

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

WARD TOD METROPOLITAN DISTRICT NO. 1

Held: Thursday, January 28, 2021 at 8:00 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 Public Health & 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

Director Foran was absent. All absences are deemed excused unless otherwise noted in these minutes.

Also present were Megan J. Murphy, Esq. White Bear Ankele Tanaka & Waldron, District General Counsel; Carrie Bartow, CliftonLarsonAllen, LLP, District Accountant.

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:

- October 27, 2020 Special Minutes
- Claims Listing
- Resolution Designating the District's 24-Hour Posting Location

**Legal Matters**

Consider Approval of Resolution Regarding Acceptance of Public Infrastructure (Tracts D, E & F)

Ms. Murphy reviewed the Resolution Regarding Acceptance of Public Infrastructure (Tracts D, E & F) with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Resolution Regarding Acceptance of Public Infrastructure (Tracts D, E & F).

Consider Approval of Independent Contractor Agreement with M&M Mowing Inc. for Snow Removal Services

Ms. Murphy reviewed the Independent Contractor Agreement with M&M Mowing Inc. for Snow Removal Services with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Independent Contractor Agreement with M&M Mowing Inc. for Snow Removal Services subject to review by legal counsel.

Consider Approval of Resolution Concerning Online Notice of Regular and Special Meetings

Ms. Murphy reviewed the Resolution Concerning Online Notice of Regular and Special Meetings. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the resolution.

Discussion Regarding Public Improvement Map

The Board engaged in a general discussion regarding the Public Improvement Map. Ms. Murphy will send example maps to the Board for consideration. No action taken.

Other Legal Matters

None.

**Financial Matters**

Review and Consider  
Acceptance of Financial  
Statements

Ms. Bartow reviewed the December 31, 2020 Financial Statements with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted December 31, 2020 the unaudited financial statements.

Consider Approval of  
Resolutions Accepting  
District Eligible Costs and  
Requisition Nos, 7 & 8

Ms. Murphy reviewed the Resolutions Accepting District Eligible Costs and Requisition Nos. 7 & 8 with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved Resolutions Accepting District Eligible Costs and Requisition Nos. 7 & 8 subject to receipt of the cost certification report from the District Accountant.

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 (Apr 12, 2021 09:07 MDT)

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Secretary for the Meeting

The foregoing minutes were approved on the 24<sup>th</sup> day of March, 2021.