

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

**HELD:** Tuesday, May 28, 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 John McGinn, Sarah Steph of Classic Homes, Seef Le Roux of CliftonLarsonAllen, and Nicole R. Peykov 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 9:00 a.m.

**APPROVAL OF THE AGENDA:**

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

**PUBLIC COMMENT:**

No members of the public were present.

**CONSTRUCTION CONTRACT CONSIDERATION:**

Discuss Funds for Moltz for the Sterling WTP. The Board discussed Moltz's request for assurance that the funds are available. It was noted that a pay application will be available at the next meeting for ratification. No action was taken.

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Review and Consider Ratification of Application for Payment No. 5 for SMH West. Director Moreland reviewed the payment application with the Board. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the ratification of the payment application as presented.

Review and Consider Ratification of Application for Payment No. 4 for Global Underground Corp. Director Moreland reviewed the payment application with the Board. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the ratification of the payment application as presented.

Review and Consider Ratification of Application for Payment No. 5 for Global Underground Corp. Director Moreland reviewed the payment application with the Board. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the ratification of the payment application as presented.

Review and Consider Ratification of Application for Payment No. 5 For Hydro Resources. Director Moreland reviewed the payment application with the Board. Discussion ensued. Following discussion, 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 April 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. 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 March 30 financial statement to the Board. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board accepted the financial statement as presented.

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

### **ATTORNEY'S ITEMS:**

Consider approval of Water & Wastewater Services Agreement (Rhetoric Property). Ms. Peykov and Director Stimple presented the agreement to the Board. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, with Director Collins abstaining, the Board approved the agreement as presented.

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**DIRECTOR ITEMS:**

None.

**OTHER BUSINESS:**

None.

**EXECUTIVE SESSION:**

None.

**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 10:32 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*

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Secretary to the Board