

MINUTES OF A JOINT SPECIAL MEETING OF THE  
BOARDS OF DIRECTORS

OF

FIRELIGHT IRRIGATION METROPOLITAN DISTRICT,  
FIRELIGHT COMMERCIAL METROPOLITAN DISTRICT,  
FIRELIGHT RESIDENTIAL METROPOLITAN DISTRICT, &  
HIGHWAY 119 METROPOLITAN DISTRICT NOS. 4-10

Held: August 1, 2022, at 9:00 A.M.

The meeting was held via teleconference.

**ATTENDANCE**

The meeting was held in accordance with the laws of the State of Colorado. The following directors were in attendance:

Reggie Golden  
Dale Bruns  
Pagie Mathews

Also present were: Jennifer Gruber Tanaka, Esq., and Erin Stutz, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Neil Schilling, Schilling & Company, District Accountant; Mark Meyer, Foundry Commercial; and CJ Kirst, PE, Tahoe Consulting.

**ADMINISTRATIVE  
MATTERS**

Call to Order

The meeting was called to order.

Declaration of Quorum and  
Confirmation of Director  
Qualifications

Ms. Tanaka noted that a quorum for each of the Boards was present and that the directors had confirmed their qualification to serve.

Reaffirmation of Disclosures  
of Potential or Existing  
Conflicts of Interest

Ms. Tanaka advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Tanaka reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State's Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Ms. Tanaka noted that a quorum was present and inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Boards determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

Combined Meetings                      The Districts are meeting in a combined Board meeting. Unless otherwise noted below, the matters set forth below shall be deemed to be the actions of the Firelight Irrigation Metropolitan District, the Firelight Commercial Metropolitan District, the Firelight Residential Metropolitan District, and the Highway 119 Metropolitan District Nos. 4 through 10, inclusive and collectively.

Approval of Agenda                      Ms. Tanaka presented the Boards with the proposed agenda for the meeting. Upon motion of Mr. Bruns, seconded by Mr. Mathews, the Boards unanimously approved the agenda as amended to remove items 6.B – O, inclusive, and to add item 4.B for Additional Construction Matters.

Excusal of Absences                      The Boards noted the absence of Mr. Miles. Upon motion of Mr. Bruns, seconded by Mr. Mathews, the Boards unanimously excused his absences.

**PUBLIC COMMENT**                      None.

**CONSENT AGENDA**                      The Boards were presented with the consent agenda items. Upon motion of Mr. Mathews, seconded by Mr. Bruns, the Boards unanimously took the following actions:

- a. Approved the Minutes for April 11, 2022, Special Meeting
- b. Ratified and Approved the Payment of Claims (\$391,089.35) (April 2022)
- c. Ratified and Approved the Payment of Claims (\$25,226.57) (May 2022)
- d. Ratified and Approved the Payment of Claims (\$180,614.57) (June 2022)
- e. Ratified the First Addendum to Independent Contractor Agreement with Atwell, LLC for Engineering Services for Boundary Adjustment Review
- f. Approved the Amended and Restated Intergovernmental Agreement among the Town of Firestone and Firelight Irrigation Metropolitan District, Firelight Commercial Metropolitan District, Firelight Residential Metropolitan District (required by Service Plan)

**CONSTRUCTION MATTERS**

Status of Oligarchy Ditch Relocation Project                      Mr. Kirst reported that the ditch has been flowing since early May. A few areas on the downstream may need to be adjusted by the contractor after the ditch season ends. The contractor has not submitted for final payment yet. Mr. Kirst will keep the Boards posted on the status of final payment. The old ditch will remain in place for a year per request of the ditch company.

Additional Construction Projects Mr. Bruns noted that some additional projects are coming up that will need to be addressed in the near term. He noted that the storm drainage project will need to begin soon and the plans are being reviewed by CDOT currently.

## FINANCIAL MATTERS

Opening of Checking Account and ColoTrust Account for Firelight Residential Metropolitan District and Designation of Signors Therefor Mr. Schilling noted the need to open a checking account and a ColoTrust account for the Firelight Residential Metropolitan District and to designate signors therefor.

Upon motion of Mr. Bruns, seconded by Mr. Mathews, the Boards unanimously authorized the opening of a checking account for the Firelight Residential Metropolitan District at FirstBank and an account at ColoTrust and designated Mr. Golden and Mr. Bruns as signors on the account.

Use of Bill.com for Firelight Residential Metropolitan District Mr. Schilling discussed the use of bill.com for the processing of payments for the Firelight Residential Metropolitan District. The Board determined to defer this matter to the future.

## LEGAL MATTERS

Public Hearing on Inclusion of Property into Firelight Irrigation Metropolitan District by Voyage Ventures, LLC (70.13 Acre Parcel) and Adoption of Resolution No. 2022-08-01: Resolution and Order for Inclusion of Property (70.13 Acre Parcel) The public hearing on the inclusion was opened. Ms. Tanaka reported that notice was published in accordance with Colorado law and no written objections were received prior to the hearing. There being no public comment, the hearing was closed.

Upon motion of Mr. Mathews, seconded by Mr. Bruns, the Board unanimously approved the inclusion and adopted Resolution No. 2022-08-01: Resolution and Order for Inclusion of Property (70.13 Acre Parcel).

Update on Amended and Restated Consolidated Service Plan for Firelight Irrigation Metropolitan District, Firelight Commercial Metropolitan District, and Firelight Residential Metropolitan District Ms. Tanaka reported that the Town considered the Amended and Restated Consolidated Service Plan for Firelight Irrigation Metropolitan District, Firelight Commercial Metropolitan District, and Firelight Residential Metropolitan District on July 13, 2022, and approved it without conditions. The Highway 119 Metropolitan District Nos. 4-10 will continue to operate under their current Service Plan until their updated plan is completed and approved by the Town.

Update on Amended and Restated Consolidated Service Plan for Highway 119 Metropolitan District Nos. 4-10 (anticipated Ms. Tanaka noted that she is waiting on exhibits from Toll Brothers for the preparation and submittal of the Amended and Restated Consolidated Service Plan for Highway 119 Metropolitan District Nos. 4-10. Ms. Tanaka noted that the Town requested that this be considered at a hearing in

hearing in September)

September along with the land use plans which are anticipated to be considered at the same time. Ms. Tanaka will keep the Boards updated on the status.

Discuss Coordinated Services Among Districts and Possible Changes in Agreements for Same

Ms. Tanaka noted that currently the Districts are operated under a Coordinated Services Agreement whereby all services and billings are run through Firelight Irrigation Metropolitan District. With the recent and anticipated changes in the Service Plans, she inquired into whether the Firelight Districts should be separated from the remaining districts with each set acting independently. If so, a termination of the existing agreement can be prepared along with new agreements for the projects. The Boards determined to operate as status quo for the time being.

Update on Status of Intergovernmental Agreement with Left Hand Water District for Provision of Non-Potable Water Service by the Firelight Irrigation Metropolitan District

Ms. Tanaka reported that the attorney for Left Hand Water District indicated that the draft agreement would be circulated for review and comment by the end of July. To date, Ms. Tanaka has not received a draft and followed up with the attorney accordingly. The parties previously agreed to have the agreement finalized for consideration at the September Board meetings.

**OTHER BUSINESS**

Next Meeting Date

The next meeting is scheduled for August 22, 2022, at 9:30 A.M.

**ADJOURNMENT**

There being no further business to be conducted, the meeting was adjourned.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

  
Date Brun (Aug 25, 2022 20:19 MDT)

---

Secretary for the Meeting