

RECORD OF PROCEEDINGS

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 OCTOBER 11, 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 11th day of October, 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.

ATTENDANCE

Directors In Attendance Were:

John Pavlovic
Gerald “Jerry” Schram
Wilmer “Catt” Wilson

Also In Attendance Were:

David Solin; Special District Management Services, Inc.

Gabrielle Begeman; ORC Water Professionals, Inc. (“ORC”) (for a portion of the meeting)

Marta Galnick; Resident and liaison between the District and the Lake Valley Golf Course (for a portion of the meeting)

Daniel Osman; Resident (for a portion of the meeting)

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.

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 Conference Call: Mr. Solin discussed that, due to the concerns over safety, remaining 2021 Board meetings would be conducted via conference call unless and 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 properly posted.

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

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

Resolution No. 2021-10-01; Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices:

Mr. Solin discussed with the Board Resolution No. 2021-10-01; Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices.

The Board determined to meet at 5:30 p.m. on January 10, April 11, July 11 and October 10, 2022 via teleconference, with the expressed goal that at such point that Covid is no longer considered a threat to public safety, the Board would endeavor to meet at the Lake Valley Golf Club, 4400 Lake Valley Drive, Longmont, Colorado 80503.

Following discussion, upon motion duly made by Director Schram, seconded by Director Pavlovic and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-10-01; Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices.

§32-1-809, C.R.S. Reporting Requirements, Mode of Eligible Elector Notification for 2022:

The Board discussed §32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2022 and directed staff to post the Transparency Notice on the Special District Association's website and the District website when created.

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Eligible Governmental Entity (“EGE”) Agreement Between the Statewide Internet Portal Authority (“SIPA”) and the District: The Board reviewed an EGE Agreement between the SIPA and the District.

Following discussion, upon motion duly made by Director Schram, seconded by Director Pavlovic and, upon vote, unanimously carried, the Board approved the EGE Agreement between the SIPA and the District for the creation of a website.

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 July 31, 2021	Period ending August 31, 2021	Period ending Sept. 30, 2021
General	\$ 10,345.79	\$ 4,051.79	\$ 2,321.44
Capital	\$ -0-	\$ -0-	\$ -0-
Enterprise	\$ 6,232.71	\$ 12,146.16	\$ 21,404.39
Total Claims	\$ 16,578.50	\$ 16,197.95	\$ 23,725.83

Following review and discussion, upon motion duly made by Director Schram, seconded by Director Pavlovic 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 September 30, 2021.

Following review and discussion, upon motion duly made by Director Schram, seconded by Director Pavlovic and, upon vote, unanimously carried, the Board accepted the unaudited financial statements and cash position schedule for the period ending September 30, 2021.

Xpress Bill Pay: The Board entered into discussion regarding using Xpress Bill Pay for online payment processing.

Following review and discussion, upon motion duly made by Director Schram, seconded by Director Pavlovic and, upon vote, unanimously carried, the Board approved Xpress Bill Pay for online payment processing.

Resolution No. 2021-10-02 to Certify Delinquent Accounts to County Treasurer: The Board reviewed Resolution No. 2021-10-02 to Certify Delinquent Accounts to County Treasurer.

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Following review and discussion, upon motion duly made by Director Schram, seconded by Director Pavlovic and, upon vote, unanimously carried, the Board authorized Mr. Solin to work with the Residents delinquent in their accounts, to make payment plans.

2021 Audit: The Board reviewed the proposal from Dazzio & Associates, PC to perform the 2021 Audit.

Following discussion, upon motion duly made by Director Schram, seconded by Director Wilson and, upon vote, unanimously carried, the Board approved the engagement of Dazzio & Associates, PC to perform the 2021 Audit, for an amount not to exceed \$4,900.

2021 Budget Amendment Hearing: The President opened the public hearing to consider the Resolution to Amend the 2021 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2021 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to or at this public hearing. No public comments were received and the President closed the public hearing.

The Board determined that an amendment to the 2021 Budget was not necessary.

2022 Budget Hearing: The Board opened the Public Hearing to consider the proposed 2022 Budget and to discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2022 Budget and the date, time and location of the Public Hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this Public Hearing. No public comments were received and the Public Hearing was closed.

Mr. Solin reviewed the estimated 2021 expenditures and the proposed 2022 expenditures.

Following discussion, the Board considered the adoption of Resolution No. 2021-10-03; Resolution to Adopt the 2021 Budget and Appropriate Sums of Money, and Resolution No. 2021-10-04; Resolution to Set Mill Levies (for the General Fund at 3.545 mills; for the Debt Service Fund 0.000 mills, for a total mill levy of 3.545 mills). Upon motion duly made by Director Schram, seconded by Director Pavlovic and, upon vote, unanimously carried, the Resolutions were adopted, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed

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Valuation from the County on or before December 10, 2021. Mr. Solin was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Boulder County and the Division of Local Government not later than December 15, 2021. Mr. Solin was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2022. Copies of the adopted Resolutions are attached hereto and incorporated herein by this reference.

DLG-70 Mill Levy Certification Form: The Board considered authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

Following discussion, upon motion duly made by Director Schram, seconded by Director Pavlovic and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

Preparation of the 2023 Budget: The Board discussed preparation of the 2023 Budget.

Following discussion, upon motion duly made by Director Schram, seconded by Director Pavlovic, and upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2023 Budget, and directed that the form of the 2023 budget be the same as the 2022 budget, unless directed otherwise by the Board.

The Board determined to hold the public hearing to consider adoption of the 2022 Budget on October 10, 2022.

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. He noted the plan is to have the MOU in place prior to start of the 2022 irrigation season. The Board directed Ms. Begeman to provide a monthly report beginning in 2022.

Election Resolution: The Board discussed Resolution No. 2021-10-05; Resolution Calling a Regular Election for Directors on May 3, 2022, appointing the Designated Election Official (“DEO”) and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election.

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Following discussion, upon motion duly made by Director Schram, seconded by Director Pavlovic and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-10-05; Resolution Calling a Regular Election for Directors on May 3, 2022, appointing the DEO and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

ENGINEERING/ OPERATIONS MATTERS

Operator's Report: Ms. Begeman reported to the Board the status of Operations Matters.

LVGC Water Usage and Pond Capacity: The Board entered into discussion regarding the LVGC Water Usage and Pond Capacity. The Board directed Mr. Solin to schedule a meeting with Ms. Begeman, Attorney George, Mitch Galnick and Ian Johnson at the end of October or first week in November.

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

OTHER MATTERS

Synthetic Wipe Study Design Proposals for Mechanical Treatment: Director Pavlovic discussed with the Board using a bar screen from Screen-Tech. The Board directed Mr. Solin to talk to ORC or Nick Marcotte about the process and potential designs.

Extra Pond Covers: Mr. Solin discussed with the Board the status of the extra pond covers.

ADJOURNMENT

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

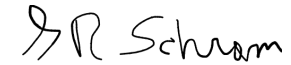
Respectfully submitted,

By: 
Secretary for the Meeting

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THESE MINUTES APPROVED AS THE OFFICIAL OCTOBER 11, 2021
MEETING MINUTES OF THE FAIRWAYS METROPOLITAN DISTRICT BY
THE BOARD OF DIRECTORS SIGNING BELOW:

John Pavlovic



Gerald Schram

Wilmer Wilson