

AMENDED
RECORD OF PROCEEDINGS
MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
FALLBROOK VILLAS METROPOLITAN DISTRICT

HELD: Monday, April 4, 2022 at 10:00 a.m., via teleconference

ATTENDANCE:

The special meeting of the Board of Directors of the Fallbrook Villas Metropolitan District, Adams County, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Kent Pedersen, Chairman of the Board/President, (2018-2022)
Debra Hessler, Secretary (2020-2023)
Jennifer Thornbloom, Treasurer (2018-2022)
Alexander Ray, Assistant Secretary, (2020-2023)
Jack Beckwitt, Assistant Secretary, (2018-2022)

Also in attendance were Melissa Kupferer of Advance HOA, Lisa K. Mayers, Esq. of Spencer Fane LLP, and members of the public.

All Board members and consultants appeared via teleconference.

CALL TO ORDER:

It was noted for the record that a quorum was present and the meeting was called to order at 10:04 a.m.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST:

Ms. Mayers noted that general disclosure statements had been filed on behalf of certain members of the Board of Directors with the Office of the Colorado Secretary of State and with the Secretary of the District. The Board directed that said disclosures be incorporated herein. The Board further noted that transactional disclosures had been filed with the office of the Colorado Secretary of State regarding agenda items for this meeting. Upon motion duly made, seconded and unanimously carried, the Board directed that said disclosures be incorporated herein.

PUBLIC COMMENT:

The Board heard comments from the public. Ms. Williams' emailed comments are appended to these amended minutes.

AMENDED RECORD OF PROCEEDINGS

Fallbrook Villas Metropolitan District

April 4, 2022

Page 2

APPROVAL OF MINUTES:

Upon motion duly made, seconded and upon vote unanimously approved, the Board approved the minutes of the November 4, 2021 meeting, with amendments as discussed, that were prepared by Teleos Management as posted on the District's website.

FINANCIAL MATTERS:

Payment of Claims. None.

Accountant's Report. None.

ATTORNEY ITEMS:

Review & Consider Approval of Agreement with CalAtlantic for Maintenance Funds for Transferred Tracts. Ms. Mayers presented the agreement to the Board. Upon motion duly made, seconded and upon vote unanimously approved, the Board approved the agreement as presented. It was noted that Lennar will deliver the deed for recording and once recorded the developer-appointed Board members will be disqualified.

Executive Session as Needed Pursuant to C.R.S. Section 24-6-402(4)(b) and (e). Not needed.

DIRECTOR MATTERS:

Accept Resignation of Director Effective Upon Acceptance. Director Ray offered his resignation to the Board. Upon motion duly made, seconded and upon vote unanimously approved, the Board accepted Director Ray's resignation.

Consider Appointment of Deborah Makray/Administer Oath of Office. Upon motion duly made, seconded and upon vote unanimously approved, the Board approved the appointment of Deborah Makray to the Board. The Oath of Office was administered.

Review & Consider Approval of Metco Landscape Agreement. The Board reviewed the agreement and indicated that it was obtained for information purposes, for the Board that will take office following the election date. No action was taken.

ADVANCE HOA:

No manager's report was given.

OTHER BUSINESS:

Discussion ensued regarding the transition of the Board to residents following the May 2022 election.

AMENDED RECORD OF PROCEEDINGS

Fallbrook Villas Metropolitan District

April 4, 2022

Page 3

ADJOURNMENT:

There being no further business to come before the Board and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 11:06 a.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the Fallbrook Villas Metropolitan District.

DocuSigned by:
Debra Hessler
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Secretary to the Board

**RECORD OF PROCEEDINGS
MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
FALLBROOK VILLAS METROPOLITAN DISTRICT**

HELD: Tuesday, May 17, 2022 at 10:30 a.m.
via teleconference and in person at Trail Winds Recreation Center,
13495 Holly Street, Thornton, Colorado 80602

ATTENDANCE:

The special meeting of the Board of Directors of the Fallbrook Villas Metropolitan District, Adams County, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Deborah Makray, President, (appointed 2022)
Todd Geist (elected 2022-2025)
KimNichelle Rivera (elected 2022-2025)
Vacancy
Vacancy

Also in attendance were Shawn Williams, Jolene Simon, Melissa Kupferer of Advance HOA (via teleconference), Lisa K. Mayers, Esq. of Spencer Fane LLP (via teleconference), and members of the public.

