

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

BOYD PONDS METROPOLITAN DISTRICT NO. 2

Held: Wednesday, June 28, 2023, at 6:00 p.m., via Zoom
Video/Telephonic Conference

Attendance

The regular 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

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

Call to Order

It was noted that a quorum of the Board was in attendance and the regular meeting of the Board of Directors of the Boyd Ponds Metropolitan District No. 2 was called to order at approximately 6:01 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 November 3, 2022 special meeting. Upon motion made, seconded and unanimously carried the minutes of the meeting were approved as presented.

Director Matters

- Resignation of Bob Coyne

Ms. Vander Wall advised that Mr. Bob Coyne has submitted his resignation from the Board of Directors due to his move out of state.

Public Comment

There were no comments from the public presented at this time.

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Annual Administrative Matters

- Director Qualification Statements
Ms. Vander Wall asked each Director to complete their qualification statement, which confirms the Director's qualification to serve on the Board.

- Disclosure Matters / Update General Conflict Forms
Ms. Vander Wall directed the Board to review the documentation provided by her firm regarding conflict of interest disclosure, describing how to identify a conflict of interest, and the requirements under Colorado law to disclose a conflict of interest. Ms. Vander Wall asked each Director to review the contents of the letter, and to identify all existing and potential conflicts of interest each Director may have in connection with serving as a member of the Board of the District, and to complete the attached disclosure forms to be returned to her office

- Approval of Annual Administrative Resolution for the Year 2022
Ms. Vander Wall presented a draft Annual Administrative Resolution for the Year 2023, explaining that the resolution establishes the District's meeting schedule, publication for notices, director compensation and other required elections of the Board, and it directs the performance of action items required of the District through its consultants.

The Board reviewed the resolution, and confirmed the *Jeffco Transcript* as the designated publication for legal notices; designated the District's 24-hour posting place for meeting notices is its website located at Boydpondsmd2@colorado.gov; set the District's regular meeting time, date, and place as the fourth Wednesday of June and the third Tuesday of October and held via Zoom telephone/video conferencing.

Following discussion, the Board elected the officers of the Board as follows:

President – Andrea Rogers
Secretary/Treasurer – Roger Pinson

The Board appointed Catherine T. Bright of the law firm Seter & Vander Wall, P.C. to serve as the Designated Election Official for the District for its election activities.

The Board reviewed and determined to renew its consultants Seter & Vander Wall, P.C. serving as the District's legal counsel and Diane Wheeler, Simmons & Wheeler, P.C. serving as the District's accountant, for 2023. The Board also noted its desire

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to retain the engineering consultant, IDES, and not to continue with the management services provided by AdvanceHOA.

Finally, the Board reviewed the proposed form of resolution presented by Ms. Vander Wall which memorializes the above determinations in addition to certain other annual administrative actions providing direction from the Board regarding actions to be taken by its consultants on the Board's behalf. Upon motion, second and unanimous vote, the Board approved the Annual Administrative Resolution with the changes discussed.

Financial Matters

- Financial Statement / Payment of Claims

Ms. Wheeler reviewed the District's financial statements dated March 31, 2023, 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 the District's cash position reflects having received approximately 50% of its property tax revenues; and noted the debt service payment made on the District's bonds on Jun 1, 2023. Upon motion, second and unanimous vote, the Board accepted the financial statements as presented.

Ms. Wheeler presented for approval and ratification the District's claims for payment through December 31, 2022 in the combined amounts of \$3,682.01 and \$7,303.48; and through June 28, 2023, in the amount totaling \$5,114.00, for landscaping, legal, accounting, and administrative expenses. She noted that a check in the amount of \$12.82 was inadvertently paid to AdvanceHOA and is being returned. Upon motion, second and unanimous vote, the Board approved and ratified all claims presented, excluding the \$12.82 check as noted.

- 2022 Audit Engagement Letter / Draft Audit

Ms. Wheeler reviewed the draft 2022 audit with the Board, noting the District's cash is invested in ColoTrust, which is a money market account for governments. The District's 2017 loan is projected to be paid off in 2037. Upon motion, second and unanimous vote, the Board accepted the draft 2022 audit report, subject to no material revisions.

District Operations

- Ditch Mowing (Keesen Landscape)

It was reported that the spring mowing has occurred; the Board would like to request another mow, to take place after the ground dries out due to the heavy rains. Pursuant to the agreement with Keesen, another mowing is expected to cost \$706; the mowing would likely take place in mid-July.

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- Tract Maintenance (Boyd Ponds Master Association) There was no update on the tract maintenance operations.
- Other The Board discussed its future plans involving the acquisition of the ditch property for ownership and maintenance at a higher level of standard. The Board directed legal counsel to obtain a cost estimate for the preparation of a survey to initiate the process.
- Attorney Report Ms. Vander Wall presented and discussed with the Board her attorney report.
- Update re May 2023 Director Election Ms. Vander Wall noted that the District did not receive any candidates for the vacant seats on the Board, and the election was cancelled.
- 2022 Annual Report Ms. Vander Wall reviewed with the Board the District's draft annual report to the City of Arvada for fiscal year 2022. Upon motion, second and unanimous vote, the Board approved the draft annual report as presented for submittal.
- Legislative Update Ms. Vander Wall discussed the legislative update from the 2023 session and new laws which impact the District.
- District Website The Board discussed the status of its website on the internet, but had technical difficulties in searching under the District's name. Ms. Vander Wall agreed to research further and report back to the Board.
- Other Business There was no other business discussed.

The Board affirmed that the next regular meeting is scheduled for October 10, 2023 at 6:00 p.m.
- Adjournment There being no further business to come before the Board, the meeting was adjourned at approximately 6:50 p.m.



Secretary for the Meeting






00730231

Final Audit Report

2024-04-21

Created:	2024-04-17
By:	Catherine Bright (cbright@svwpc.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAgE98vyZIRX5f9I12hGmxjK85_5Ole1Om

"00730231" History

-  Document created by Catherine Bright (cbright@svwpc.com)
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-  Document emailed to Andrea (arogersbpmd2@gmail.com) for signature
2024-04-17 - 8:14:19 PM GMT
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-  Document e-signed by Andrea (arogersbpmd2@gmail.com)
Signature Date: 2024-04-21 - 10:27:18 PM GMT - Time Source: server- IP address: 75.166.179.96
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