

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

BOYD PONDS METROPOLITAN DISTRICT NO. 2

Held: Thursday, November 3, 2022, via Zoom
Videoconference

Attendance

The special meeting of the Board of Directors of the Boyd Ponds Metropolitan District No. 2 was called and held as shown above in accordance with the statutes of the State of Colorado. The following Directors, having confirmed their qualifications to serve on the Board, were in attendance:

Andrea Rogers, President
Roger Pinson, Secretary/Treasurer
Robert Coyne, Asst. Secretary

Also in attendance were Barbara T. Vander Wall, Esq., and Kimberly Johanns, Simmons and Wheeler, P.C.

Call to Order

It was noted that a quorum of the Board was in attendance and the special meeting of the Board of Directors of the Boyd Ponds Metropolitan District No. 2 was called to order at 6:00 p.m. Ms. Vander Wall advised the Board that pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting, and written disclosures of the Board members' interests had been filed with the Secretary of State prior to the meeting.

Approval of Minutes

The Board reviewed the minutes of the June 22, 2022 special meeting. Upon motion made by Director Coyne, seconded by Director Rogers, and unanimously approved, the minutes of the meeting were approved as presented.

Public Comment

There were no comments from the public at this time.

Financial Matters

- Financial Statement /
Payment of Claims

Ms. Johanns reviewed the District's financial statements dated June 30, 2022, including the combined balance sheet and statement of revenues, expenditures and changes in fund balance for the District's general fund and debt service fund. She noted

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that additional tax revenues were received in July, not reflected on the financial statement. The principal balance on the District's bonds is \$2.6m. The Board discussed reclassifying a portion of the election expense under legal expenses. Upon motion by Director Pinson, second by Director Coyne and unanimous vote, the Board accepted the financial statements as presented.

Ms. Johanns presented the District's claims for payment through October 30, 2022 totaling \$15,891.49 for legal, accounting, landscaping, insurance and audit expenses. Upon motion made, seconded and unanimously carried, the Board ratified and approved payment of the claims presented.

- Other: Engagement of 2022 Auditor

Ms. Johanns recommended the Board approve the engagement of Wipfli LLP to perform the District's audit for 2022. Upon motion, second and unanimous vote, the Board approved the engagement of Wipfli LLP for 2022 audit services in an amount not to exceed \$4,500.

Public Hearing Regarding 2023 Proposed and 2022 Amended Budget

Ms. Johanns presented the District's 2023 proposed budget, noting that the District does not require an amendment to its 2022 budget.

Ms. Johanns advised that the District's preliminary assessed valuation is \$6,025,782, which reflects a decrease from the 2022 valuation by nearly \$2000,000, as a result of the temporary change in assessment ratios approved by the legislature. The Board discussed the budget, and agreed to add the 2022 election expense, modify the 2023 election expense from \$5,000 to \$2,000; and increase the legal budget to \$12,000. The Board inquired about the contractual obligation owed to Advance HOA for its services, and agreed to add \$1,500 for 2023. The Board noted that it is expected to have the District's required website in place by January 2023, and agreed to budget \$1,000 for this expense. The general fund mill levy remains at 5.000 and the debt service mill levy is reduced from 33 to 31 mills, for a combined mill levy of 36.000 mills.

Upon motion made by Director Rogers, second by Director Pinson, and unanimous vote, the Board approved the draft budget as presented with the modifications discussed.

As the Chair, Director Rogers opened the public hearing on the

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2023 proposed budget. No public commented during the hearing. Director Rogers then closed the public hearing on the 2023 proposed budget.

Upon further discussion and a motion made by Director Rogers, seconded by Director Pinson and unanimous vote, the Board approved the 2023 proposed budget as presented with the modifications discussed and the accompanying resolution, including the appropriation of budgeted funds and certification of mill levies.

District Operations

Agreements:

- Agreement with Advance HOA Management, Inc. (Management Services)
Ms. Vander Wall presented for the Board's consideration a change order renewing for 2023 the District's management contract with Advance HOA Management, Inc., noting that the agreement terms remain the same for 2023. Upon motion made, seconded and unanimously carried, the Board approved the renewal change order as presented.

- Agreement with Keesen Landscape re Landscape Services (Ditch Mowing and Trash Removal) – Proposal for 2023
Ms. Vander Wall presented for the Board's consideration a landscape services agreement with Keesen Landscape to provide mowing and trash removal services in 2023. She shared the proposal for 2023 services that was just received from Keesen, in the total not to exceed amount of \$2,450, which reflects an increase of \$170 from the prior year. It was noted that the District is currently carrying a credit from the overpayment made earlier in the year, in the amount of \$1,070. The services include native mowing two times per year, and trash pickup twelve times per year. Director Coyne agreed to monitor the mowing and trash pickup services, and advise if there may need to be an additional mowing based on weather and vegetation growth. Upon motion made, seconded and unanimously carried, the Board approved the engagement of Keesen Landscape services in 2023 based on the proposal presented

- Other
None.

Attorney Report:

- FAMLI
Ms. Vander Wall reviewed her attorney report, including a description of the new Family and Medical Leave Insurance program. FAMLI mandates all employers, including local governments, to participate in funding leave benefits for specified purposes. She noted that special districts which have no employees may be excluded from the definition of

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“employer,” although the law is not clear. The Board considered the definition of employee and the threshold levels of compensation which are subject to FAMLI, and agreed that the FAMLI program is not applicable to the District.

- Resolution Calling May 2023 Director Election

Ms. Vander Wall presented a resolution calling a regular election for directors on May 2, 2023. The resolution reflects that the term of two directors will expire and the Board will hold an election on the upcoming vacancies on May 2, 2023 (Directors Rogers and Coyne). Notice of the call for nominations will be emailed to registered electors as well as posted on the District’s website. If there are no more people running for seats than there are vacancies by the February 28, 2023 deadline, the election may be cancelled. Following further discussion, and upon motion, second and unanimous vote, the Board approved the resolution as presented.

- District Website

Ms. Vander Wall reminded the Board of the recent law requiring the establishment of a website for the District, and reviewed the criteria which must be included in the District’s website, once it is completed.

Other Business

The Board noted that the next regular meeting date is scheduled for June 28, 2023.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at approximately 7:08 p.m.

Roger Pinson

[Roger Pinson \(Jul 6, 2023 09:33 MDT\)](#)

Secretary for the Meeting







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Final Audit Report

2023-07-06

Created:	2023-07-06
By:	Catherine Bright (cbright@svwpc.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAtxGDSmrCC7hc2TGdQpimYN6dzNHee6kE

"00672865" History

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2023-07-06 - 3:31:20 PM GMT
-  Email viewed by pinson4@msn.com
2023-07-06 - 3:32:37 PM GMT- IP address: 174.16.202.108
-  Signer pinson4@msn.com entered name at signing as Roger Pinson
2023-07-06 - 3:33:09 PM GMT- IP address: 174.16.202.108
-  Document e-signed by Roger Pinson (pinson4@msn.com)
Signature Date: 2023-07-06 - 3:33:11 PM GMT - Time Source: server- IP address: 174.16.202.108
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