

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE FAIRWAYS METROPOLITAN DISTRICT AND THE BOARD OF DIRECTORS OF THE WASTEWATER UTILITY ENTERPRISE HELD JULY 12, 2021

A Special Meeting of the Board of Directors of the Fairways Metropolitan District (the "District") and the Board of Directors of the Wastewater Utility Enterprise (referred to hereafter collectively as the "Board") was duly called and held on Monday, the 12<sup>th</sup> day of July, 2021, at 5:30 p.m. Due to concerns regarding the spread of the coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, the District Board meeting was held by teleconference call. The meeting was open to the public.

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#### **ATTENDANCE**

##### **Directors In Attendance Were:**

John Pavlovic  
Wilmer "Catt" Wilson

Following discussion, upon motion duly made by Director Pavlovic, seconded by Director Wilson and, upon vote, unanimously carried, the absence of Director Schram was excused.

##### **Also In Attendance Were:**

David Solin; Special District Management Services, Inc.

Bradley Simmons; MMI Water Engineer's L.L.C. (for a portion of the meeting)

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#### **DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST**

**Disclosure of Potential Conflicts of Interest:** Mr. Solin noted that a quorum was present and discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. There were no additional disclosures made.

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#### **ADMINISTRATIVE MATTERS**

**Agenda:** Mr. Solin reviewed with the Board a proposed Agenda for the District's Special Meeting.

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Following discussion, upon motion duly made by Director Pavlovic, seconded by Director Wilson and, upon vote, unanimously carried, the Agenda was approved, as amended.

**Board Meetings via Telephone:** Mr. Solin discussed that, due to the concerns over safety, Board meetings would be conducted via telephone until such time as it is deemed safe to meet in person again. He pointed out that all telephone meetings will remain open to the public, and that the information for joining the teleconference has been posted.

**Minutes:** The Board reviewed the Minutes of the April 12, 2021 Special Meeting.

Following discussion, upon motion duly made by Director Pavlovic, seconded by Director Wilson and, upon vote, unanimously carried, the Board approved the Minutes of the April 12, 2021 Special Meeting.

**2021 SDA Conference:** Mr. Solin discussed the SDA Conference with the Board. No action was necessary, as the Directors did not express interest in attending the conference.

### **COMMUNITY COMMENTS**

There were no community comments.

### **FINANCIAL MATTERS**

**Claims:** Mr. Solin reviewed with the Board the payment of claims through the periods ending as follows:

Fund	Period ending April 27, 2021	Period ending May 25, 2021	Period ending June 23, 2021
General	\$ 2,530.80	\$ 4,848.78	\$ 3,748.08
Capital	\$ -0-	\$ -0-	\$ -0-
Enterprise	\$ 19,656.24	\$ 12,625.79	\$ 50,423.07
<b>Total Claims</b>	<b>\$ 22,187.04</b>	<b>\$ 17,474.57</b>	<b>\$ 54,171.15</b>

Following review and discussion, upon motion duly made by Director Pavlovic, seconded by Director Wilson and, upon vote, unanimously carried, the Board ratified approval of the payment of the claims, as presented.

**Unaudited Financial Statements:** Mr. Solin presented the unaudited financial statements and cash position schedule for the period ending May 31, 2021.

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Following review and discussion, upon motion duly made by Director Pavlovic, seconded by Director Wilson and, upon vote, unanimously carried, the Board accepted the unaudited financial statements and cash position schedule for the period ending May 31, 2021.

**2020 Audit:** Mr. Solin reviewed the draft 2020 Audit with the Board.

Following review and discussion, upon motion duly made by Director Pavlovic, seconded by Director Wilson, and upon vote, unanimously carried, the Board approved the 2020 Audited Financial Statements and authorized execution of the Representations Letter, subject to final review by Director Wilson by July 15, 2021.

**Billing Options:** The Board entered into discussion regarding billing options. The Board directed Mr. Solin to present information on Xpress Bill Pay at the next meeting.

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### **LEGAL MATTERS**

**Memorandum of Understanding (“MOU”) between the District and Lake Valley Golf Club (“LVGC”):** Director Pavlovic discussed with the Board the status of Memorandum of Understanding with Lake Valley Golf Club. Discussions are ongoing.

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### **ENGINEERING/ OPERATIONS MATTERS**

**Operator’s Report:** Mr. Solin reported to the Board the status of Operations Matters.

**Engineer’s Report:** Mr. Simmons reviewed with the Board his report on the status of Regulation 84 Engineering Matters.

**Proposal from MMI Water Engineer’s L.L.C. for 2021 Regulation 84 Support Services:** The Board reviewed a proposal from MMI Water Engineer’s L.L.C. for 2021 Regulation 84 Support Services.

Following review and discussion, upon motion duly made by Director Pavlovic, seconded by Director Wilson and, upon vote, unanimously carried, the Board ratified approval of the proposal from MMI Water Engineer’s L.L.C. for 2021 Regulation 84 Support Services.

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### **OTHER MATTERS**

**Synthetic Wipe Study Design Proposals for Mechanical Treatment:** The Board entered into discussion regarding the ongoing problems that are being created by synthetic wipes in the District’s system. It was noted that additional

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research into possible system design modifications and mechanical treatment options will be ongoing. Damage caused by flushed synthetic wipes are the biggest expense the District incurs.

**Extra Pond Covers:** Mr. Solin reported to the Board that Element Engineering LLC is exploring options to sell the remaining covers.

### **ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made by Director Pavlovic, seconded by Director Wilson and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: \_\_\_\_\_



Secretary for the Meeting

THESE MINUTES APPROVED AS THE OFFICIAL JULY 12, 2021 MEETING MINUTES OF THE FAIRWAYS METROPOLITAN DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

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John Pavlovic



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Gerald Schram

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Wilmer Wilson