

# FAIRWAYS METROPOLITAN DISTRICT

141 Union Boulevard, Suite 150  
Lakewood, Colorado 80228-1898  
Tel: 303-987-0835 • 800-741-3254  
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## NOTICE OF REGULAR MEETING AND AGENDA OF THE BOARD OF DIRECTORS OF THE FAIRWAYS METROPOLITAN DISTRICT AND OF THE WASTEWATER UTILITY ENTERPRISE

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Wilmer “Catt” Wilson	President	2027/May 2027
Doug Bacon	Vice President	2025/May 2025
Jeff Reh	Treasurer	2027/May 2027
Scott A. Hemphill	Assistant Secretary	2025/May 2025
Douglas Wendel	Assistant Secretary	2025/May 2025
David Solin	Secretary	
Jon Pavlovic	Director Emeritus	

DATE: November 7, 2023 (Tuesday)

TIME: 5:00 P.M.

PLACE: THIS DISTRICT BOARD MEETING WILL BE HELD BY CONFERENCE CALL WITHOUT ANY INDIVIDUALS (NEITHER DISTRICT REPRESENTATIVES NOR THE GENERAL PUBLIC) ATTENDING IN PERSON. IF YOU WOULD LIKE TO ATTEND THIS MEETING, PLEASE CALL IN TO THE CONFERENCE CALL:

<https://us02web.zoom.us/j/5469119353?pwd=SmtlcHJETFhCQUZEcVBBOGZVU3Fqdz09>

**Phone Number:** 1 (253) 215-8782

**Meeting ID:** 546 911 9353

**Passcode:** 912873

### I. COMMUNITY COMMENTS

A. \_\_\_\_\_

### II. ADMINISTRATIVE MATTERS

A. Present Disclosures of Potential Conflicts of Interest.

\_\_\_\_\_

B. Approve Agenda; confirm location of meeting and posting of meeting notices.

\_\_\_\_\_

C. Review and approve Minutes of the September 6, 2023 Special Meeting (enclosure).

\_\_\_\_\_

- D. Consider Regular Meeting dates for 2024 (suggested dates are January \_\_, April \_\_, July \_\_ and October \_\_, 2024). Review and consider approval of Resolution No. 2023-11-07; Annual Resolution.
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III. FINANCIAL MATTERS

- A. Review and ratify the approval of the payment of claims as follows (enclosures):

Fund	Period ending Aug. 31, 2023	Period ending Sept. 30, 2023	Period ending Oct. 31, 2023
General	\$ 8,143.93	\$ 3,342.30	\$ 7,684.00
Capital	\$ -0-	\$ -0-	\$ -0-
Enterprise	\$ 9,942.59	\$ 66,802.03	\$ 108,805.70
<b>Total Claims</b>	<b>\$ 18,086.52</b>	<b>\$ 70,144.33</b>	<b>\$ 116,489.70</b>

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- B. Review and accept the unaudited preliminary financial statements and cash position schedule for the period ending September 30, 2023 (enclosure).
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- C. Consider engagement of Dazzio & Associates, PC for preparation of 2022 Audit, in the amount of \$ \_\_\_\_\_ (to be distributed).
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- D. Conduct Public Hearing to consider Amendment to 2023 Budget (if necessary) and consider adoption of Resolution to Amend the 2023 Budget and Appropriate Expenditures.
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- E. Conduct Public Hearing on the proposed 2024 Budget and consider adoption of Resolution to Adopt the 2024 Budget and Appropriate Sums of Money and Set Mill Levies for General Fund \_\_\_\_\_, Debt Service Fund \_\_\_\_\_, and Other Fund(s) \_\_\_\_\_ for a total mill levy of \_\_\_\_\_ (enclosures – preliminary AV, draft 2024 Budget, and Resolutions).
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- F. Consider authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.
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- G. Consider appointment of District Accountant to prepare the 2025 Budget, and set the date of the Budget Hearing as \_\_\_\_\_, 2024.
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IV. LEGAL MATTERS

- A. Discuss status of Memorandum of Understanding with Lake Valley Golf Club (enclosure).
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V. ENGINEERING / OPERATIONS MATTERS

- A. Operator's Report.
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1. Review Monthly Status Reports
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2. Discuss manhole sealing along Country Club.
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- B. Engineer's Report.
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- C. Engineering Committee Report.
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VI. OTHER MATTERS

- A. Discuss status of the extra pond covers.
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- VII. ADJOURNMENT **THERE ARE NO MORE REGULAR MEETINGS SCHEDULED FOR 2023.**

# RECORD OF PROCEEDINGS

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## MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE FAIRWAYS METROPOLITAN DISTRICT AND THE BOARD OF DIRECTORS OF THE WASTEWATER UTILITY ENTERPRISE HELD SEPTMEBER 6, 2023

A Regular Meeting of the Board of Directors of the Fairways Metropolitan District (the “District”) and the Board of Directors of the Wastewater Utility Enterprise (referred to hereafter collectively as the “Board”) was duly called and held on Wednesday, the 6<sup>th</sup> day of September, 2023, at 5:00 p.m. The District Board meeting was held via Zoom. The meeting was open to the public.

### ATTENDANCE

#### Directors In Attendance Were:

Wilmer “Catt” Wilson  
Douglas Wendel  
Doug Bacon

Following discussion, upon motion duly made by Director Wilson, seconded by Director Bacon and, upon vote, unanimously carried, the absence of Director Hemphill was excused.

#### Also In Attendance Were:

David Solin; Special District Management Services, Inc.

Jon Pavlovic; Director Emeritus

Thomas George Esq.; Spencer Fane LLP

Nick Marcotte; Element Engineering, LLC

Gabrielle Begeman; ORC Water Professionals, Inc. (“ORC”)

Marta Galnick; Resident and liaison between the District and the Lake Valley Golf Course

Jeffrey “Jeff” Reh; Board Candidate

### COMMUNITY COMMENTS

Community Comments: There were no community comments.

## RECORD OF PROCEEDINGS

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### **DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST**

**Disclosure of Potential Conflicts of Interest:** Mr. Solin noted that a quorum was present and discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to 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. There were no additional disclosures made.

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### **ADMINISTRATIVE MATTERS**

**Agenda:** Mr. Solin reviewed with the Board a proposed Agenda for the District's Regular Meeting.

Following discussion, upon motion duly made by Director Wilson, seconded by Director Bacon and, upon vote, unanimously carried, the Agenda was approved, as amended.

