

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
FALCON HIGHLANDS METROPOLITAN DISTRICT
HELD
FEBRUARY 12, 2024

A regular meeting of the Board of Directors of the Falcon Highlands Metropolitan District (referred to hereafter as the “Board”) was convened on Monday, February 12, 2024 at 5:30 p.m. The District Board meeting was held at the Falcon Fire Department Community Room, 7020 Old Meridian Road, Peyton, Colorado, 80831 as well as virtually via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Tonia Joyner, President
Timothy Dickey, Secretary
Leo Schuhmacher, Director
Joshua Whittle, Director

Also, In Attendance Were:

Korben Heim and Carrie Bartow; CliftonLarsonAllen, LLP (“CLA”)
Beth Dauer, Esq.; Seter & Vander Wall, P.C. (virtually)
Wayne Williams; Designated Election Official (Recall Election)
Kayla Higbee, Curtis Fletcher, Libby Fletcher, Tony Porter, Bertha MacMillan, Debby Shay, Elizabeth Geitzenauer, Kyle Geitzenauer, Allen Chapman, Donna Chapman, Pam Fredericks, Lawrence Wilson, Myra Hales, Rosendo Rodriguez, Georgina Rodriguez, Katherine Koteles, Sarah Burress, Christina Welch, and other Members of the public

ADMINISTRATIVE MATTERS

Call to Order and Agenda: Upon a motion duly made by Director Joyner, seconded by Director Schumacher, the Board called the meeting to order at 5:32 p.m.

The Board reviewed the agenda. Following review, upon a motion duly made by Director Schumacher, seconded by Director Dickey and, upon vote, unanimously carried, the Board approved the agenda, as amended to include a presentation by the Designated Election Official under “Other Matters”.

Quorum, Director Qualifications, Disclosure Items: It was noted that a quorum of the Board was present. Upon a motion duly made by Director Schumacher, seconded by Director Dickey and, upon vote, unanimously carried, the Board excused the absence of Director Ganaway. The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of

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Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest regarding 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. It was noted that disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors; no additional conflicts were disclosed.

CONSENT AGENDA

The Board considered the following items under the Consent Agenda:

- January 8, 2024 special Board meeting minutes and January 22, 2024 special Board meeting minutes.
- Previous Claims and Current Claims.

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

FINANCIAL MATTERS

December 31, 2023 Unaudited Financial Statements: Ms. Bartow reviewed the Unaudited Financial Statements with the Board. Director Dickey asked about the schedule for the 2023 audit. Ms. Bartow noted this will not be prepared until the end of May/early June. Following discussion, upon a motion duly made by Director Joyner, seconded by Director Dickey and, upon vote, unanimously carried, the Board accepted the December 31, 2023 Unaudited Financial Statements, as presented.

MANAGER MATTERS

Public Comment: Christina Welch: Asked about the next areas of work and phases once the current cleanouts are addressed. She further asked about the time frame of the agreement and/or understanding with EPCO for future work. Ms. Welch noted concern for future damage. She further reported Caliber Collision is experiencing some kind of water issue.

Kyle Geitzenauer: Noted home damage and insurance related concerns with the District. He asked about the responsibility for the plans for Filing 3 if the system is built.

Myra Hayes: Noted concern for stormwater run-off into the Wagon Track cul-de-sac, as well as concerns for drainage through Filing 3.

Pam Fredericks: noted the water is not draining from her front yard and the effects on the driveway.

Manager Report: Mr. Heim provided an update on the underdrain work regarding the cleanouts in Filing 1.

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ENGINEERING
MATTERS

Engineer Report: This item was tabled.

LEGAL MATTERS

None.

DIRECTOR
MATTERS

None.

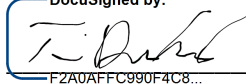
OTHER BUSINESS

Designated Election Official Presentation: Wayne Williams discussed the recall election process and answered questions from the public.

ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director Joyner, seconded by Director Schumacher, the Board adjourned the meeting at 6:26 p.m.

Respectfully submitted,

By 
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Secretary