

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE FAIRWAYS METROPOLITAN DISTRICT AND THE BOARD OF DIRECTORS OF THE WASTEWATER UTILITY ENTERPRISE HELD SEPTMEBER 6, 2023

A Regular 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 Wednesday, the 6th day of September, 2023, at 5:00 p.m. The District Board meeting was held via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Wilmer “Catt” Wilson
Douglas Wendel
Doug Bacon

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

Also In Attendance Were:

David Solin; Special District Management Services, Inc.

Jon Pavlovic; Director Emeritus

Thomas George Esq.; Spencer Fane LLP

Nick Marcotte; Element Engineering, LLC

Gabrielle Begeman; ORC Water Professionals, Inc. (“ORC”)

Marta Galnick; Resident and liaison between the District and the Lake Valley Golf Course

Jeffrey “Jeff” Reh; Board Candidate

COMMUNITY COMMENTS

Community Comments: There were no community comments.

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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.

ADMINISTRATIVE MATTERS

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

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

Minutes: Mr. Solin reviewed with the Board the Minutes of the April 20, 2023 Regular Meeting.

Following discussion, upon motion duly made by Director Wilson, seconded by Director Bacon and, upon vote, unanimously carried, the Board approved the Minutes of the April 20, 2023 Regular Meeting, as presented.

Appointment of Director: The Board discussed the vacancies on the Board. The Board considered the appointment of Jeffrey Reh to the Board of Directors.

Following discussion, upon motion duly made by Director Wilson, seconded by Director Bacon and, upon vote, unanimously carried, the Board appointed Mr. Reh to fill a vacant position on the Board of Directors. The Oath of Office was administered.

Appointment of Officers: The Board entered into discussion regarding the appointment of officers.

Following discussion, upon motion duly made by Director Bacon, seconded by Director Wendel and, upon vote, unanimously carried, the following slate of officers was appointed:

President	Wilmer "Catt" Wilson
Vice President	Doug Bacon
Treasurer	Jeff Reh
Secretary	David Solin
Assistant Secretary	Douglas Wendel
Assistant Secretary	Scott A. Hemphill

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FINANCIAL MATTERS

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

Fund	Period ending April 30, 2023	Period ending May 31, 2023	Period ending June 30 2023	Period ending July 31, 2023
General	\$ 6,594.57	\$ 6,781.04	\$ 4,945.44	\$ 3,081.62
Capital	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Enterprise	\$ 16,720.19	\$ 24,323.17	\$ 31,747.43	\$ 30,981.00
Total Claims	\$ 23,314.76	\$ 31,104.21	\$ 36,692.87	\$ 34,062.62

Following review and discussion, upon motion duly made by Director Bacon, 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 June 30, 2023.

Following review and discussion, upon motion duly made by Director Wendell, seconded by Director Wilson and, upon vote, unanimously carried, the Board accepted the unaudited financial statements and cash position schedule for the period ending June 30, 2023.

LEGAL MATTERS

Memorandum of Understanding (“MOU”) between the District and Lake Valley Golf Club (“LVGC”): Mr. Pavlovic and Attorney George discussed with the Board the MOU between the District and LVGC. The Board directed that the MOU be transmitted to LVGC for execution.

Statutory Requirements and Restrictions for Board Activities: Attorney George discussed with the Board the statutory requirements and restrictions for Board activities.

ENGINEERING/ OPERATIONS MATTERS

Monthly Operations Reports from ORC Water Professionals, Inc. (“ORC”): Ms. Begeman reviewed with the Board the Monthly Operations Reports from ORC.

Status of lining in ponds: Ms. Begeman discussed state concerns with the possibility that ponds 8 and 13 are not lined.

Sludge Removal: It was noted that 84,000 gallons of sludge was removed.

Manhole Sealing along Country Club: Ms. Begeman discussed with the Board the manhole sealing along Country Club. Ms. Begeman will contact Guildner to see if any infiltration points can be identified.

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Calibration of the Influent Meter: Ms. Begeman discussed with the Board the status of calibration of the influent meter. It was noted that the influent meter has been calibrated.

Scheduling plant tour for Directors: Mr. Pavlovic discussed with the Board the scheduling of a plant tour for the Directors. Mr. Pavlovic will take two Directors at a time to view the plant.

Engineer's Report: There was no report at this time.

Memorandum from Element Engineering LLC: The Board discussed the Memorandum from Element Engineering LLC. The Board appointed Director Emeritus Pavlovic to tour other sites and check references. It was noted that Director Bacon offered to assist as requested.

Proposals from Green Valley Landscape and Alpen Fence & Barrier: The Board deferred discussion.

Discharge Permit Renewal: The Board deferred discussion.

Engineering Committee Report: The Board discussed the community outreach efforts being made to educate the neighborhood as to what is acceptable to flush and what is not.

OTHER MATTERS Extra Pond Covers: Mr. Solin and Mr. Pavlovic discussed the extra pond covers with the Board. It was noted that there were no known parties at this time.

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

Respectfully submitted,

By: 
Secretary for the Meeting