MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

WARD TOD METROPOLITAN DISTRICT NO. 1

Held: Thursday, October 19, 2023 at 2:00 p.m. via Zoom.

The regular meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve, were in attendance:

Timothy Westbrook
Christopher Ferguson
Kyle Ninness

Director Both and Foran were absent and excused.

Also present were: Megan J. Murphy, Esq. White Bear Ankele Tanaka & Waldron, District General Counsel; Carrie Bartow, CliftonLarsonAllen, LLP, District Accountant; Michelle Rittgers, The Management Trust, Co., District Manager; Denise Hogenes and Sara Peck, Toll Brothers; Chase Hanusa, Independent District Engineer Services, District Engineer; and homeowners.

Call to Order/Declaration of Quorum	A quorum of the Board was present, and the meeting was called to order.
Director Conflict of Interest Disclosures	Ms. Murphy reported that disclosures for those directors that were provided to 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. Murphy 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.

Public Comment	A homeowner informed the Board that the area called the park that the grass is not desirable. Ms. Rittgers noted that the District approved a $15,000 budget to redo some landscaping in the park and this should be completed by CDI and she will follow up with CDI and she will provide an update to legal counsel.
Consent Agenda	The Board reviewed the items on the consent agenda. Ms. Murphy 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/or adopted: • Minutes from the July 25, 2023 Special Meeting; • Claims Listing; • Filing of 2022 Annual Report; and • Special District Disclosure Notice Pursuant to §32-1-809, C.R.S.
Legal Matters	
Consider Adoption of 2024 Annual Administrative Resolution	Ms. Murphy reviewed the 2024 Annual Administrative Resolution with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the 2024 Annual Administrative Resolution.
Discuss and Review Insurance General Liability Schedule and Limits, Consider Authorization to Bind Coverage	The Board reviewed the proposed general liability schedule and limits. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposed general liability schedule and authorized legal counsel to bind coverage.
Discuss and Consider Approval of 2024 BMO Worker's Compensation Coverage Invoice	The Board engaged in general discussion regarding the 2024 BMO Worker's Compensation coverage. Following discussion, upon a motion duly made and seconded, the Board unanimously approved binding coverage.
Consider Approval of 2024 Agency Fee Invoice from T-Charles Wilson for Broker Services	Ms. Murphy reviewed the 2024 Agency Fee Invoice with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the 2024 Agency Fee Invoice.
Discuss District Website Compliance with WCAG 2.1 AA Requirements for ADA Compliance	Ms. Murphy reviewed the District Website Compliance with WCAG 2.1 AA Requirements for ADA Compliance. No action taken.

Consider Adoption of Resolution Adopting a Website Accessibility Policy	Ms. Murphy reviewed the Adoption of Resolution Adopting a Website Accessibility Policy with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Adoption of Resolution Adopting a Website Accessibility Policy subject to final legal review.
Consider Approval of Contractor Agreement with Heatherly Creative for Website Maintenance and Management	Ms. Murphy reviewed the Contractor Agreement with Heatherly Creative for Website Maintenance and Management with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Contractor Agreement with Heatherly Creative for Website Maintenance and Management.
Consider Adoption of Amended and Restated Resolution Adopting Parking Rules and Regulations	Ms. Murphy reviewed the Amended and Restated Resolution Adopting Parking Rules and Regulations with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Amended and Restated Resolution Adopting Parking Rules and Regulations.
Consider Approval of Resolution Regarding Acceptance of Public Infrastructure (Tract K)	Ms. Murphy reviewed the Resolution Regarding Acceptance of Public Infrastructure (Tract K) with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Resolution Regarding Acceptance of Public Infrastructure (Tract K) subject to receipt of the final exhibits.
Consider Resolution Regarding Acceptance of Public Infrastructure (Partial Acceptance of Tract U – Storm Infrastructure)	Ms. Murphy reviewed the Resolution Regarding Acceptance of Public Infrastructure (Partial Acceptance of Tract U – Storm Infrastructure) with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Resolution Regarding Acceptance of Public Infrastructure (Partial Acceptance of Tract U – Storm Infrastructure) subject to receipt of the final exhibits.
Consider Adoption of Access Easement and Maintenance Agreement (Tract U Storm Water Improvements)	Ms. Murphy reviewed the Access Easement and Maintenance Agreement (Tract U Storm Water Improvements) with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Access Easement and Maintenance Agreement (Tract U Storm Water Improvements) subject to receipt of final exhibits.
Other Legal Matters	None.

Financial Matters

Review Unaudited Financials, Scheduled of Cash Position and Property Tax Statement	Ms. Bartow reviewed the claims listing in the amount of $40,659.75 with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the claims listing.

	Ms. Bartow reviewed the August 31, 2023 unaudited financial statements and schedule of cash position dated July 19, 2023 with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the financial statements and cash position.
Public Hearing on 2023 Budget Amendment	Director Westbrook opened the public hearing on the 2023 Budget Amendment. Ms. Murphy 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 Approval of Resolution Amending the 2023 Budget	Ms. Bartow reviewed the Resolution Amending the 2023 Budget with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution amending the General Fund to $152,000.
Discuss Requirements of SB23-303 Relating to Limitations on Property Tax Revenue	Ms. Bartow reviewed the impact of SB23-303 noting that if Proposition HH passes there might be a significant impact in assessed valuation.
Public Hearing on proposed 2024 Budget	Director Westbrook opened the public hearing on the proposed 2024 Budget. Ms. Murphy 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 Resolution Adopting the 2024 Budget	Following discussion, the Board determined to defer adoption of the 2024 Budget Resolution.
Discuss Investment Direction	Ms. Bartow reviewed the district investments with the Board noting that funds are invested in ColoTrust. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the continued investment in ColoTrust.
Consider Approval of Master Services Agreement and Special Districts Preparation Statement of Work with CliftonLarsonAllen, LLP for District Accounting Services	Deferred.
Other Financial Matters	None.

District Management Matters	
District Manager Report	Deferred.
Consider Approval of Resolution Establishing Operations and Maintenance Invoice Approval Process	Deferred.
Other District Management Matters	Deferred.
Other Business	None.
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.

Chris Ferguson
Chris Ferguson (Nov 21, 2023 14:27 MST)

Secretary for the Meeting

The foregoing minutes were approved on the 17th day of November, 2023.