

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

CHERRYLANE METROPOLITAN DISTRICT

Held: Tuesday, November 3, 2020 at 10:30 a.m. via teleconference.

*Due to the 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 will be held via teleconference.*

Attendance

The Special meeting of the Board of Directors of Cherrylane Metropolitan District was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, have confirmed their qualifications to serve, were in attendance:

Kevin Wolf

Also present were Zachary P. White, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law and Rick Gonzales, CPA, and Eric Weaver, CPA, Marchetti & Weaver, LLC.

Call to Order/Declaration of Quorum

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

Conflict of Interest Disclosures

Mr. White advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. White 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. White 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. White presented the proposed agenda to the Board for

consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda as presented.

#### Election of Officers

The Board engaged in general discussion regarding the Election of Officers. Following discussion, upon a motion duly made and seconded, the Board elected Director Wolf as President/Treasurer/Secretary.

#### Consider Approval of Resolution Declaring Emergency Procedures and Authorizing Teleconferencing for Regular and Special Meetings

Mr. White reviewed Resolution Declaring Emergency Procedures and Authorizing Teleconferencing for Regular and Special Meetings. Following discussion, upon a motion duly made and seconded, the Board adopted the resolution.

#### Public Comment

None.

#### Consent Agenda

Mr. White reviewed the items on the consent agenda with the Board. Mr. White advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any director. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved, ratified and/or adopted:

- Minutes from November 5, 2019 Special Meeting
- 2021 Annual Administrative Resolution
- 2019 Annual Report
- Property and Liability Schedule and Limits
- Resolution Establishing Electronic Signature Policy
- 2019 Audit

### **Legal Matters**

#### Discussion Website Options with SIPA and Heatherly Creative, LLC

The Board engaged in general discussion regarding website options. Following discussion, upon a motion duly made and seconded, the Board approved the engagement of Heatherly Creative LLC, for website creation and maintenance, and directed legal counsel to prepare and submit documents needed.

#### Discussion regarding Coordination with HOA

The Board engaged in general discussion regarding coordination with HOA.

### **Financial Matters**

Consider Approval of Payables/Financials	Mr. Gonzales presented and reviewed with the Board the payables/financials. Following review, upon a motion duly made, seconded and unanimously carried, the Board approved the financials and claims.
Public Hearing on 2020 Budget Amendment	An Amendment to the 2020 Budget was not needed.
Consider Adoption of Budget Amendment Resolution	An Amendment to the 2020 Budget was not needed.
Public Hearing on 2021 Budget	Director Wolf opened the public hearing on the proposed 2021 Budget. Mr. White 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 Adoption of Budget Resolution	Mr. Gonzales reviewed the 2021 Budget Resolution with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2021 Budget, appropriating funds therefor and certifying 15.000 mills for the General fund, 55.664 mills for the Debt Service fund, and 0.000 mills for the Capital Projects fund.
Consider Approval of Engagement Letters for 2020 Audit	Mr. Gonzales presented the Board with the Auditor Engagement Letters. Following review, upon a motion duly made, seconded and unanimously carried, the Board approved the engagement letter with Crady, Puca & Associates.
Other Business	The Next regular meeting is scheduled for November 2, 2021.
Adjourn	There being no further business to come before the Board, and following discussion and upon a 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.



[Kevin Wolf \(Jan 6, 2022 17:01 MST\)](#)

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Secretary for the Meeting

The foregoing minutes were approved on the 2<sup>nd</sup> day of November, 2021.