

MINUTES OF THE SPECIAL MEETING OF THE BOARD
OF DIRECTORS OF MULBERRY FRONTAGE
METROPOLITAN DISTRICT

Held: Friday, September 18, 2020, at 9:00 a.m.

The meeting was held via teleconference due to the State of Emergency declared by Governor Polis and Public Health Order 20-23 Implementing Social Distancing Measures, and threat posed by the COVID-19 coronavirus.

Attendance

The special meeting of the Board of Directors of the Mulberry Frontage Metropolitan District, was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following Directors, having confirmed their qualification to serve on the Board, were in attendance:

Steve Shoflick
Mike Smith

Also present was: Blair M. Dickhoner, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel and James Mokler, board candidate.

Call to Order

It was noted that a quorum of the Board was present and the meeting was called to order.

**Conflict of Interest
Disclosures**

Mr. Dickhoner advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Dickhoner 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. Mr. Dickhoner 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

Mr. Dickhoner presented the Agenda to the Board for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda as presented.

Director Matters

Discuss Board Vacancies The Board engaged in discussion regarding the current vacancies on the Board.

Consider Appointment of Qualified Individual and Administer Oath of Office Following discussion, upon a motion duly made and seconded, the Board unanimously approved the appointment of James Mokler. Director Shoflick administered his Oath of Office.

Election of Officers The Board engaged in discussion regarding the Election of Officers. Following discussion, upon a motion duly made and seconded, the Board elected Director Shoflick as President, Director Smith, as Treasurer and Assistant Secretary and Director Mokler as Secretary.

Adoption of Resolution Authorizing Emergency Procedures and Authorizing Teleconferencing for Regular and Special Meetings Mr. Dickhoner presented the Board with the Resolution Authorizing Emergency Procedures and Authorizing Teleconferencing for Regular and Special Meetings for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Approval of Minutes Mr. Dickhoner presented the Board with the October 15, 2019 regular minutes for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the minutes.

Public Comment None.

Legal Matters

Consider Adoption Resolution Establishing and Electronic Signature Policy Mr. Dickhoner presented the Board with the Resolution Establishing and Electronic Signature Policy for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Consider Engagement of Special Counsel to the District for Eminent Domain Matters The Board reviewed the Attorney-Client Engagement and Fee Agreement with Widlund Law, L.L.C. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the engagement of Widlund Law as Special Counsel with direction that they may hire third-party consultants to support any condemnation efforts including appraisers and negotiators; to the extent any consultants need to be hired by the District directly, the Board may do so without holding another meeting.

Financial Matters

Financials

None.

Update on Audit Exemption

Director Smith provided an update on the status of the Application for Exemption from Audit and indicated that Simmons & Wheeler P.C are handling the application and filing of same. No Board action required.

Discuss Engagement of District Accountant

The Board engaged in general discussion regarding the need for a District Accountant in the future depending on the activity of the District. No Board action required.

Other Business

None.

Adjournment

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

JM

JM (Nov 20, 2020 14:47 MST)

Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 20th day of October, 2020.










2020-10-20 Execution Packet (Mulberry Frontage)

Final Audit Report

2020-11-20

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