

# RECORD OF PROCEEDINGS

---

## MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE FALCON HIGHLANDS METROPOLITAN DISTRICT HELD MAY 10, 2011

A special meeting of the Board of Directors of Falcon Highlands Metropolitan District was held on May 10, 2011 at High Prairie Library, 7035 Old Meridian Road, Peyton, CO 80831 at 6:00 p.m. The meeting was open to the public.

**Attendance** Directors in attendance were:

Dave Berry  
Mark Albright via telephone  
Al Smith  
Bobby Sorden

Also in attendance were:

Matt Mendisco; Clifton Gunderson LLP  
Carrie Bartow; Clifton Gunderson LLP  
Barbara Vander Wall; Seter & Vander Wall, P.C.  
Jeff Erb; Seter & Vander Wall, P.C.  
Lynne Bliss; Citizens for a Better Falcon

**Call to Order /  
Verify Quorum**

Director Berry called the meeting to order at 6:10 p.m. and verified a quorum.

**Approval of  
Agenda**

Following review, upon a motion duly made by Director Sorden, seconded by Director Smith and, upon vote, unanimously carried, the Board approved the agenda as amended.

**Approval of  
Minutes**

Following review and discussion, upon a motion duly made by Director Sorden, seconded by Director Berry and, upon vote, unanimously carried, the Board approved the April 12, 2011 special board meeting minutes as presented.

**Public  
Comment**

Ms. Bliss addressed the Board. She stated that she was a representative for Citizens for a Better Falcon and that she was contacting residents in Falcon to gather information and comments about a possible incorporation. Director Sorden stated that the best venue for neighborhood information would be with the Gables Yahoo Group. Director Sorden will send her information for the link.

# RECORD OF PROCEEDINGS

---

## Director Items

### A. Review and Discuss Board Vacancy

Ms. Vander Wall discussed the vacancy on the Board stating that an advertisement would be published on Friday, May 13, 2011. Mr. Poremba is currently the only person that has expressed interest. He would become an eligible elector through a contract to buy property from the bank that owns a majority of the undeveloped property.

## Legal Items

### A. Legal Report

Ms. Vander Wall reviewed the legal report with the Board. She handed out "Director Affidavits" and "Conflict of Interest" forms to be completed. Ms. Vander Wall explained each form and noted that they were required by state statute.

Mr. Vander Wall reported that Legal Counsel has met with the District Consultants and spoken with Mr. Poremba, who represented the bank that owns the majority of the residential lots in the District. Legal Counsel has also entered their appearance with the Court on behalf of the District. Legal Counsel is continuing to collect District documents from the Division of Local Government and El Paso County District Court, and the Clerk and Recorder's Office. These documents are in the review process.

### B. Executive Session

There was no executive session held.

## Financial Matters

### A. Review and Consider Approval / Ratification of Claims for April

Following review and discussion, upon a motion duly made by Director Berry, seconded by Director Smith and, upon vote, unanimously carried, the Board ratified approval of claims totaling \$14,280.93, represented by check numbers 1093 through 1105 and check numbers 1091 through 1092, as presented.

### B. Review and Discuss Update on Financial Matters

Ms. Bartow presented the cash position to the Board. She stated that everything was current as of May 9, 2011. Director Smith inquired about the Bank of Broadmoor account balance stating that it was previously discussed that the balance was around \$90,000. Ms. Bartow reported that there were three transactions that were incurred in mid 2010 that brought the balance to the current amount. Accounting is still reconciling those three transactions, but two were for a drilling company and one was for engineering. Mr. Mendisco noted that most likely this was for the new well. Ms. Bartow stated that she was hopeful to get 2010 reconciled and have a set of financial statements for the next meeting.

# RECORD OF PROCEEDINGS

---

## Manager's Items

### A. Water Plant Report – Steve Dodd

Mr. Mendisco presented the water plant report to the Board on behalf of Mr. Dodd. He stated that management was working on a process to locate the shut off valves that had been buried. Mr. Mendisco briefed the Board on the recent incident with a District employee, regarding taking the District vehicle home for personal use over the weekend.

### B. Update on Pending Issues / Manager's Report

Mr. Mendisco reviewed the manager's report with the Board stating that no action was needed at this time. Management will be meeting with three engineering firms to assess the road situation and obtain cost estimates for their rehabilitation. Director Albright inquired whether management would also look at the old access road that is directly across from the water plant. Management will review at the engineering site visit.

## Other Business

### A. Confirm Quorum for Next Meeting – June 14, 2011 at 6:00 p.m. – High Prairie Library

Following discussion, upon a motion duly made by Director Sorden, seconded by Director Berry and, upon vote, unanimously carried, the Board moved the meetings to the water treatment plant, located at 7464 Antelope Meadows, Peyton, Colorado, 80831 on the first Tuesdays of each month at 6:00 p.m.

**Adjournment** There being no other business to come before the Board, upon a motion duly made by Director Berry, seconded by Director Albright and, upon vote, unanimously carried, the Board adjourned the meeting at 8:00 p.m.

Respectfully submitted,

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

  
Secretary for the Meeting