

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

HELD: Tuesday, November 19, 2024, at 10:00 a.m.
LOCATION: 2138 Flying Horse Club Drive, Colorado Springs, CO 80921 and
via video and audioconference

ATTENDANCE:

The special 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 Sarah Steph and Nate Lenz of Classic Homes, Seef Le Roux of CliftonLarsonAllen, and Nicole R. Peykov, Esq. of Spencer Fane LLP.

CALL TO ORDER:

Ms. Peykov noted for the record that a quorum was present, and on behalf of the Executive Board, called the meeting to order at 10:06 a.m.

APPROVAL OF THE AGENDA:

Upon motion duly made, seconded, and upon unanimously carried, the Board approved the agenda as amended to add the Conflicts of Interest Disclosure item.

CONFLICTS OF INTEREST:

Ms. Peykov noted that disclosure statements had been filed on behalf of the members of the Boards of Directors with the Office of the Colorado Secretary of State and with the Secretary of the District. Upon motion duly made, seconded and unanimously carried, the Boards directed that said disclosures be incorporated herein.

PUBLIC COMMENT:

No members of the public were present.

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CONSTRUCTION CONTRACT CONSIDERATION:

Review and Consider Ratification of Change Order No. 3 for Hydro Resources. Director Stimple reviewed the change order with the Board. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the ratification of the change order as presented.

MINUTES:

The Board reviewed the minutes of the annual meeting held on October 14, 2024, and the regular meeting held on October 22, 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. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the claims as presented.

Financial Statement. Mr. Le Roux presented the financial statements to the Board. Discussion ensued regarding the expected payment from Woodman Hills Metropolitan District which will be applied towards developer advances. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the financial statement as presented.

Cash Position. Mr. Le Roux presented the cash position sheet to the Board. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the cash position sheet as presented.

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

Requisition Nos. 42 and 43. Mr. Le Roux presented the requisitions to the Board. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the ratification of the requisitions as presented.

Biggs Kofford Audit Engagement Letter. Mr. Le Roux presented the engagement letter to the Board. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the engagement letter as presented.

2024 BUDGET AMENDMENT:

It was noted that an amendment to the 2024 budget was not needed.

2025 BUDGET:

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Ms. Peykov reported that proper publication and notice had been made to allow the Board to hold a public hearing on the 2025 budget for the District. The public hearing was opened. There being no public present, upon motion duly made, seconded, and upon vote unanimously carried, the public hearing was closed. Mr. Le Roux reviewed for the Board the proposed 2025 budget. Discussion ensued regarding the need adjustments to the general fund and adjusting the capital projects fund. Following discussion and upon motion duly made, seconded and upon vote unanimously carried, as memorialized in the 2025 Budget Resolution incorporated herein by reference and made a part of these Minutes, the Board approved the 2025 budget as amended and approved the appropriation of funds.

ATTORNEY'S ITEMS:

Review and Consider Approval of CORA Resolution. Ms. Peykov presented the resolution to the Board. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the resolution as presented.

Review and Consider Approval of 2025 Annual Administrative Matters Resolution. Ms. Peykov presented the resolution to the Board. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the resolution as amended.

Review and Consider Approval of Workers Compensation Exclusion Resolution. Ms. Peykov presented the resolution to the Board. Discussion ensued regarding possible cost savings if a workers compensation policy is purchased. No action was taken.

DIRECTOR ITEMS:

Consider Establishing a Rate for District Utilization of Water. The Board discussed the need to establish a rate for district use of water.

Consider Approval of the Intergovernmental Agreement Regarding Water and Wastewater Improvements Cost Sharing between the Authority and Woodmen Hills Metropolitan District. Director Stimple presented the agreement to the Board. Discussion ensued regarding the agreement. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the agreement and authorized Director Stimple to complete the negotiations with Woodman Hills Metropolitan District.

OTHER BUSINESS:

None.

EXECUTIVE SESSION:

Not needed.

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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.

Peggy E Libbey

Secretary to the Board