

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE FALCON HIGHLANDS METROPOLITAN DISTRICT

- Held January 14, 2019 at Falcon Fire Station No. 3, 7030 Old Meridian Road, Peyton, CO 80831 at 5:30 p.m.
- Attendance The regular meeting of the Board of Directors of the Falcon Highlands Metropolitan District was called and held as shown above in accordance with the statutes of the State of Colorado. The following Directors, having confirmed their qualifications to serve on the Board, were in attendance:
- Tonia Joyner, President
Kevin Haas, Treasurer
- Absent: Timothy Dickey
- Others in attendance:
- Josh Miller, Chelsea Gondeck & Carrie Bartow; CliftonLarsonAllen LLP
Barbara Vander Wall; Seter & Vander Wall, P.C.
Ryan Mangino & John McGinn; JDS-Hydro Consultants, Inc.
- Call to Order Director Joyner noted that a quorum of the Board was present and called the regular meeting of the Board of Directors of the Falcon Highlands Metropolitan District to order at 5:32 p.m.
- Approval of Agenda Upon a motion duly made by Director Haas, seconded by Director Joyner and, upon vote, unanimously carried, the Board approved the agenda moving Legal Matters and the Executive Session to follow the Consent Agenda.
- Community Comment None.
- Consent Agenda
- A. Consider Approval of November 12, 2018 Regular Meeting Minutes
 - B. Review and Consider Approval of December 31, 2018 Unaudited Financial Statements
 - C. Review and Consider Approval of Current Claims

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After discussion, upon a motion duly made by Director Haas, seconded by Director Joyner and, upon vote, unanimously carried, the Board approved the Consent Agenda, as presented.

Legal Matters

A. Legal Report

Mrs. Vander Wall reviewed highlights of her legal report with the Board.

Ms. Vander Wall presented the Board with affidavits to confirm each director's continuing qualification to sit as a Board member. She also provided a letter outlining potential conflicts of interest and forms that each Board member can use to identify any potential conflicts of interest that may exist. Ms. Vander Wall explained what a conflict of interest is and noted that it is each director's responsibility to identify and disclose any conflicts of interest.

B. Resolution No. 2019-01-01 Regarding Annual Administrative Matters

Ms. Vander Wall presented the 2019 annual administrative resolution to the Board, which sets forth various annual designations such as the District's regular meeting time, meeting posting locations, Board officers and its designated election official.

Following discussion, upon a motion duly made by Director Haas, seconded by Director Joyner and, upon vote, unanimously carried, the Board approved Resolution No. 2019-01-01, regarding annual administrative matters as presented.

C. Discuss and Consider Approval of Engineering Services Agreement with JDS-Hydro Consultants, Inc.

Ms. Vander Wall reviewed the engineering services agreement between the District and JDS-Hydro Consultants, Inc., with the Board. Ms. Vander Wall introduced John McGinn and Ryan Mangino, engineers with JDS-Hydro Consultants, to the Board. Mr. McGinn provided a background of his firm, and also reviewed JDS-Hydro Consultants' association with Woodmen Hills Metropolitan District and proposed services with Falcon Highlands Metropolitan District.

Following discussion, upon a motion duly made by Director Haas, seconded by Director Joyner and, upon vote, unanimously carried, the Board approved the engineering services agreement with JDS-Hydro Consultants, Inc.

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D. Executive Session.

Upon a motion duly made by Director Joyner, seconded by Director Haas and, upon vote, unanimously carried, the Board approved the motion to enter into executive session, pursuant to §§ 24-6-402(4)(b) and (e), C.R.S. to consider and receive legal advice and discuss negotiation strategy related to a potential intergovernmental Agreement with Woodmen Hills Metropolitan District regarding District operations. The Board, including legal, management, financial and engineering consultants, entered executive session at 6:13 p.m. The executive session ended at 6:32 p.m.; the Board confirmed that no actions were taken during the executive session.

The Board directed the consultants to work on the proposed draft IGA with Woodmen Hills Metropolitan District regarding District operations for presentation to Woodmen Hills Metropolitan District for consideration.

E. Other

Ms. Vander Wall advised the Board that both Falcon Highlands Metropolitan District and Woodmen Hills Metropolitan District have approved the emergency interconnect agreement. The next step is for the parties to obtain amendments to their respective water court determinations in order to allow their water to be used in the other's service area. Upon motion, second and unanimous vote, the Board authorized the engagement of its water lawyers and engineer to proceed in accomplishing this goal as provided under the IGA.

Manager Matters A. Manager Report

Mr. Miller reviewed the Manager's Report with the Board and advised on Peak Gymnastics' development.

B. Update on Operations

Mr. Miller acknowledged the update on operations provided in the packet.

C. Review and Consider Approval of Work Order from Ramey Environmental Compliance, Inc. for SCADA Work

Mr. Miller presented a proposal from Ramey Environmental Compliance for services related to the District's SCADA system, in the

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total amount of \$21,322.22. Mr. Miller recommended that only a portion of the proposed items be performed; he noted that the District may defer certain items pending further evaluation of the District's water system for integration capabilities. Following discussion, upon a motion duly made by Director Haas, seconded by Director Joyner and, upon vote, unanimously carried, the Board approved a portion of the proposed work order from Ramey Environmental Compliance, Inc. for SCADA work, and authorized Mr. Miller to proceed with the appropriate items at his discretion, with assistance from the District engineer as appropriate.

D. Other

None.

Financial Matters A. Other

None.

Engineering
Matters

There were no additional engineering items presented to the Board at this time.

Director Items

None.

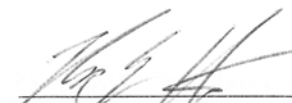
Other Business

A. Set Next Board Meeting – Monday, March 11, 2019 at 5:30 p.m.

A quorum for Monday, March 11, 2019 was confirmed.

Adjournment

Upon a motion duly made by Director Joyner, seconded by Director Haas and, upon vote, unanimously carried, the Board adjourned the meeting at 7:02 p.m.


Secretary for the Meeting