CALL TO ORDER:

It was noted for the record that a quorum was present and the meeting was called to order by Ms. Makray at 10:33 a.m.

APPROVAL OF AGENDA AND MEETING LOCATION:

Upon motion of Mr. Geist and second by Ms. Rivera, meeting agenda was approved. The Board discussed finding another public location for future meetings because the recreation center charges for use of its facilities. The Board discussed possible locations including Anythink Library and the Fire Station, Ms. Rivera will follow up on alternate locations.

ADMINISTER OATHS/ELECT BOARD OFFICERS:

The three sitting Board members had their Oaths administered prior to the meeting. The Board appointed Ms. Williams to the Board and her Oath was administered by Ms. Makray. Another resident in attendance at the meeting, Jolene Simon, agreed to be appointed to the remaining

RECORD OF PROCEEDINGS

Fallbrook Villas Metropolitan District

May 17, 2022

Page 2

vacancy. Ms. Simon has experience with finance and budgeting matters. The Board appointed Ms. Simon and her Oath was administered by Ms. Makray. Ms. Simon will complete the necessary paperwork for her appointment after the meeting. Ms. Makray asked that the Board members introduce themselves. At the suggestion of Ms. Mayers, the Board deferred election of officers until the next meeting when the entire Board will be able to vote on the officer positions.

PUBLIC COMMENT:

The Board discussed some matters that were not on the meeting agenda. The matters included questions regarding homeowners parking on the streets (determined to be a City of Thornton issue), and landscaping done by Lennar and issues related to tree and shrub replacement, sprinkler heads, and remaining warranties. The Board also discussed the status of outstanding bills and Ms. Makray's efforts to work with AdvanceHOA to pay past due bills and the need for additional information on the accounting process to get bills paid in a timely manner.

APPROVAL OF MINUTES:

The Board discussed that the minutes for the November 4, 2021 meeting had not yet been corrected (per the prior Board's discussion) and requested that corrected minutes be posted to the website. Upon review of the April 4, 2022 minutes, the Board requested that future minutes contain more detailed information about the proceedings. Upon motion duly made by Mr. Geist, seconded by Ms. Makray and upon vote unanimously approved, the Board approved the minutes of the April 4, 2022, as amended.

FINANCIAL MATTERS:

The Accountants were not present at the meeting and no financial report was given. The Board was advised that Simmons & Wheeler provides accounting services to the District and they may be contacted for information and questions related to financial matters. Mr. Geist agreed to reach out to Simmons & Wheeler following the meeting to request current financial information. Simmons & Wheeler will be invited to the next meeting to provide an accounting report and to discuss the processes for handling the District's accounts. The Board would also like an itemized list of expenditures for each meeting going forward.

ATTORNEY ITEMS:

Ms. Mayers discussed the preparation and correction of minutes. She will prepare corrected versions of the November 2021 and April 2022 minutes for posting on the District's website. The Board discussed the preparation of minutes for future meetings and Ms. Rivera agreed to prepare the minutes for Board review.

DIRECTOR MATTERS:

The Board reviewed the contract for sprinkler system repairs to be made by Metco. The Board determined it was best to have Metco make the repairs since they are familiar with the sprinkler

RECORD OF PROCEEDINGS

Fallbrook Villas Metropolitan District

May 17, 2022

Page 3

system and had already bid the project, and ratified the prior decision for Metco to make these repairs. The Board compared the bids from LMI, Metco and Brightview for future landscape services. Shultz was not able to submit a proposal. Following discussion of the reasons for not having Metco continue, the Board on motion of Mr. Geist and second by Ms. Rivera, unanimously approved proceeding with the Brightview proposal. Brightview proposes using the right sized equipment for the community. The Board will work with Ms. Kupferer to ensure that the landscaping work is being performed per the contract. Also missing is maintenance of the filtration system of the water retention pond. Pet waste stations were not included in the proposals. All of the locked boxes are broken and will need to be repaired or replaced. Snow removal is a separate contract. A future snow removal contract needs to spell out the services very clearly, whether front walks, driveways, porches, etc. are part of the contract or homeowner responsibility.

