenance/Repairs	0	0	0	0	0	0	0	0	0
	773,558	887,218	0	887,218	887,218	0	113,660	478,508	408,710
<b><u>(10) Project: Millennium East 18th Subdivision</u></b>									
Indirect Project Costs	1,081,681	1,093,281	0	1,093,281	1,093,281	0	11,600	580,799	512,482
Direct Project Costs	60,292	60,292	0	60,292	60,292	0	0	60,292	0
Contingency	0	0	0	0	0	0	0	0	0
Warranty Maintenance/Repairs	0	0	0	0	0	0	0	0	0
	1,141,973	1,153,573	0	1,153,573	1,153,573	0	11,600	641,091	512,482
<b><u>(11) Project: Millennium East 19th Subdivision</u></b>									
Indirect Project Costs	1,127,422	1,137,922	22,540	1,160,462	1,160,462	0	33,040	572,393	588,069
Direct Project Costs	0	0	0	0	0	0	0	0	0
Contingency	0	0	0	0	0	0	0	0	0
Warranty Maintenance/Repairs	0	0	0	0	0	0	0	0	0
	1,127,422	1,137,922	22,540	1,160,462	1,160,462	0	33,040	572,393	588,069
<b><u>(12) Project: Millennium East 15th Subdivision Phase 2</u></b>									
Indirect Project Costs	58,319	68,270	0	68,270	68,270	0	9,951	47,974	20,296
Direct Project Costs	507,570	276,491	221,128	497,619	497,619	0	(9,951)	276,491	221,128
Contingency	50,757	0	50,757	50,757	50,757	0	0	0	50,757
Warranty Maintenance/Repairs	10,151	0	10,151	10,151	10,151	0	0	0	10,151
	626,797	344,761	282,036	626,797	626,797	0	0	324,465	302,332
<b><u>(13) Project: Kinston Offsite Drainage</u></b>									
Indirect Project Costs	300,000	343,295	0	343,295	343,295	0	43,295	104,882	238,413
Direct Project Costs	0	0	0	0	0	0	0	0	0
Contingency	0	0	0	0	0	0	0	0	0
Warranty Maintenance/Repairs	0	0	0	0	0	0	0	0	0
	300,000	343,295	0	343,295	343,295	0	43,295	104,882	238,413

This document is intended for planning purposes only, please see the 2024 Adopted Budgets for District approved and appropriated funds.

**Kinston Metropolitan District  
Capital Fund Summary - Detail  
As of 2/21/2024**

	A	B	C	D	E	F	G	H	
	Approved Project Budget	Approved Contract Amounts	Other Projected Costs	Estimated Projected Total (B+C)	Estimated Projected Total (Prior Month Report)	Change in Estimated Project Total From Prior Report Incr/(Decr)	Projected Over/(Under) Project Budget (D-A)	Total Expenditures thru 1/31/2024	Remaining Project Costs (D-G)
<b>(14) Project: Millennium East 16th Phase 2</b>									
Indirect Project Costs	0	0	284,241	284,241	0	284,241	284,241	4,617	279,625
Direct Project Costs	0	0	1,774,658	1,774,658	0	1,774,658	1,774,658	0	1,774,658
Contingency	0	0	177,466	177,466	0	177,466	177,466	0	177,466
Warranty Maintenance/Repairs	0	0	35,493	35,493	0	35,493	35,493	0	35,493
	0	0	2,271,858	2,271,858	0	2,271,858	2,271,858	4,617	2,267,242
<b>Grand Total of all Projects</b>	<b>49,489,793</b>	<b>39,082,934</b>	<b>5,058,021</b>	<b>44,140,955</b>	<b>41,833,597</b>	<b>2,307,358</b>	<b>(5,348,838)</b>	<b>35,118,549</b>	<b>9,022,406</b>

ME 16 LDA Escrow (District/Builder Funds)	\$414,086
ME 15 Phase 2 LDA Escrow (District/Builder Funds)	\$287,564
Estimated Remaining Costs*	(\$9,022,406)
Anticipated Capital Advance**	(\$8,320,756)

\* Remaining costs include uncontracted costs of \$5,058,021.

\*\*Funding of \$8,320,756 will be provided through capital advances, pending agreements, and future bond proceeds.

\$21,169,608 is available for contracting through authorized capital advances.

