MINUTES OF A SPECIAL MEETING

NS PUBLIC INFRASTRUCTURE DISTRICT NOS. 1, 3-5
BOARD OF TRUSTEES

Thursday, October 3, 2024 at 10:00 a.m.
1265 E Fort Union Blvd., Suite 302, Cottonwood Heights, UT

The meeting was also held via teleconference and open to the public.

Attendance

The meeting referenced above was called and held in accordance with the applicable statutes of the State of Utah. The following members were in attendance:

Boyd Brown

Jonny Christensen

Clay Winder

Also present: Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Shelby Clymer, CliftonLarsonAllen LLP, District Accountant; Benj Becker, Aly Blossom and Maria Mamaril, Piper Sandler; Jake Hone, Grow Development UT; and Darci Stephens, Esq. and Randall M. Larsen, Esq., Gilmore Bell, P.C.

Call to Order/Declaration of Quorum

It was noted that a quorum of each Board was present. Upon a motion duly made and seconded, the meeting was called to order.

Joint Meetings

The Boards of Directors of the Districts have determined to hold joint meetings of the Districts and to prepare joint minutes of action taken by the Districts in such meetings. Unless otherwise noted, all official action reflected in these minutes is the action of each of the Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

Preliminary Action Items

Approve Agenda

The Boards reviewed the proposed agenda for the meeting. Following discussion, upon a motion duly made by Mr. Christensen and seconded by Mr. Boyd, the Boards unanimously approved the agenda as presented.

Public Comment

No members of the public were in attendance.

Action Items

Approve draft minutes from September 19, 2024 Special Joint Meeting

Ms. Murphy presented minutes from the September 19, 2024 special joint meeting to the Boards for consideration. Following review, upon a motion duly made by Mr. Brown and seconded by Mr. Winder, and upon a vote unanimously carried, the Boards approved the minutes.

Approve Petition for Annexation from BB Sold, PC (District No. 3)

Ms. Murphy presented the Petition for Annexation from BB Sold, PC to the Board of District No. 3 for consideration. Following review, upon a motion duly made by Mr. Brown and seconded by Mr. Christensen, and upon a vote unanimously carried, the Board of District No. 3 approved the Petition for Annexation from BB Sold. PC.

Adopt Resolution Annexing Property (Annexation No. 1) (District No. 3)

Ms. Murphy presented the Resolution Annexing Property (Annexation No. 1) to the Board of District No. 3 for consideration. Following review, upon a motion duly made by Mr. Brown and seconded by Mr. Christensen, and upon a vote unanimously carried, the Board of District No. 3 adopted the resolution.

Approve Notice of Impending Boundary Action Annexation of Property (Annexation No. 1) (District No. 3)

Ms. Murphy presented the Notice of Impending Boundary Action Annexation of Property for Annexation No. 1 to the Board of District No. 3 for consideration. Following review, upon a motion duly made by Mr. Brown and seconded by Mr. Christensen, and upon a vote unanimously carried, the Board of District No. 3 approved the notice.

Bond Issuance (District No. 1)

Approve Engagement of Gilmore & Bell, P.C. as Bond Counsel

Mr. Larsen presented the Engagement of Gilmore & Bell, P.C. as bond counsel to the Board of District No. 1 for consideration. Mr. Larsen noted that the fee is not fixed and will be flexible until it is set at closing. Following review, upon a motion duly made by Mr. Brown and seconded by Mr. Christensen, and upon a vote unanimously carried, the Board of District No. 1 approved the engagement subject to receiving a price estimate from Mr. Larsen.

Approve Engagement of The ConNEXTion Group – Civil, LLC as Project Engineer (District No. 1)

Ms. Murphy presented the Engagement of The ConNextion Group – Civil, LLC as project engineer to the Board of District No. 1 for consideration. Following discussion, upon a motion duly made *by Mr. Brown and seconded by Mr. Christensen, and upon vote unanimously carried, the Board of District No. 1 approved the engagement.*

A RESOLUTION OF THE BOARD OF TRUSTEES OF NS PUBLIC INFRASTRUCTURE DISTRICT NO. 1 ESTABLISHING THE TERMS AND CONDITIONS OF AN ASSESSMENT ORDINANCE FOR NS ASSESSMENT AREA NO. 1 (THE "ASSESSMENT AREA"), AUTHORIZING THE EXECUTION OF A DESIGNATION RESOLUTION AND AN ASSESSMENT ORDINANCE FOR THE ASSESSMENT AREA; APPROVING THE APPRAISAL FOR THE ASSESSMENT AREA; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS

Mr. Larsen presented the Resolution of the Board of Trustees Establishing the Terms and Conditions of an Assessment Ordinance for NS Assessment Area No. 1 to the Board of District No. 1 for consideration. Following review, upon a motion duly made by Mr. Brown, seconded by Mr. Christensen, and upon a vote unanimously carried, the Board of District No. 1 adopted the resolution.

Administrative Non-Action Items

Discuss 2025 Tentative Budget

Ms. Murphy informed the Boards that they are required to adopt a 2025 budget at their first meeting in November so WBA will be reaching out to schedule that meeting.

Adjourn

There being no further business to come before the Boards and upon a motion duly made, seconded, and unanimously carried, the meeting was adjourned.

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

Clay Winder
Clay Winder (Nov 1, 2024 14:24 MDT)

Clay Winder
District Clerk/Secretary

The foregoing minutes were approved on the 31st day of October, 2024.