

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

WARD TOD METROPOLITAN DISTRICT NO. 1

Held: Tuesday, October 27, 2020 at 11:00 a.m. via teleconference.

Due to Executive Orders issued by Governor Polis and Public Health Orders implementing the Executive Orders issued by the Colorado Department of Health and Environment, and the threat posed by the COVID-19 coronavirus, this meeting was held via teleconference.

The special meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve, were in attendance:

Christopher Ferguson
Timothy Westbrook
Matthew Foran

Also present were Megan J. Murphy, Esq. White Bear Ankele Tanaka & Waldron, District General Counsel; Matthew Vigil, CliftonLarsonAllen, LLP, District Accountant; and Barrett Marrocco, Independent District Engineering Services, LLC, District Engineer.

Call to Order/Declaration of Quorum A quorum of the Board was present and the meeting was called to order.

Director Conflict of Interest Disclosures Ms. Murphy reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Ms. Murphy inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda

The Board reviewed the proposed agenda. Following discussion, upon motion duly made and seconded, the Board unanimously approved the agenda as presented.

Public Comment

None.

Consent Agenda

The Board reviewed the items on the consent agenda. Ms. Murphy advised the Board 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 and seconded, the following items on the consent agenda were unanimously approved, ratified and/or adopted:

- July 28, 2020 Special Meeting Minutes
- Claims Listing
- Contractor Agreement with Heatherly Creative, LLC for Website Design and Maintenance
- 2019 Annual Report
- Special District Disclosure Notice Pursuant to § 32-1-809, C.R.S.
- Resolution Designating the District's 24-Hour Posting Location
- Easement Agreement (Monument Sign)

Legal Matters

Consider Adoption of 2021 Annual Administrative Resolution

Ms. Murphy reviewed the 2021 Annual Administrative Resolution with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Review Insurance Property and Liability Schedule and Limits

Ms. Murphy reviewed the Property and Liability Schedule and Limits with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Property and Liability Schedule and Limits.

Discuss Infrastructure Acquisition And Reimbursement Agreement and Conveyance of Public Improvements to the District

The Board engaged in general discussion regarding the conveyance of public improvements. No action taken.

Other Legal Matters

None.

Financial Matters

Review and Consider
Acceptance of Financial
Statements

Mr. Vigil reviewed the September 30, 2020 Financial Statements with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the financial statements.

Consider Approval of
Resolution Accepting
District Eligible Costs and
Requisition No. 4

Mr. Marrocco and Mr. Vigil reviewed the Resolution Accepting District Eligible Costs and Requisition No. 4 with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved Resolution Accepting District Eligible Costs and Requisition No. 4.

Consider Approval of
Resolution Accepting
District Eligible Costs and
Requisition No. 5

Mr. Marrocco and Mr. Vigil reviewed the Resolution Accepting District Eligible Costs and Requisition No. 5 with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved Resolution Accepting District Eligible Costs and Requisition No. 5.

Consider Approval of
Resolution Accepting
District Eligible Costs and
Requisition No. 6

Mr. Marrocco and Mr. Vigil reviewed the Resolution Accepting District Eligible Costs and Requisition No. 6 with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved Resolution Accepting District Eligible Costs and Requisition No. 6.

Public Hearing on 2020
Budget Amendment

Director Ferguson opened the public hearing on the 2020 Budget Amendment. Ms. Murphy noted that the notice of public hearing was provided in accordance with Colorado Law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Approval of
Resolution Amending 2020
Budget

Mr. Vigil reviewed the Resolution Further Amending the 2020 Budget with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution amending the Debt Service Fund to \$1,000,000.

Public Hearing on the 2021
Budget

Director Ferguson opened the public hearing on the proposed 2021 Budget. Ms. Murphy noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Consider Approval of
Resolution Adopting the
2021 Budget

Mr. Vigil reviewed the 2021 Budget and Budget Resolution with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the 2021 Budget Resolution adopting the 2021 Budget, appropriating funds therefor and certifying 15.000 mills for the general fund and 60.419 mills for the debt service fund.

Consider Authorization of
2020 Application for
Exemption from Audit

The Board engaged in general discussion regarding the 2020 Application for Exemption from Audit. Following discussion, upon a motion duly made and seconded, the Board unanimously authorized the 2020 Application for Exemption from Audit.

Other Financial Matters

None.

Other Business

None.

Adjourn

There being no further business to come before the Board, and following discussion and upon motion duly made, seconded and unanimously carried, the Board determined to adjourn the meeting.

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

Matt Foran
Matt Foran (Feb 23, 2021 08:01 MST)

Secretary for the Meeting

The foregoing minutes were approved on the 28th day of January, 2021.