**Minutes:** Mr. Solin reviewed with the Board the Minutes of the April 20, 2023 Regular Meeting.

Following discussion, upon motion duly made by Director Wilson, seconded by Director Bacon and, upon vote, unanimously carried, the Board approved the Minutes of the April 20, 2023 Regular Meeting, as presented.

**Appointment of Director:** The Board discussed the vacancies on the Board. The Board considered the appointment of Jeffrey Reh to the Board of Directors.

Following discussion, upon motion duly made by Director Wilson, seconded by Director Bacon and, upon vote, unanimously carried, the Board appointed Mr. Reh to fill a vacant position on the Board of Directors. The Oath of Office was administered.

**Appointment of Officers:** The Board entered into discussion regarding the appointment of officers.

Following discussion, upon motion duly made by Director Bacon, seconded by Director Wendel and, upon vote, unanimously carried, the following slate of officers was appointed:

President	Wilmer "Catt" Wilson
Vice President	Doug Bacon
Treasurer	Jeff Reh
Secretary	David Solin
Assistant Secretary	Douglas Wendel
Assistant Secretary	Scott A. Hemphill

## RECORD OF PROCEEDINGS

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### FINANCIAL MATTERS

**Claims:** Mr. Solin reviewed with the Board the payment of claims through the periods ending as follows:

Fund	Period ending April 30, 2023	Period ending May 31, 2023	Period ending June 30 2023	Period ending July 31, 2023
General	\$ 6,594.57	\$ 6,781.04	\$ 4,945.44	\$ 3,081.62
Capital	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Enterprise	\$ 16,720.19	\$ 24,323.17	\$ 31,747.43	\$ 30,981.00
<b>Total Claims</b>	<b>\$ 23,314.76</b>	<b>\$ 31,104.21</b>	<b>\$ 36,692.87</b>	<b>\$ 34,062.62</b>

Following review and discussion, upon motion duly made by Director Bacon, seconded by Director Wilson and, upon vote, unanimously carried, the Board ratified approval of the payment of the claims, as presented.

**Unaudited Financial Statements:** Mr. Solin presented the unaudited financial statements and cash position schedule for the period ending June 30, 2023.

Following review and discussion, upon motion duly made by Director Wendell, seconded by Director Wilson and, upon vote, unanimously carried, the Board accepted the unaudited financial statements and cash position schedule for the period ending June 30, 2023.

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### LEGAL MATTERS

**Memorandum of Understanding (“MOU”) between the District and Lake Valley Golf Club (“LVGC”):** Mr. Pavlovic and Attorney George discussed with the Board the MOU between the District and LVGC. The Board directed that the MOU be transmitted to LVGC for execution.

**Statutory Requirements and Restrictions for Board Activities:** Attorney George discussed with the Board the statutory requirements and restrictions for Board activities.

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### ENGINEERING/ OPERATIONS MATTERS

**Monthly Operations Reports from ORC Water Professionals, Inc. (“ORC”):** Ms. Begeman reviewed with the Board the Monthly Operations Reports from ORC.

*Status of lining in ponds:* Ms. Begeman discussed state concerns with the possibility that ponds 8 and 13 are not lined.

*Sludge Removal:* It was noted that 84,000 gallons of sludge was removed.

*Manhole Sealing along Country Club:* Ms. Begeman discussed with the Board the manhole sealing along Country Club. Ms. Begeman will contact Guildner to see if any infiltration points can be identified.

## RECORD OF PROCEEDINGS

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Calibration of the Influent Meter: Ms. Begeman discussed with the Board the status of calibration of the influent meter. It was noted that the influent meter has been calibrated.

Scheduling plant tour for Directors: Mr. Pavlovic discussed with the Board the scheduling of a plant tour for the Directors. Mr. Pavlovic will take two Directors at a time to view the plant.

Engineer's Report: There was no report at this time.

Memorandum from Element Engineering LLC: The Board discussed the Memorandum from Element Engineering LLC. The Board appointed Director Emeritus Pavlovic to tour other sites and check references. It was noted that Director Bacon offered to assist as requested.

Proposals from Green Valley Landscape and Alpen Fence & Barrier: The Board deferred discussion.

Discharge Permit Renewal: The Board deferred discussion.

Engineering Committee Report: The Board discussed the community outreach efforts being made to educate the neighborhood as to what is acceptable to flush and what is not.

OTHER MATTERS Extra Pond Covers: Mr. Solin and Mr. Pavlovic discussed the extra pond covers with the Board. It was noted that there were no known parties at this time.

ADJOURNMENT There being no further business to come before the Board at this time, upon motion duly made by Director Bacon, seconded by Director Wendel and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: \_\_\_\_\_  
Secretary for the Meeting

## RESOLUTION NO. 2023-11-01

### RESOLUTION OF THE BOARD OF DIRECTORS OF THE FAIRWAYS METROPOLITAN DISTRICT ESTABLISHING REGULAR MEETING DATES, TIME, AND LOCATION, ESTABLISHING DISTRICT WEBSITE AND DESIGNATING LOCATION FOR POSTING OF 24-HOUR NOTICES

A. Pursuant to Section 32-1-903(1.5), C.R.S., special districts are required to designate a schedule for regular meetings, indicating the dates, time and location of said meetings.

B. Pursuant to Section 32-1-903(5), C.R.S., “location” means the physical, telephonic, electronic, or virtual place, or a combination of such means where a meeting can be attended. “Meeting” has the same meaning as set forth in Section 24-6-402(1)(b), C.R.S., and means any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication.

C. Pursuant to Section 24-6-402(2)(c)(I), C.R.S., special districts are required to designate annually at the board of directors of the district’s first regular meeting of each calendar year, the public place at which notice of the date, time and location of regular and special meetings (“**Notice of Meeting**”) will be physically posted at least 24 hours prior to each meeting (“**Designated Public Place**”). A special district is deemed to have given full and timely notice of a regular or special meeting if it posts its Notice of Meeting at the Designated Public Place at least 24 hours prior to the meeting.

D. Pursuant to Section 24-6-402(2)(c)(III), C.R.S., special districts are relieved of the requirement to post the Notice of Meeting at the Designated Public Place, and are deemed to have given full and timely notice of a public meeting, if a special district posts the Notice of Meeting online at a public website of the special district (“**District Website**”) at least 24 hours prior to each regular and special meeting.