ADVANCE HOA:

Ms. Kupferer provided a manager's report to the Board. Ms. Kupferer discussed the history of irrigation repairs and answered questions from Ms. Makray and Mr. Geist regarding the work done and status of payment. As soon as the final irrigation repairs are completed by Metco, the system can be turned on. Once the landscaping has been fully assessed, Ms. Kupferer will provide the Board with the recommendations of the landscape contractor. Ms. Kupferer asked for two Board members to walk with to address landscape warranty issues. Ms. Kupferer reported that Lennar is getting information regarding the concrete contractor to address sprinklers damaged by the concrete work. A question regarding rental restrictions was asked. The Declaration does not contain rental restrictions. AdvanceHOA does not maintain rental records. Ms. Mayers noted that it is difficult to amend the Declaration because it requires an affirmative vote of 67% of the owners. There was a question as to whether renters are aware that they are responsible for the front portion of the lots. Mr. Geist noted that homeowners are responsible for weeding and feeding their properties. Ms. Kupferer discussed site visits and many trash can violations. Ms. Makray is presently the only member on the Design Review Committee, no other residents have expressed interest. Ms. Kupferer will send another eblast to find committee members. There was discussion regarding reporting covenant violations to the Board without specific identification of residents during the public meeting. Violations will be reported by property address. The District's website was discussed. The District website is maintained by contractor Pueblo Web Design. AdvanceHOA also maintains a website to which Ms. Kupferer can post District business.

OTHER BUSINESS:

Newly appointed Board members were asked to return their paperwork to Spencer Fane so it could be filed with the proper authorities and the Board members formally seated before the next meeting.

ADJOURNMENT:

There being no further business to come before the Board and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 12:03 p.m.

RECORD OF PROCEEDINGS

Fallbrook Villas Metropolitan District

May 17, 2022

Page 4

There being no further business to come before the Board and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 12:03 p.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the Fallbrook Villas Metropolitan District.



President

**RECORD OF PROCEEDINGS
MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
FALLBROOK VILLAS METROPOLITAN DISTRICT**

HELD: Thursday, June 9, 2022 at 10:30 a.m., at Wright Farms, 5877 E 120th Avenue, Thornton, CO and via video and teleconference.

ATTENDANCE:

The special meeting of the Board of Directors of the Fallbrook Villas Metropolitan District, Adams County, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Deborah Makray, (2022-2023)
Todd Geist (2022-2025)
KimNichelle Rivera (2022-2025)
Shawn Williams (2022-2025)
Jolene Simon (2022-2023)

Also in attendance were Melissa Kupferer of Advance HOA, John Simmons of Simmons and Wheeler PC, Shad Parish and Mike Olson of BrightView, Lisa K. Mayers, Esq. of Spencer Fane LLP.

CALL TO ORDER:

It was noted for the record that a quorum was present and the meeting was called to order at 10:30 a.m.

APPROVAL OF AGENDA AND MEETING LOCATION:

Director Geist moved to suspend the agenda for the election of officers. Following discussion, upon motion duly made, seconded and upon vote carried four to one, with Director Makray in opposition, the Board approved the appointment of Director Geist as president and the agenda as amended.

PUBLIC COMMENT:

No members of the public were present.

RECORD OF PROCEEDINGS

Fallbrook Villas Metropolitan District

June 9, 2022

Page 2

APPROVAL OF MINUTES:

Following discussion, upon motion duly made, seconded and upon vote unanimously carried, the Board approved the minutes as amended.

FINANCIAL MATTERS:

Payment of Claims. Mr. Simmons provide the claims to the Board. Discussion ensued. No action was taken.

Financial Report. Mr. Simmons provided the financial report to the Board. Following discussion, upon motion duly made, seconded and upon vote unanimously carried, the Board approved the report as presented and authorized Director Williams and Director Simon to approve Bill.com transactions.