**RESOLUTION OF THE BOARDS OF DIRECTORS OF  
KINSTON METROPOLITAN DISTRICT NO. 1**

A RESOLUTION ADOPTING AND APPROVING A FIRST AMENDMENT TO THE  
SIDEWALK SNOW REMOVAL AND MAINTENANCE POLICY

WHEREAS, Kinston Metropolitan District No. 1 (the “District”) and Kinston Metropolitan District Nos. 2 – 9 (“District Nos. 2 – 9,” together with the District, the “Districts”) are special districts formed pursuant to Sections 32-1-101, *et seq.*, C.R.S. to assist in the financing, construction, operations and maintenance of certain public improvements for the Kinston development (the “Development”); and

WHEREAS, pursuant to Section 32-1-1001(1)(m), C.R.S., the Board of Directors (the “Board”) of the District has the power to adopt, amend and enforce and rules and regulations for carrying on the business, objects, and affairs of the Board and the District; and

WHEREAS, on February 8, 2024, via resolution, the Board of Directors for Kinston Metropolitan District No. 1 adopted a Sidewalk Snow Removal and Maintenance Policy, as recorded in the Larimer County Clerk and Recorder’s office on February 12, 2024 at Reception No. 20240005144 (the “Sidewalk Snow Removal and Maintenance Policy”); and

WHEREAS, the Board desires to amend the Sidewalk Snow Removal and Maintenance Policy to clarify the terms of enforcement of this same policy.

NOW THEREFORE, THE BOARD OF DIRECTORS OF KINSTON METROPOLITAN DISTRICT NO. 1 HEREBY ADOPTS THE FOLLOWING FIRST AMENDMENT TO THE SIDEWALK SNOW REMOVAL AND MAINTENANCE POLICY:

1. Amendment to Sidewalk Snow Removal and Maintenance Policy. The Board hereby amends and replaces “Section 2. Enforcement” of the Sidewalk Snow Removal and Maintenance Policy in its entirety as follows:

The District shall be responsible for the enforcement of the Sidewalk Snow Removal Policy and may engage a third-party provider including, without limitation, the Association to enforce the Sidewalk Snow Removal Policy (the “Enforcement Party”).

If a Property Owner is found to be in violation of the Sidewalk Snow Removal Policy, the District may cause the removal of snow and ice from the sidewalk for which the Property Owner is responsible. The costs of the removal of snow and ice (the “Removal Cost”) will be charged to the Property Owner, together with a fine of: (i) 5% of the Removal Cost for the first violation, (ii) 10% of the Removal Cost for the second violation, and (iii) 15% of the Removal Cost for the third violation and each violation thereafter (the “Fine”).

Until paid, the Removal Cost and Fine shall, together, constitute a statutory, perpetual lien (the “Perpetual Lien”) on and against the property of the Property Owner, and any such Perpetual Lien may be foreclosed in the manner provided by the laws of the State of

Colorado for the foreclosure of mechanics' liens, pursuant to § 32-1-1001(1)(j), C.R.S. Said Perpetual Lien may be foreclosed at such time as the District, in its sole discretion, may determine. The Perpetual Lien shall be in a senior position as against all other liens of record affecting the property of the Property Owner.

2. Future Amendments to Sidewalk Snow Removal Policy. The Board may further amend the Sidewalk Snow Removal Policy from time to time as the Boards deem necessary.
3. Effective Date. This Resolution shall take effect on the date and at the time of its adoption.

*(Signature Page Follows)*

APPROVED AND ADOPTED THIS 11<sup>th</sup> DAY OF MARCH, 2024.

KINSTON METROPOLITAN DISTRICT NO. 1

By: \_\_\_\_\_  
Kim L. Perry, President

*Signature Page to First Amendment to Sidewalk Snow Removal Policy*



<i>TO:</i>	Kinston Metropolitan District Board of Directors
<i>FROM:</i>	Irene Buenavista, Assistant Director of Finance and Accounting Wendy McFarland, Accounting Manager Pinnacle Consulting Group, Inc.
<i>SUBJ:</i>	Financial Memo
<i>DATE:</i>	3/5/2024

### **Expenses**

- 2024 General Fund expenses are within budget as the new 2024 fiscal year has commenced.

### **Compliance Update**

- Q4 Bond compliance reports were filed with the Trustee on February 5<sup>th</sup>.
- Audit Exemptions will be filed with the Office of the State Auditor by March 31<sup>st</sup>.

### **Current Projects**

- March 31<sup>st</sup> – Deadline to file audit exemptions with the State
- May 6<sup>th</sup> - District 1 and 5 Audits - fieldwork begins

#### **Offices Located in Loveland and Denver**

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