E. Pursuant to Section 24-6-402(2)(c)(III), C.R.S., if a special district is unable to post a Notice of Meeting on the District Website at least 24 hours prior to the meeting due to exigent or emergency circumstances, then it must physically post the Notice of Meeting at the Designated Public Place at least 24 hours prior to the meeting.

F. Pursuant to Section 32-1-903(1.5), C.R.S., all meetings of the board that are held solely at physical locations must be held at physical locations that are within the boundaries of the district or that are within the boundaries of any county in which the district is located, in whole or in part, or in any county so long as the physical location does not exceed twenty (20) miles from the district boundaries unless such provision is waived.

G. The provisions of Section 32-1-903(1.5), C.R.S., may be waived if: (1) the proposed change of the physical location of a meeting of the board appears on the agenda of a meeting; and (2) a resolution is adopted by the board stating the reason for which meetings of the board are to be held in a physical location other than under Section 32-1-903(1.5), C.R.S., and further stating the date, time and physical location of such meeting.



NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Fairways Metropolitan District (the “**District**”), Boulder County, Colorado:

1. That the provisions of Section 32-1-903(1.5), C.R.S., be waived pursuant to the adoption of this Resolution.

2. That the Board of Directors (the “**District Board**”) has determined that conducting meetings at a physical location pursuant to Section 32-1-903(1.5), C.R.S., would be inconvenient and costly for the directors and consultants of the District in that they live and/or work outside of the twenty (20) mile radius requirement.

3. That regular meetings of the District Board for the year 2023 shall be held on January \_\_, 2024, April \_\_, 2024, July \_\_, 2024 and October \_\_, 2024 at 5:30 p.m., via Zoom.

4. That special meetings of the District Board shall be held as often as the needs of the District require, upon notice to each director.

5. That, until circumstances change, and a future resolution of the District Board so designates, the physical location and/or method or procedure for attending meetings of the District Board virtually (including the conference number or link) shall appear on the agenda(s) of said meetings.

6. That the residents and taxpaying electors of the District shall be given an opportunity to object to the meeting(s) physical location(s), and any such objections shall be considered by the District Board in setting future meetings.

7. That the District Board authorizes establishment of a District Website, if such District Website does not already exist, in order to provide full and timely notice of meetings of the District Board online pursuant to the provisions of Section 24-6-402(2)(c)(III), C.R.S.

8. That, That, the District has established a District website, <https://fairwaysmd.colorado.gov/>, the Notice of Meeting of the District Board shall be posted on the District Website at least 24 hours prior to each meeting pursuant to Section 24-6-402(2)(c)(III), C.R.S. and Section 32-1-903(2), C.R.S.

9. That, if the District is unable to post the Notice of Meeting on the District Website at least 24 hours prior to each meeting due to exigent or emergency circumstances, the Notice of Meeting shall be posted within the boundaries of the District at least 24 hours prior to each meeting, pursuant to Section 24-6-402(2)(c)(I) and (III), C.R.S., at the following Designated Public Place:

(a) Lake Valley Mailbox Board – All four Bulletin Boards: Fairways Drive, Niblick Drive, Golf Club Drive and Spyglass Lane, Longmont, Colorado

10. Doug Wendel, or his/her designee, is hereby appointed to post the above-referenced notices.

**[signature page follows]**

**[SIGNATURE PAGE TO RESOLUTION ESTABLISHING REGULAR MEETING DATES, TIME, AND LOCATION, ESTABLISHING DISTRICT WEBSITE AND DESIGNATING LOCATION FOR 24-HOUR NOTICES]**

RESOLUTION APPROVED AND ADOPTED on November 7, 2023.

**FAIRWAYS METROPOLITAN DISTRICT**

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

Attest:

\_\_\_\_\_  
Secretary

Fairways Metropolitan District  
August-23

Vendor	Invoice #	Date	Due Date	Amount	Expense Account	Account Number
Badger Meter Inc	80133885	7/29/2023	7/29/2023	\$ 3.80	Plant Maintenance & Repair	4-750
Dazzio & Associates	634	7/28/2023	7/28/2023	\$ 5,100.00	Audit	1-615
Diversified Underground, Inc.	28096	7/31/2023	7/31/2023	\$ 255.00	Utilities	4-790
Lake Valley Golf Club	2023 August	8/18/2023	8/18/2023	\$ 550.00	LVGC Maintenance Agreement	4-786
ORC Water Professionals, Inc	257759	7/31/2023	7/31/2023	\$ 1,078.00	Permits and Testing	4-780
ORC Water Professionals, Inc	257759	7/31/2023	7/31/2023	\$ 4,796.00	Plant Maintenance & Repair	4-750
ORC Water Professionals, Inc	257759	7/31/2023	7/31/2023	\$ 1,082.55	Plant Operator	4-755
Special District Management Services	Jul-23	7/31/2023	7/31/2023	\$ 48.00	Election	1-635
Special District Management Services	Jul-23	7/31/2023	7/31/2023	\$ 7.15	Supplies and Expenses	1-690
Special District Management Services	Jul-23	7/31/2023	7/31/2023	\$ 575.00	Billing Service	1-616
Special District Management Services	Jul-23	7/31/2023	7/31/2023	\$ 1,081.20	Accounting	1-612
Special District Management Services	Jul-23	7/31/2023	7/31/2023	\$ 982.00	Administrative Services	1-614
Spencer Fane, LLP	1208829	7/31/2023	7/31/2023	\$ 69.00	Legal	1-675
UNCC	223070609	7/31/2023	7/31/2023	\$ 10.32	Utilities	4-790
Upper Case Printing, Ink.	785	8/2/2023	8/2/2023	\$ 115.50	Billing Service	1-616
Xcel Energy	837041792	7/19/2023	7/19/2023	\$ 2,166.92	Utilities	4-790
Xpress Bill Pay	INV-XPR003869	7/31/2023	8/5/2023	\$ 166.08	Billing Service	1-616

\$ 18,086.52

Fairways Metropolitan District  
August-23

	General	Capital	Enterprise	Totals
Disbursements	\$ 8,143.93		9,942.59	\$ 18,086.52
Payroll				\$ -
Total Disbursements from Checking Acct	\$ 8,143.93	\$ -	\$ 9,942.59	\$ 18,086.52

