

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

FOREST TRACE METROPOLITAN DISTRICT NO. 2

Held: Thursday, November 16, 2023 at 4:00 p.m. via teleconference.

The meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following directors were in attendance:

Daniel Frank
Marc Cooper

Also present were Clint C. Waldron, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Diane Wheeler, Simmons & Wheeler, P.C., District Accountant; Scott Goldammer, Property Manager; Danielle Kaiser and Tom George, Spencer Fane; and Andrew Wheeler, D.A. Davidson.

Call to Order/Declaration of Quorum Director Frank noted that a quorum of the Board was present and called the meeting to order.

Director Qualifications/Conflicts of Interest/Reaffirmation of Disclosures of Mr. Waldron 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. Waldron 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 presented.

Public Comment None.

Consent Agenda The Board reviewed the items on the consent agenda. Mr. Waldron advised the Board that any item may be removed from

the consent agenda to the regular agenda upon the request of any director. No items were requested to be removed from the consent agenda. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved, ratified and adopted;

- July 26, 2023 Joint Special Meeting Minutes;
- Claims Payable;
- Special District Disclosure Notice Pursuant to §32-1-809, C.R.S.;
- 2024 Exclusion from BMO Workers' Compensation Coverage;
- 2024 Agency Fee Invoice from T. Charles Wilson for Broker Services;
- Independent Contractor Agreement with KPM Property Maintenance LLC for 2024 Day Porter and Street Sweeping Services;
- Independent Contractor Agreement with ColoradoScapes LLC for 2023-2024 Snow Removal Services;
- Independent Contractor Agreement with Storm Water Asset Protection LLC for 2024 Stormwater Treatment System Observation and Reporting;
- Work Order No. 1 to Independent Contractor Agreement with ColoradoScapes LLC for Installation of 6 Trees and Mulch; and
- Independent Contractor Agreement with ColoradoScapes LLC for 2024 Landscape Maintenance Services

District Operations

District Manager's Report Mr. Goldammer reviewed the District Manager's Report with the Board.

Other District Operation None.

Legal Matters

Consider Adoption of 2024 Annual Administrative Resolution Mr. Waldron reviewed the 2024 Annual Administrative Resolution with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution.

Discuss and Review Insurance General Liability Schedule and Limits, Consider Authorization to Bind Coverage Mr. Waldron reviewed the general liability schedule and limits with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the limits and authorized legal counsel to bind coverage.

Discuss 2023 Legislative Memorandum

Mr. Waldron reviewed the 2023 legislative memorandum with the Board.

Discuss and Consider Approval of Amendment to Service Plan regarding ARI Mill Levy

Mr. George reviewed the amendment to Service Plan regarding ARI Mill Levy with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Resolution Approving Service Plan Amendment, subject to final legal review.

Other Legal Matters

None.

Financial Matters

Review Unaudited Financial Statements, Property Tax Statement and Schedule of Cash Position

Ms. Wheeler reviewed the September 30, 2023 unaudited financial statements with the Board.

Conduct Public Hearing on 2023 Budget Amendment and Consider Adoption of Resolution Amending 2023 Budget

Ms. Wheeler noted a 2023 budget amendment was not necessary.

Conduct Public Hearing on 2024 Budget and Consider Adoption of Resolution Adopting 2024 Budget, Imposing Mill Levy and Appropriating Funds

The public hearing on the proposed 2024 Budget was opened. Mr. Waldron 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.

Ms. Wheeler reviewed the 2024 Budget Resolution with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2024 Budget, appropriating funds therefor and certifying mills as shown in the budget, subject to the final assessed valuation.

Other Financial Matters

None.

Other Business

Adjourn

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.



[Marc Cooper \(Apr 11, 2024 12:00 MDT\)](#)

Secretary for the Meeting

The foregoing minutes were approved on the 11th day of April, 2024.