ATTORNEY ITEMS:

The Board requested that Ms. Mayers provide contact information for attorneys and/or law firms to assist with the investigation of legal recourse against Lennar. Upon motion duly made, seconded and upon vote unanimously carried, the Board approved allocating \$3,000 to the consultations.

DIRECTOR ITEMS:

The Board discussed the weed abatement that is underway, turf repairs, sprinkler repairs, HB22-1317 and snow removal. Mr. Olson, the account manager for BrightView, discussed the irrigation repair proposal.

ADVANCE HOA:

Ms. Kupferer provided the report to the Board. Discussion ensued regarding the status of covenant violations, fences, the responsible parties for fence maintenance, the BrightView contract for irrigation repairs, the landscape barrier, the retention pond, the website and current vendor contracts. Upon motion duly made, seconded and upon vote unanimously carried, the Board approved the irrigation repairs in an amount not to exceed \$1,200, authorized Ms. Mayers to contact Lennar regarding the status of the retention pond, and directed Ms. Kupferer to provide a summary of all vendor contracts including the responsibilities and expiration dates.

OTHER BUSINESS:

Director Geist discussed a desire to reduce the mill levy. Ms. Mayers advised that the outstanding bonds would have to be reviewed before adjusting the mill levy. The Board discussed creation of committees for landscaping, finance and community outreach.

EXECUTIVE SESSION:

Not needed.

ADJOURNMENT:

There being no further business to come before the Board and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 1:18 p.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the Fallbrook Villas Metropolitan District.



President

**RECORD OF PROCEEDINGS
MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
FALLBROOK VILLAS METROPOLITAN DISTRICT**

HELD: Thursday, July 7, 2022 at 11:00 a.m., via video and teleconference.

ATTENDANCE:

The special meeting of the Board of Directors of the Fallbrook Villas Metropolitan District, Adams County, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

KimNichelle Rivera, President, 2022-2025
Jolene Simon, Treasurer, 2022-2023
Shawn Williams, Director, 2022-2025
Vacancy (Director Makray resigned following the June 9, 2022 meeting)
Vacancy (Director Geist resigned prior to the July 7, 2022 meeting)

Also in attendance were Melissa Kupferer and Sky Smeltzer of Advance HOA, Lisa K. Mayers, Esq. of Spencer Fane LLP, and members of the public.

CALL TO ORDER:

It was noted for the record that a quorum was present and the meeting was called to order at 11:02 a.m.

APPROVAL OF AGENDA AND MEETING LOCATION:

Upon motion duly made, seconded and upon vote unanimously carried, the Board approved the meeting location and Agenda as presented.

PUBLIC COMMENT:

Ms. Makray asked about the status of irrigation repairs and work being performed by Brightview. Ms. Kupferer provided a status update. Ms. Makray asked about the Division of Local Government 5.5% letter. Ms. Mayers provided an update.

DISCUSS MANAGEMENT CONTRACT WITH ADVANCEHOA:

Mr. Smeltzer addressed the Board regarding the reason for submitting a termination letter on behalf of AdvanceHOA including the difficulties with Mr. Geist. The Board discussed its desire to continue the AdvanceHOA contract, the role of the consultants including the consultants' role in complying with district requirements, bill.com and open meeting laws. Ms. Mayers discussed the role of legal and legal billing. AdvanceHOA stated that it will work with Simmons and Wheeler regarding the information available on bill.com and request that Simmons and Wheeler provide

RECORD OF PROCEEDINGS

Fallbrook Villas Metropolitan District

July 7, 2022

Page 2

provide actual invoices to the Board. The Board agreed to submit additional questions to the appropriate consultant.

OTHER BUSINESS:

The Board discussed the vacancies on the Board including the possible appointment of Mr. Geist to the Board. Upon motion duly made, seconded and upon vote unanimously carried, the Board declined appointing Mr. Geist to the Board. The Board discussed Director Simon remaining as Treasurer and electing Director Rivera as President. Upon motion duly made, seconded and upon vote unanimously carried, the Board approved electing Director Rivera as President. The Board approved scheduling a special meeting for Wednesday, July 27, 2022 at 11:00 a.m.

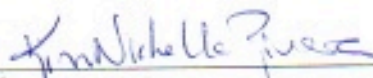
EXECUTIVE SESSION:

Not needed.