Fairways Metropolitan District  
September-23

Vendor	Invoice #	Date	Due Date	Amount	Expense Account	Account Number
Aqua-Aerobic Systems, Inc.	1038792	8/29/2023	8/29/2023	\$ 50,414.00	Capital/Maint/Repair (WWTP)	4-820
Badger Meter Inc	80136641	8/30/2023	8/30/2023	\$ 3.80	Plant Maintenance & Repair	4-750
CO Dept of Public H & E	WP241138316	7/27/2023	7/27/2023	\$ 1,501.00	Permits and Testing	4-780
CO Dept of Public H & E	WP241138359	7/27/2023	7/27/2023	\$ 1,025.00	Permits and Testing	4-780
DPC Industries, Inc	DE73000597-23	7/31/2023	7/31/2023	\$ 100.00	Chemicals	4-782
DPC Industries, Inc	737003178-23	8/15/2023	8/15/2023	\$ 2,323.46	Chemicals	4-782
Diversified Underground, Inc.	27916	6/30/2023	6/30/2023	\$ 100.00	Utilities	4-790
Diversified Underground, Inc.	28279	8/31/2023	8/31/2023	\$ 25.00	Utilities	4-790
Lake Valley Golf Club	2023 September	9/14/2023	9/14/2023	\$ 550.00	LVGC Maintenance Agreement	4-786
ORC Water Professionals, Inc	257883	8/31/2023	8/31/2023	\$ 600.00	Permits and Testing	4-780
ORC Water Professionals, Inc	257883	8/31/2023	8/31/2023	\$ 7,400.00	Plant Maintenance & Repair	4-750
ORC Water Professionals, Inc	257883	8/31/2023	8/31/2023	\$ 1,082.55	Plant Operator	4-755
Path Point Merchant Services Llc	400743 07/2023	7/31/2023	7/31/2023	\$ 130.92	Billing Service	1-616
SDA	35530	8/29/2023	8/29/2023	\$ 175.00	Miscellaneous	1-685
Special District Management Services	Aug-23	8/31/2023	8/31/2023	\$ 32.00	Election	1-635
Special District Management Services	Aug-23	8/31/2023	8/31/2023	\$ 12.03	Supplies and Expenses	1-690
Special District Management Services	Aug-23	8/31/2023	8/31/2023	\$ 544.60	Billing Service	1-616
Special District Management Services	Aug-23	8/31/2023	8/31/2023	\$ 1,369.20	Accounting	1-612
Special District Management Services	Aug-23	8/31/2023	8/31/2023	\$ 1,032.60	Administrative Services	1-614
UNCC	223080609	8/31/2023	8/31/2023	\$ 5.16	Utilities	4-790
Xcel Energy	841148596	8/17/2023	8/17/2023	\$ 1,672.06	Utilities	4-790
Xpress Bill Pay	INV-XPR004662	8/31/2023	9/5/2023	\$ 45.95	Billing Service	1-616
				\$ 70,144.33		

Fairways Metropolitan District  
September-23

	General	Capital	Enterprise	Totals
Disbursements	\$ 3,342.30		66,802.03	\$ 70,144.33
Payroll				\$ -
Total Disbursements from Checking Acct	\$ 3,342.30	\$ -	\$ 66,802.03	\$ 70,144.33

Fairways Metropolitan District  
October-23

Vendor	Invoice #	Date	Due Date	Amount	Expense Account	Account Number
Badger Meter Inc	80139280	9/28/2023	9/28/2023	\$ 3.80	Plant Maintenance & Repair	4-750
Colorado Special District P&L	24WC-58438-0592	8/14/2023	8/14/2023	\$ 500.00	Prepaid Expenses	1-140
DPC Industries, Inc	DE73000696-23	8/31/2023	8/31/2023	\$ 100.00	Chemicals	4-782
Diversified Underground, Inc.	28446	9/30/2023	9/30/2023	\$ 95.00	Utilities	4-790
Douglas A. Wendel	9/6/2023- Meeting	10/19/2023	10/19/2023	\$ 92.35	Director Fees Payable	1-314
Element Engineering, LLC	0001C-02	9/30/2023	9/30/2023	\$ 225.00	Engineering	4-677
Freedom Mailing Service, Inc	46281	10/3/2023	11/2/2023	\$ 194.45	Billing Service	1-616
Lake Valley Golf Club	2023 October	10/19/2023	10/19/2023	\$ 550.00	LVGC Maintenance Agreement	4-786
McDonald Farms Enterprises Inc	0086412-IN	7/31/2023	8/15/2023	\$ 3,777.00	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0086225-IN	7/31/2023	8/15/2023	\$ 1,334.00	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0087145-IN	8/17/2023	9/1/2023	\$ 2,614.00	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0087111-IN	8/17/2023	9/1/2023	\$ 2,614.00	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0087872-IN	8/28/2023	9/12/2023	\$ 3,111.50	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0088742-IN	8/31/2023	9/15/2023	\$ 2,244.00	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0087095-IN	8/17/2023	9/1/2023	\$ 2,521.50	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0086865-IN	8/15/2023	8/30/2023	\$ 1,769.00	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0086872-IN	8/15/2023	8/30/2023	\$ 3,396.50	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0088741-IN	8/31/2023	9/15/2023	\$ 3,718.00	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0087652-IN	8/24/2023	9/8/2023	\$ 2,521.50	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0087852-IN	8/28/2023	9/12/2023	\$ 6,536.00	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0087406-IN	8/22/2023	9/6/2023	\$ 2,429.00	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0087733-IN	8/25/2023	9/9/2023	\$ 4,739.00	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0087112-IN	8/17/2023	9/1/2023	\$ 2,521.50	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0086482-IN	7/31/2023	8/15/2023	\$ 1,334.00	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0087863-IN	8/28/2023	9/12/2023	\$ 3,718.00	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0088178-IN	8/30/2023	9/14/2023	\$ 4,739.00	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0087865-IN	8/28/2023	9/12/2023	\$ 3,336.50	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0086871-IN	8/15/2023	8/30/2023	\$ 2,521.50	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0088743-IN	8/31/2023	9/15/2023	\$ 2,186.50	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0087146-IN	8/17/2023	9/1/2023	\$ 5,076.50	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0087110-IN	8/17/2023	9/1/2023	\$ 2,766.50	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0086237-IN	7/31/2023	8/15/2023	\$ 1,259.00	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0088179-IN	8/30/2023	9/14/2023	\$ 3,568.00	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0087113-IN	8/17/2023	9/1/2023	\$ 4,799.00	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0086998-IN	8/16/2023	8/31/2023	\$ 2,521.50	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0088740-IN	8/31/2023	9/15/2023	\$ 4,536.50	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0087871-IN	8/28/2023	9/12/2023	\$ 1,843.00	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0087094-IN	8/17/2023	9/1/2023	\$ 2,521.50	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0087147-IN	8/17/2023	9/1/2023	\$ 2,521.50	Plant Maintenance & Repair	4-750
McDonald Farms Enterprises Inc	0086870-IN	8/15/2023	8/30/2023	\$ 2,521.50	Plant Maintenance & Repair	4-750
ORC Water Professionals, Inc	258004	9/30/2023	9/30/2023	\$ 312.00	Permits and Testing	4-780
ORC Water Professionals, Inc	258004	9/30/2023	9/30/2023	\$ 6,599.69	Plant Maintenance & Repair	4-750
ORC Water Professionals, Inc	258004	9/30/2023	9/30/2023	\$ 1,082.55	Plant Operator	4-755
Path Point Merchant Services Llc	400743 09.2023	9/30/2023	9/30/2023	\$ 6.43	Billing Service	1-616
Path Point Merchant Services Llc	400743 08.2023	8/31/2023	8/31/2023	\$ 93.58	Billing Service	1-616
Special District Management Services	Sep-23	9/30/2023	9/30/2023	\$ 96.00	Election	1-635
Special District Management Services	Sep-23	9/30/2023	9/30/2023	\$ 167.61	Supplies and Expenses	1-690
Special District Management Services	Sep-23	9/30/2023	9/30/2023	\$ 423.00	Billing Service	1-616
Special District Management Services	Sep-23	9/30/2023	9/30/2023	\$ 2,107.60	Accounting	1-612
Special District Management Services	Sep-23	9/30/2023	9/30/2023	\$ 2,566.80	Administrative Services	1-614
Spencer Fane, LLP	1225040	9/30/2023	9/30/2023	\$ 1,259.00	Legal	1-675
Spencer Fane, LLP	1217852	8/31/2023	8/31/2023	\$ 69.00	Legal	1-675
UNCC	223090607	9/30/2023	9/30/2023	\$ 6.45	Utilities	4-790
Wilmer Wilson	9/6/2023- Meeting	10/19/2023	10/19/2023	\$ 92.35	Director Fees Payable	1-314
Xcel Energy	845382438	9/18/2023	9/18/2023	\$ 2,214.71	Utilities	4-790
Xpress Bill Pay	INV-XPR005467	9/30/2023	10/5/2023	\$ 15.83	Billing Service	1-616

