

**RECORD OF PROCEEDINGS
MINUTES OF THE REGULAR MEETING
OF THE EXECUTIVE BOARD OF
FALCON AREA WATER AND WASTEWATER AUTHORITY**

HELD: Tuesday, February 27, 2024, at 10:00 a.m.
LOCATION: 2138 Flying Horse Club Drive, Colorado Springs, CO 80921 and
via video and audioconference

ATTENDANCE:

The regular meeting of the Executive Board of Falcon Area Water and Wastewater Authority, El Paso County, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

James Morley, President
Douglas Stimple, Secretary
Peggy Libbey, Assistant Secretary
Loren Moreland, Assistant Secretary
Charles Collins, Assistant Secretary

There are two vacancies on the Board.

Also in attendance were Nate Lenz and Sarah Steph of Classic Homes, Seef Le Roux of CliftonLarsonAllen, Russell W. Dykstra, Nicole R. Peykov of Spencer Fane LLP and a member of the public.

CALL TO ORDER:

Mr. Dykstra noted for the record that a quorum was present, and on behalf of the Executive Board, called the meeting to order at 10:04 a.m.

APPROVAL OF THE AGENDA:

Upon motion duly made, seconded, and upon unanimously carried, the Board approved the agenda as presented.

PUBLIC COMMENT:

None.

CONSTRUCTION CONTRACT CONSIDERATION:

Application for Payment No. 1 for Global Underground Corp. The Board reviewed the payment application. Discussion ensued. Upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the ratification of the payment application as presented.

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Application for Payment No. 2 for SMH West LLC. The Board reviewed the payment application. Discussion ensued. Upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the ratification of the payment application as presented.

Application for Payment No. 1 for Hydro Resources. The Board reviewed the payment application. Discussion ensued. Upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the ratification of the payment application as presented.

Application for Payment No. 2 for Hydro Resources. The Board reviewed the payment application. Discussion ensued. Upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the ratification of the payment application as presented.

MINUTES:

The Board reviewed the minutes of the regular meeting held January 23, 2024. Upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the minutes as presented.

FINANCIAL MATTERS:

Claims. Mr. Le Roux presented the claims to the Board. Discussion ensued. Upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted and approved the claims as presented.

Accountants Report. Mr. Le Roux presented the report to the Board. Discussion ensued. Upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted and approved the report as presented.

Capital Outlay Summary. Mr. Le Roux presented the summary to the Board. Discussion ensued. Upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted and approved the summary as presented.

Ratification of Requisition No. 25. Mr. Le Roux presented the requisition to the Board. Discussion ensued. Upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the requisition as presented.

ATTORNEY'S ITEMS:

Mr. Dykstra discussed the will serve letters for Schmidt, Rhetoric and the south commercial parcels. Discussion ensued. Upon motion duly made, seconded, and upon vote unanimously carried, the Board approved authorizing legal counsel to review and finalize the will serve letters and to issue to the requesting entities.

DIRECTOR ITEMS:

Consideration of Sterling Ranch MD Nos. 4 and 5 as Members. The Board discussed the Woodmen

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Hills Metropolitan District MOU and directed legal counsel to begin drafting the corresponding intergovernmental agreement, the Meridian tap purchase agreement, the water outage and improved processes as a result of said outage, ongoing homeowner complaints of excessive water pressure in Sterling Ranch, the Paintbrush Hill Metropolitan District easement, and the implementation of a \$5 per month fee in Timber Ridge. Upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the fee for Timber Ridge.

The Board discussed adding new members. No action was taken.

OTHER BUSINESS:

None.

EXECUTIVE SESSION:

Not needed.

ADJOURNMENT:

There being no further business to come before the Board and upon motion duly made, seconded, and unanimously carried, the meeting was adjourned at 10:45 a.m.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Executive Board of Falcon Area Water and Wastewater Authority.

Douglas Stimple

Secretary to the Board