ADJOURNMENT:

There being no further business to come before the Board and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 11:47 a.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the Fallbrook Villas Metropolitan District.



President

**RECORD OF PROCEEDINGS
MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
FALLBROOK VILLAS METROPOLITAN DISTRICT**

HELD: Monday, October 17, 2022 at 10:00 a.m.
via WebEx Videoconference

ATTENDANCE:

The special meeting of the Board of Directors of the Fallbrook Villas Metropolitan District, Adams County, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

KimNichelle Rivera, President, (2022-2025)
Shawn Williams, Director (2022-2025)
Jolene Simon, Treasurer (2022-2023)
Rich Vogt (2022-2023)
Vacancy

Also in attendance were Melissa Kupferer of Advance HOA, Lisa K. Mayers, Esq. of Spencer Fane LLP, John Simmons of Simmons & Wheeler, and a number of members of the public.

CALL TO ORDER:

It was noted for the record that a quorum was present and the meeting was called to order by Ms. Rivera at 10:05 a.m.

APPROVAL OF AGENDA AND MEETING LOCATION:

Upon motion and second, the meeting location and agenda were approved.

PUBLIC COMMENT:

Mr. Geist discussed the timing of the response to his recent CORA request. He also spoke about the City's abatement project, the ownership of Tracts in the community, the lawn care schedule, snow removal and obtaining bids for the same.

APPROVAL OF MINUTES:

The Board reviewed and upon motion by Ms. Rivera, second by Ms. Simon, approved the minutes for the July 27, 2022 meeting as presented.

RECORD OF PROCEEDINGS

Fallbrook Villas Metropolitan District

October 17, 2022

Page 2

FINANCIAL MATTERS:

Mr. Simmons reviewed the payment of claims. The claims presented were, upon motion by Ms. Simon and second by Ms. Rivera, ratified by unanimous vote of the Board. Mr. Simmons reported that September financial statements were not yet available so no financial reports were reviewed. Mr. Simmons explained the mill levy calculation to the Board and how and why it differed from the Service Plan provisions. Mr. Simmons also discussed and reviewed the District's audit report. He noted that the 2021 audit had been filed and was a "clean opinion," which is a good report for the District. The Board had not yet received a copy of the 2021 audit report, so the Board reserved taking any action on the 2021 audit until each Director had an opportunity to review. Ms. Mayers stated that acceptance of the 2021 audit report would be added to the next meeting agenda. Mr. Simmons also reviewed the draft budget, but the Board did not yet have a copy of the draft budget. Mr. Simmons noted that the Board will need to conduct a public hearing on the proposed 2023 budget and that adjustments can be made at that time when the budget is fully reviewed and analyzed by the Board. Mr. Simmons agreed to deliver a copy of the draft 2023 budget following the meeting.

ATTORNEY ITEMS:

Ms. Mayers reported on the status of the Tract transfers from Lennar. Prior to the meeting, she has supplied copies of the transfer deeds and assessor records to Ms. Rivera. She noted that there are a couple of Tracts that still show as being owned by Lennar, despite that conveyance deeds had been recorded. The Board directed Spencer Fane to contact the Assessor and/or Clerk and Recorder to correct the ownership records. Ms. Mayers then discussed the status of the abatement reimbursement and the fact that the Tracts had been transferred and the District had been contacted by the City regarding the need for maintenance/repair prior to the abatement. With respect to the plat maps and ownership of areas, Ms. Mayers referred the Board to the Plat and the fact that District Tracts surround most of the exterior of the community. A note on the Plat also states that adjacent property owners are responsible for maintenance and repair of areas immediately adjacent to their properties. Ms. Mayers suggested that members of the Board obtain a copy of the Plat and walk the community to determine the location of Tracts as depicted on the Plat versus individual residential lots which are also depicted. Ms. Mayers advised that since the District now owns the Tracts which contain the retention ponds, the District will be responsible for maintenance of the retention ponds and the Board should consult with its landscape contractor regarding maintenance and a maintenance schedule. Mr. Vogt agreed to follow up with the landscape contractor on the maintenance issues.