\$ 116,489.70

---

<u>Check Issue Date</u>	<u>Check Number</u>	<u>Payee</u>	<u>Amount</u>
10/19/2023	9315	Douglas A. Wendel	92.35
10/19/2023	9316	Wilson, Wilmer W.	92.35
Grand Totals:			
			<u>184.70</u>
	<u>2</u>		

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Fairways Metropolitan District  
October-23

	General	Capital	Enterprise	Totals
Disbursements	\$ 7,499.30		108,805.70	\$ 116,305.00
Payroll	\$ 184.70			\$ 184.70
Total Disbursements from Checking Acct	\$ 7,684.00	\$ -	\$ 108,805.70	\$ 116,489.70

**FAIRWAYS METROPOLITAN DISTRICT**  
**Schedule of Cash Position**  
**September 30, 2023**

	<b>Rate</b>	<b>Operating</b>	<b>Enterprise</b>	<b>Total</b>
<b>Checking:</b>				
Cash in Checking-1st Bank		\$ 22,840.10	\$ 16,920.83	\$ 39,760.93
<b>Investments:</b>				
Cash in Bank-ColoTrust	5.5058%	19,534.34	-	19,534.34
1st Bank Liquid Asset	2.5000%	162,842.78	201,752.32	364,595.10
<b>TOTAL FUNDS:</b>		\$ 205,217.22	\$ 218,673.15	\$ 423,890.37

**2023 Mill Levy Information**

General Fund	3.545
Total Certified Mill Levy	3.545

**Board of Directors**

Wilmer Wilson  
Douglas Wendel  
Scott A. Hemphill  
Douglas P. Bacon

\* authorized signer on checking account

**FAIRWAYS METROPOLITAN DISTRICT**  
**FINANCIAL STATEMENTS**  
**September 30, 2023**

**FAIRWAYS METROPOLITAN DISTRICT**  
**Combined Balance Sheet- All Fund Types**  
**September 30, 2023**

	<b>General</b>	<b>Enterprise</b>	<b>Total</b>
<b>Assets</b>			
Cash in Checking-1st Bank	\$ 22,840	\$ 16,921	\$ 39,761
Cash in Bank-ColoTrust	19,534	-	19,534
1st Bank Liquid Asset	162,843	201,752	364,595
Xpress Deposit Account	1,738	-	1,738
Accounts Receivable-Customer	-	14,854	14,854
	<u>206,955</u>	<u>233,527</u>	<u>440,482</u>
<b>Capital Assets</b>			
Sewer Treatment System	-	4,150,456	4,150,456
Accumulated Depreciation	-	(2,084,362)	(2,084,362)
	<u>-</u>	<u>2,066,094</u>	<u>2,066,094</u>
<b>Total Assets</b>	<u><u>\$ 206,955</u></u>	<u><u>\$ 2,299,621</u></u>	<u><u>\$ 2,506,576</u></u>
<b>Liabilities</b>			
Payroll Taxes Payable	\$ 31	\$ -	\$ 31
2013 CWPA Loan	-	860,031	860,031
2016 CWPA Loan	-	240,700	240,700
2018 CWPA Loan	-	143,375	143,375
	<u>(339)</u>	<u>1,244,106</u>	<u>1,243,767</u>
<b>Fund Balance</b>			
Net Investment Capital Assets	-	956,851	956,851
Fund Balance	160,849	130,301	291,151
Current Year Earnings	46,445	(31,638)	14,807
	<u>207,294</u>	<u>1,055,515</u>	<u>1,262,809</u>
<b>Total Liabilities, Deferred Inflows of Resources and Fund Balance</b>	<u><u>\$ 206,955</u></u>	<u><u>\$ 2,299,621</u></u>	<u><u>\$ 2,506,576</u></u>

