

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF

WATERFRONT METROPOLITAN DISTRICT

Held: Thursday, September 1, 2022, at 6:00 p.m. at 748 Whalers Way, Suite D1, Ft. Collins, CO 80525 and via teleconference

Attendance

This regular meeting of the Board of Directors of the Waterfront 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:

David Leary
Doug Vandertuin
Leslie Snow

Director Daniel Kamrath and Director Loren Johnson were absent. All absences are deemed excused unless otherwise noted in these minutes.

Also present were:

Audrey G. Johnson, Esq., White Bear Ankele Tanaka & Waldron, P.C., District General Counsel; and Morgan Wheeler, Simmons & Wheeler, PC, District Accountant.

Call to Order

Director Leary noted that a quorum of the Board was present and called the meeting to order at 6:03 p.m.

Conflict of Interest Disclosures

Ms. Johnson advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Johnson 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. Johnson 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 a motion duly made and seconded, the Board unanimously approved the agenda as amended to move the public hearing on the FAMLI Program from the Consent Agenda to Legal Matters.
Consider Election of Officers	<p>The Board engaged in general discussion regarding the Election of Officers. Following discussion, upon a motion duly made, the Board designated its Officers as follows:</p> <ul style="list-style-type: none"> • David Leary, President; • Doug Vandertuin, Vice President; • Leslie Snow, Secretary/Treasurer; • Daniel Kamrath, Assistant Secretary; and • Loren Johnson, Assistant Secretary.
Public Comment	None.
Consent Agenda	<p>Following a summary by Ms. Johnson, the items on the consent agenda were approved, adopted and/or ratified by one motion duly made and seconded, and unanimously carried.</p> <ol style="list-style-type: none"> 1. Minutes from September 2, 2021 Regular Meeting 2. Resolution Calling May 2023 Election 3. Notice to Electors Pursuant to § 32-1-809, C.R.S. 4. Audit for 2020
Legal Matters	
2022 Legislative Update	Ms. Johnson presented recent legislative updates that concern Special District Municipalities and Community Associations. The Board discussed the updates, and no action was taken.
Consider Adoption of Resolution Designating the Location of Meetings of the Board of Directors	Ms. Johnson presented the Board with the Resolution Designating the Location of Meetings of the Board of Directors. Following discussion and upon motion duly made, seconded and unanimously carried, the Board adopted the resolution with a hybrid model and following a change to the location for in-person meetings from the MSI management office to 748 Whalers Way, Suite D1, Ft. Collins, CO 80525. The Board noted that MSI Management will be closed indefinitely.

Consider Adoption of 2023 Annual Administrative Resolution Ms. Johnson presented the Board with the 2023 Annual Administrative Resolution. Following discussion and upon motion duly made, seconded and unanimously carried, the Board approved the resolution.

Public Hearing on Participation in FAMILI Program and Consider Resolution Regarding Same Director Leary opened the public hearing on the District's participation in the FAMILI Insurance Program and adoption of a Resolution regarding the same. Following discussion and upon motion duly made, seconded and unanimously carried, the Board approved the resolution. There being no public comment, the hearing was closed.

Financial Matters

Consider Approval of Payables/Accept Financials Ms. Wheeler presented the claims and financial statements. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the payables and accepted the financial statements.

Consider Approval of 2021 Audit The Board deferred the 2021 Audit to the next regular meeting scheduled for December 1, 2022 to allow additional time for review.

Consider Approval of 2022 Auditor The Board engaged in a discussion regarding the engagement of an Auditor for the 2022 Audit. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the engagement of an auditor.

Conduct 2023 Budget Hearing and Consider Adoption of Resolution to Adopt 2023 Budget and Set Mill Levies Director Leary opened the public hearing on the proposed 2023 Budget. Ms. Johnson 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., Following discussion, the hearing was continued to the December 1, 2022 regular meeting.

Other Financial Matters Following discussion, upon a motion duly made and seconded, the Board unanimously authorized Ms. Wheeler to proceed with set up and implementation of Bill.com.

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 at 6:51 p.m.

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

Leslie A. Snow

Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 1st day of December 2022.