DIRECTOR MATTERS:

The Board discussed retention of a new accounting firm. Ms. Mayers had previously supplied the Board with references to companies that provide accounting services to special districts. Mr. Vogt asked about questions to ask accounting firms, the scope of services provided, and requested a copy of the Simmons & Wheeler engagement letter as a sample of the services needed. Tree replacement and sidewalk repairs performed by Lennar last fall were discussed and Ms. Kupferer

RECORD OF PROCEEDINGS

Fallbrook Villas Metropolitan District

October 17, 2022

Page 3

Ms. Kupferer provided the information that she had on the issue. The Board discussed efficiencies for having meeting minutes prepared to save some expense. The Board asked Ms. Mayers to prepare and circulate initial draft minutes and the Board would supplement the draft with additional details from the meeting. The Board also discussed parking enforcement within the community. Ms. Mayers advised that the District may enforce parking restrictions on any areas it owns, including roads and gravel/rock areas at the end of each street. The Board discussed purchasing signs to address parking issues and Ms. Kupferer advised that she can assist with purchasing signs.

ADVANCE HOA:

Ms. Kupferer provided a manager's report to the Board. The annual calendar of meetings has an incorrect date that needs to be corrected. She discussed the covenant enforcement and fine process. Once the enforcement performed by Advance HOA has been exhausted, files will be referred to Spencer Fane for further enforcement. The discussion of the Brightview proposal and contract was tabled for discussion at the next Board meeting so that a representative of Brightview could be present. The condition of the retaining wall was discussed. Some volunteers have been reassembling the wall but not making the repairs permanent. The Board discussed with legal counsel the ability to continue the repairs.

OTHER BUSINESS:

None

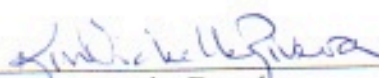
EXECUTIVE SESSION:

None

ADJOURNMENT:

There being no further business to come before the Board and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 12:04 p.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the Fallbrook Villas Metropolitan District.


Secretary to the Board

**RECORD OF PROCEEDINGS
MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
FALLBROOK VILLAS METROPOLITAN DISTRICT**

HELD:

Thursday, the 1st day of December, 2022 at 1:00 p.m. via telephone and videoconference

ATTENDANCE:

The special meeting of the Board of Directors (the “Board”) of the Fallbrook Villas Metropolitan District (the “District”), Adams County, State of Colorado, was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

KimNichelle Rivera, President, (2022-2025)
Shawn Williams, Director (2022-2025)
Jolene Simon, Treasurer (2022-2023)
Rich Vogt (2022-2023)
Vacancy

Also in attendance were Lisa K. Mayers, Esq. of Spencer Fane LLP, Melissa Kupferer of Advance HOA, John Simmons of Simmons & Wheeler, and Mike Olson of BrightView Landscape Services, Inc.

CALL TO ORDER:

It was noted for the record that a quorum was present for the purposed of conducting a special meeting of the Board and was called to order at 1:05 p.m.

APPROVAL OF AGENDA AND MEETING LOCATION:

Upon motion made by Director J. Simon, seconded by Director R. Vogt, and upon vote unanimously carried, the meeting location and agenda were approved by the Board.

PUBLIC COMMENT:

None.

APPROVAL OF MINUTES:

The Board reviewed the minutes of the October 17, 2022 Special Meeting and upon motion by Director J. Simon, seconded by Director R. Vogt, and upon vote unanimously carried the Board approved the minutes for the October 17, 2022 Special Meeting, as presented.

RECORD OF PROCEEDINGS

Fallbrook Villas Metropolitan District

December 1, 2022

Page 2

AUDIT ITEMS:

Mr. Simmons noted that the 2021 audit had been reviewed at the prior meeting and that it was necessary for the Board to ratify the filing of the audit. Upon motion made by Director J. Simon, seconded by Director R. Vogt, and upon vote unanimously carried, the Board ratified approval of the filing of the 2021 audit.

FINANCIAL MATTERS:

Review and Consider Ratification of Payment of Claims. The Board tabled; no action was taken.

Review and Consider Approval of Accountant's Reports. The Board tabled; no action was taken.