**FAIRWAYS METROPOLITAN DISTRICT**  
**Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual**  
**For the 9 Months Ending**  
**September 30, 2023**  
**General Fund**

	2022 Actual	2023 3rd Qtr Actual	2023 YTD Actual	Budget	Favorable (Unfavorable) Variance	% of Budget
<b>Revenues</b>						
Property Taxes	\$ 88,928	\$ 25,298	\$ 96,038	\$ 87,038	\$ 9,000	110.3%
Specific Ownership Taxes	3,976	996	2,575	3,500	(925)	73.6%
Interest Income	1,290	2,752	5,018	300	4,718	1672.5%
<b>Total Revenues</b>	<u>94,194</u>	<u>29,045</u>	<u>103,631</u>	<u>90,838</u>	<u>12,793</u>	<u>114.1%</u>
<b>Expenditures</b>						
Accounting	13,764	3,799	12,770	19,300	6,530	66.2%
Administrative Services	20,342	3,012	16,407	25,000	8,593	65.6%
Audit	4,900	5,100	5,100	5,300	200	96.2%
Billing Service	10,518	1,842	6,111	7,400	1,289	82.6%
Director's Fees	1,200	-	400	1,200	800	33.3%
Election	767	96	1,553	1,000	(553)	155.3%
Insurance & Bonds	3,584	-	8,235	7,725	(510)	106.6%
Legal	3,427	150	2,843	7,500	4,657	37.9%
Payroll Taxes	92	-	-	92	92	0.0%
Miscellaneous	2,289	487	1,078	1,500	422	71.9%
Supplies and Expenses	1,509	24	557	2,500	1,943	22.3%
Treasurer's Fees	1,335	549	2,133	1,306	(827)	163.3%
Contingency	-	-	-	20,000	20,000	0.0%
Emergency Reserve	-	-	-	2,725	2,725	0.0%
<b>Total Expenditures</b>	<u>63,727</u>	<u>15,059</u>	<u>57,187</u>	<u>102,548</u>	<u>45,361</u>	<u>55.8%</u>
Excess (Deficiency) of Revenues Over Expenditures	30,467	13,986	46,445	(11,710)	58,155	
Beginning Fund Balance	130,383	193,308	160,849	254,204	(93,355)	
<b>Ending Fund Balance</b>	<u>\$ 160,850</u>	<u>\$ 207,294</u>	<u>\$ 207,294</u>	<u>\$ 242,494</u>	<u>\$ (35,200)</u>	

**FAIRWAYS METROPOLITAN DISTRICT**  
**Statement of Revenues, Expenditures and Changes in Funds Available - Budget and Actual**  
**For the 9 Months Ending**  
**September 30, 2023**  
**Enterprise Fund**

	2022 Actual	2023 3rd Qtr Actual	2023 YTD Actual	Budget	Favorable (Unfavorable) Variance	% of Budget
<b>Revenues</b>						
Sewer Service Fees	\$ 300,656	\$ 74,841	\$ 224,384	\$ 297,560	\$ (73,176)	75.4%
Interest	-	-	-	50	(50)	0.0%
<b>Total Revenues</b>	<u>300,656</u>	<u>74,841</u>	<u>224,384</u>	<u>297,610</u>	<u>(73,226)</u>	<u>75.4%</u>
<b>Expenditures</b>						
Engineering	4,067	-	760	15,000	14,240	5.1%
Insurance & Bonds	3,883	-	-	4,500	4,500	0.0%
Supplies and Expenses	-	347	347	-	(347)	-
Plant Maintenance & Repair	58,847	32,445	86,701	65,000	(21,701)	133.4%
Plant Operator	12,991	3,248	8,660	18,000	9,340	48.1%
Permits and Testing	10,469	5,064	8,274	15,000	6,726	55.2%
Chemicals	22,807	7,044	21,202	10,000	(11,202)	212.0%
Jetting & Televising	28,385	-	1,869	20,000	18,131	9.3%
Collection System Repair	-	-	-	15,000	15,000	0.0%
LVGC Maintenance Agreement	6,600	1,650	4,950	6,600	1,650	75.0%
Utilities	20,497	7,514	20,057	35,000	14,943	57.3%
2013 CWPA Loan Principal	78,185	-	39,092	78,185	39,093	50.0%
2016 CWPA Loan Principal	16,600	-	8,300	16,600	8,300	50.0%
2018 CWPA Loan Principal	9,250	-	4,625	9,250	4,625	50.0%
Plant & System Upgrades	862	-	770	40,000	39,230	1.9%
Capital/Maint/Repair (WWTP)	-	50,414	50,414	-	(50,414)	-
Contingency	-	-	-	40,000	40,000	0.0%
<b>Total Expenditures</b>	<u>273,442</u>	<u>107,726</u>	<u>256,022</u>	<u>388,135</u>	<u>132,113</u>	<u>66.0%</u>
Excess (Deficiency) of Revenues Over Expenditures	27,214	(32,884)	(31,638)	(90,525)	58,887	
Net Investment Capital Assets	821,989	956,851	956,851	-	956,851	
Beginning Funds Available	1,065,817	131,548	130,301	(31,765)	162,066	
<b>Ending Funds Available</b>	<u>\$ 1,087,154</u>	<u>\$ 1,055,515</u>	<u>\$ 1,055,515</u>	<u>\$ (122,290)</u>	<u>\$ 1,177,805</u>	



**Cynthia Braddock**

PO Box 471, 13<sup>th</sup> and Pearl  
Boulder, Colorado 80306-0471

Phone: (303) 441-3530

FAX: (303) 441-4996

[www.BoulderCountyAssessor.org](http://www.BoulderCountyAssessor.org)



August 21, 2023

**AUG 28 2023**

Fairways Metro District  
Lisa Johnson  
141 Union Blvd Ste #150  
Lakewood, OC 80228-1898

This is to certify that, as of August 21st, per C.R.S. 39-5-128(1) the assessed value for the Fairways Metro District, for the purpose of taxation for the year 2023 is:

35,534,084

This valuation is subject to change by the County Board of Equalization (C.R.S. 39-8-107(2)), the State Board of Assessment Appeals (C.R.S. 39-2-125), the State Board of Equalization (C.R.S. 39-9-103), and the correction of errors by the Assessor or Treasurer (C.R.S. 39-5-125.2). Values listed in the enclosed Certification letter are **preliminary values and should not be used to determine your budget and/or mill levy for next year.**

These values **do not** reflect reductions in value for SB-238. We will be able to provide information to each district on the impact of SB-238, as well as HB-303, around September 15<sup>th</sup>. Reductions **will be reflected (for either SB-238 or HB-303 if passed)** in the Certification of Value letters sent for Final Certification.

If you have any questions about the value or other information on this letter, need to update your district contact information please contact Erin Gray at [egray@bouldercounty.gov](mailto:egray@bouldercounty.gov).

Sincerely,

Cynthia Braddock  
Boulder County Assessor

**CERTIFICATION OF VALUATION BY  
BOULDER COUNTY ASSESSOR**

FWMD

New Tax Entity  YES  NO

Date: August 21, 2023

**NAME OF TAX ENTITY:** FAIRWAYS METRO DIST GENERAL OPERATING

**USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATIONS (5.5% LIMIT) ONLY**

IN ACCORDANCE WITH 39-5-121(2)(a) and 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES THE TOTAL VALUATION FOR ASSESSMENT FOR THE TAXABLE YEAR :

1. PREVIOUS YEAR'S NET TOTAL ASSESSED VALUATION:	1. \$	<u>\$24,552,440</u>
2. CURRENT YEAR'S GROSS TOTAL ASSESSED VALUATION: ‡	2. \$	<u>\$35,534,084</u>
3. LESS TOTAL TIF AREA INCREMENTS, IF ANY:	3. \$	<u>\$0</u>
4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	4. \$	<u>\$35,534,084</u>
5. NEW CONSTRUCTION: *	5. \$	<u>\$53,051</u>
6. INCREASED PRODUCTION OF PRODUCING MINE: ≈	6. \$	<u>\$0</u>
7. ANNEXATIONS/INCLUSIONS:	7. \$	<u>\$0</u>
8. PREVIOUSLY EXEMPT FEDERAL PROPERTY: ≈	8. \$	<u>\$0</u>
9. NEW PRIMARY OIL AND GAS PRODUCTION FROM ANY PRODUCING OIL AND GAS LEASEHOLD OR LAND (29-1-301(1)(b), C.R.S.) ☉:	9. \$	<u>\$0</u>
10. TAXES RECEIVED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1)(a), C.R.S.). Includes all revenue collected on valuation not previously certified:	10. \$	<u>\$0</u>
11. TAXES ABATED AND REFUNDED AS OF AUG. 1 (29-1-301(1)(a), C.R.S.) and (39-10-114(1)(a)(I)(B), C.R.S.):	11. \$	<u>\$0</u>

‡ This value reflects personal property exemption IF enacted by the jurisdiction as authorized by Art . X, Sec. 20(8)(b), Colo. Constitution  
 \* New Construction is defined as: Taxable real property structures and personal property connected with the structure .  
 ≈ Jurisdiction must submit to the Division of Local Government respective Certifications of Impact in order for the values to be treated as growth in the limit calculation; use forms DLG52 & 52A.  
 ☉ Jurisdiction must apply to the Division of Local Government before the value can be treated as growth in the limit calculation; use Form (DLG 52B).

**USE FOR TABOR "LOCAL GROWTH" CALCULATION ONLY**

IN ACCORDANCE WITH ART. X, SEC. 20, COLO. CONSTITUTION AND 39-5-121(2)(b), C.R.S., THE ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR :

1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: ¶	1. \$	<u>\$504,389,958</u>
<b>ADDITIONS TO TAXABLE REAL PROPERTY</b>		
2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: *	2. \$	<u>\$784,200</u>
3. ANNEXATIONS/INCLUSIONS:	3. \$	<u>\$0</u>
4. INCREASED MINING PRODUCTION: §	4. \$	<u>\$0</u>
5. PREVIOUSLY EXEMPT PROPERTY:	5. \$	<u>\$0</u>
6. OIL OR GAS PRODUCTION FROM A NEW WELL:	6. \$	<u>\$0</u>
7. TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT: (If land and/or a structure is picked up as omitted property for multiple years, only the most current year's actual value can be reported as omitted property. ):	7. \$	<u>\$0</u>

**DELETIONS FROM TAXABLE REAL PROPERTY**

8. DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:	8. \$	<u>\$0</u>
9. DISCONNECTIONS/EXCLUSIONS:	9. \$	<u>\$0</u>
10. PREVIOUSLY TAXABLE PROPERTY:	10. \$	<u>\$0</u>

¶ This includes the actual value of all taxable real property plus the actual value of religious, private schools, and charitable real property.  
 \* Construction is defined as newly constructed taxable real property structures.  
 § Includes production from a new mines and increase in production of existing producing mines.

IN ACCORDANCE WITH 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES TO SCHOOL DISTRICTS:

**TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY** \$ \$0

IN ACCORDANCE WITH 39-5-128(1.5), C.R.S., THE ASSESSOR PROVIDES:

**HB21-1312 VALUE OF EXEMPT BUSINESS PERSONAL PROPERTY (ESTIMATED): \*\*** \$ \$7,537

\*\* The tax revenue lost to this exempted value will be reimbursed to the tax entity by the County Treasurer in accordance with 39-3-119.5(3). C.R.S.



**FAIRWAYS METROPOLITAN DISTRICT**  
**Assessed Value, Property Tax and Mill Levy Information**

	<b>2022 Actual</b>	<b>2023 Adopted Budget</b>	<b>2024 Preliminary Budget</b>
<b>Assessed Valuation</b>	\$ 25,089,131	\$ 24,552,440	\$ 35,534,084
<b>Mill Levy</b>			
General Fund	3.545	3.545	3.545
Temporary Mill Levy Reduction	-	-	-
Refunds and Abatements	-	-	-
<b>Total Mill Levy</b>	3.545	3.545	3.545
<b>Property Taxes</b>			
General Fund	\$ 88,941	\$ 87,038	\$ 125,968
Temporary Mill Levy Reduction	-	-	-
Refunds and Abatements	-	-	-
<b>Actual/Budgeted Property Taxes</b>	\$ 88,941	\$ 87,038	\$ 125,968