ACCOUNTING SERVICES WITH SIMONSON & ASSOCIATES, INC.:

Review and Consider Ratification of Accounting Services Agreement. The Board reviewed the Simonson & Associates, Inc. accounting agreement. Upon motion made by Director R. Vogt, seconded by Director S. Williams, and upon vote unanimously carried, the Board ratified approval of the accounting agreement, as presented.

2022 BUDGET AMENDMENT:

It was noted that an amendment to the 2022 budget was not needed.

2023 BUDGET:

Ms. Mayers noted that notice of proper publication had been made in order for the Board to conduct a public hearing for the 2023 budget. The public hearing was opened. There being no public present to comment, upon motion made by Director J. Simon, seconded by Director S. Williams, and upon vote unanimously carried, the public hearing was closed. The Board reviewed and discussed the proposed 2023 budget and District water bills. Following discussion and upon motion made by Director J. Simon, seconded by Director S. Williams, and upon vote unanimously carried, the Board approved the 2023 budget, as presented. Ms. Kupferer will investigate prior water bills to assist with determining the annual costs of water.

ATTORNEY ITEMS:

Consider for Approval of 2023 Annual Administrative Matters Resolution. Ms. Mayers presented the resolution to the Board. The Board reviewed and discussed the resolution and amendments to be made. Following discussion, upon motion made by Director K. Rivera, seconded by Director J. Simon and upon vote unanimously carried, the Board approved the resolution subject to changes made by Ms. Mayers.

Consider for Approval of Worker's Compensation Exclusion Resolution. Ms. Mayers presented the resolution to the Board. The Board reviewed and upon motion made by Director K. Rivera,

RECORD OF PROCEEDINGS

Fallbrook Villas Metropolitan District

December 1, 2022

Page 3

seconded by Director S. Williams, and upon vote unanimously carried, the Board approved the resolution, as presented.

Consider for Approval of Resolution Calling Regular 2023 Election. Ms. Mayers presented the resolution to the Board. Discussion ensued. Following discussion and upon motion made by Director K. Rivera, seconded by Director J. Simon, and upon vote unanimously carried, the Board approved the resolution subject to changes made by Ms. Mayers.

Review and Consider Ratification of Code of Conduct Agreement. Ms. Mayers presented the agreement to the Board. Discussion ensued. Following discussion and upon motion made by Director K. Rivera, seconded by Director S. Williams, and upon vote unanimously carried, the Board ratified approval of the agreement, as presented.

Review and Consider Ratification of Conduct of Meetings Policy. Ms. Mayers presented the agreement to the Board. Discussion ensued. Following discussion and upon motion made by Director K. Rivera, seconded by Director S. Williams, and upon vote unanimously carried, the Board ratified approval of the agreement subject to changes made by Ms. Mayers.

DIRECTOR MATTERS:

Mr. Olson provided a report to the Board regarding services performed by BrightView Landscape Services, Inc. The Board asked questions regarding landscape services and snow removal services. The Board then discussed the covenant violation report presented by Ms. Kupferer and discussed the reasons for redaction to exclude personal identifying information in the public report. The Board discussed the process for ARC reviews, eblast messages to residents regarding updating contact information with the District Manager, reminder messages to keep garage doors closed, and holiday greetings.

ADVANCE HOA:

Ms. Kupferer provided a manager's report to the Board. The Board discussed the violations and delinquencies. The Board discussed the two landscape violations and determined it was appropriate to put the matters on hold until spring 2023.

OTHER BUSINESS:

None

EXECUTIVE SESSION:

Executive session conducted per CRS Section 24-6-402(4)(b) and (e) to discuss with legal counsel managing resident relationships and communications. Ms. Mayers determined that the executive session consisted of attorney-client privileged discussions, no recording kept.

RECORD OF PROCEEDINGS

Fallbrook Villas Metropolitan District

December 1, 2022

Page 4

ADJOURNMENT:

There being no further business to come before the Board and upon motion duly made, seconded and upon vote unanimously carried, the meeting was adjourned at 3:10 p.m.

The foregoing minutes constitute a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the Fallbrook Villas Metropolitan District.



President to the Board