**FAIRWAYS METROPOLITAN DISTRICT**

**GENERAL FUND  
2024 Preliminary Budget  
with 2022 Actual, 2023 Adopted Budget and 2023 Estimated**

	<b>2022 Actual</b>	<b>01/23-06/23 YTD Actual</b>	<b>2023 Adopted Budget</b>	<b>2023 Estimated</b>	<b>2024 Preliminary Budget</b>
<b>BEGINNING FUND BALANCE</b>	\$ 130,383	\$ 160,849	\$ 254,204	\$ 160,849	\$ 173,026
<b>REVENUE</b>					
Property Taxes	88,928	70,741	87,038	87,038	125,968
Specific Ownership Taxes	3,976	1,580	3,500	2,750	3,500
Interest Income	1,289	2,266	300	3,750	2,750
<b>Total Revenue</b>	<b>94,193</b>	<b>74,586</b>	<b>90,838</b>	<b>93,538</b>	<b>132,218</b>
<b>Total Funds Available</b>	<b>224,576</b>	<b>235,436</b>	<b>345,042</b>	<b>254,387</b>	<b>305,244</b>
<b>EXPENDITURES</b>					
Accounting	13,764	8,971	19,300	19,300	20,500
Administrative Services	20,342	13,395	25,000	25,000	26,500
Audit	4,900	-	5,300	5,300	6,000
Billing Service	10,518	4,268	7,400	7,400	8,250
Director's Fees	1,200	400	1,200	1,200	1,200
Election	767	1,457	1,000	1,750	-
Insurance & Bonds	3,584	8,235	7,725	8,235	8,750
Legal	3,427	2,693	7,500	7,500	8,000
Payroll Taxes	92	-	92	92	92
Miscellaneous	2,289	592	1,500	1,500	1,500
Supplies and Expenses	1,509	534	2,500	2,500	2,500
Treasurer's Fees	1,335	1,584	1,306	1,584	1,890
Contingency	-	-	20,000	-	20,000
<b>Total Expenditures</b>	<b>63,727</b>	<b>42,128</b>	<b>99,823</b>	<b>81,361</b>	<b>105,182</b>
<b>TRANSFERS AND OTHER SOURCES (USES)</b>					
Emergency Reserve	-	-	2,725	-	3,967
Transfer from Enterprise Fund	-	-	-	-	-
Transfer to Enterprise	-	-	-	-	-
<b>Total Expenditures Requiring Appropriation</b>	<b>63,727</b>	<b>42,128</b>	<b>102,548</b>	<b>81,361</b>	<b>109,149</b>
<b>ENDING FUND BALANCE</b>	<b>\$ 160,849</b>	<b>\$ 193,308</b>	<b>\$ 242,494</b>	<b>\$ 173,026</b>	<b>\$ 196,096</b>

**FAIRWAYS METROPOLITAN DISTRICT**

**ENTERPRISE FUND**

**2024 Preliminary Budget**

with 2022 Actual, 2023 Adopted Budget and 2023 Estimated

	<b>2022 Actual</b>	<b>01/23-06/23 YTD Actual</b>	<b>2023 Adopted Budget</b>	<b>2023 Estimated</b>	<b>2024 Preliminary Budget</b>
BEGINNING FUND BALANCE	\$ 237,950	\$ 265,165	\$ (31,765)	\$ 265,165	\$ 128,590
<b>REVENUE</b>					
Sewer Service Fees	300,656	149,543	297,560	297,560	333,267
Interest	-	-	50	-	50
<b>Total Revenue</b>	<b>300,656</b>	<b>149,543</b>	<b>297,610</b>	<b>297,560</b>	<b>333,317</b>
<b>Total Funds Available</b>	<b>538,606</b>	<b>414,708</b>	<b>265,845</b>	<b>562,725</b>	<b>461,907</b>
<b>EXPENDITURES</b>					
Engineering	4,067	760	15,000	15,000	16,000
Insurance & Bonds	3,883	-	4,500	4,500	4,750
Plant Maintenance & Repair	58,847	54,256	65,000	115,000	65,000
Plant Operator	12,991	5,413	18,000	18,000	19,250
Permits and Testing	10,469	3,210	15,000	12,000	12,750
Chemicals	22,807	14,159	10,000	35,000	37,250
Jetting & Televising	28,385	1,869	20,000	10,000	15,000
Collection System Repair	-	-	15,000	15,000	16,000
LVGC Maintenance Agreement	6,600	3,300	6,600	6,600	6,600
Utilities	20,497	12,543	35,000	32,000	35,000
2013 CWPA Loan Principal	78,185	39,092	78,185	78,185	78,185
2016 CWPA Loan Principal	16,600	8,300	16,600	16,600	16,600
2018 CWPA Loan Principal	9,250	4,625	9,250	9,250	9,250
Plant & System Upgrades	862	770	40,000	52,000	20,000
Capital Contingency	-	-	40,000	15,000	40,000
<b>Total Expenditures</b>	<b>273,441</b>	<b>148,296</b>	<b>388,135</b>	<b>434,135</b>	<b>391,635</b>
<b>TRANSFERS AND OTHER SOURCES (USES)</b>					
Transfer from General Fund	-	-	-	-	-
Transfer to General Fund	-	-	-	-	-
<b>Total Expenditures Requiring Appropriation</b>	<b>273,441</b>	<b>148,296</b>	<b>388,135</b>	<b>434,135</b>	<b>391,635</b>
ENDING FUND BALANCE	\$ 265,165	\$ 266,412	\$ (122,290)	\$ 128,590	\$ 70,272

**RESOLUTION NO. 2023-11-02**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF THE FAIRWAYS METROPOLITAN DISTRICT**  
**TO ADOPT THE 2024 BUDGET AND APPROPRIATE SUMS OF MONEY**

WHEREAS, the Board of Directors of the Fairways Metropolitan District (“District”) has appointed the District Accountant to prepare and submit a proposed 2024 budget to the Board at the proper time; and

WHEREAS, the District Accountant has submitted a proposed budget to this Board on or before October 15, 2023, for its consideration; and

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 7, 2023, and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, the budget has been prepared to comply with all terms, limitations and exemptions, including, but not limited to, reserve transfers and expenditure exemptions, under Article X, Section 20 of the Colorado Constitution ("TABOR") and other laws or obligations which are applicable to or binding upon the District; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

WHEREAS, the Board of Directors of the District has made provisions therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget; and

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, as more fully set forth in the budget, including any interfund transfers listed therein, so as not to impair the operations of the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Fairways Metropolitan District:

1. That the budget as submitted, amended, and summarized by fund, hereby is approved and adopted as the budget of the Fairways Metropolitan District for the 2024 fiscal year.
2. That the budget, as hereby approved and adopted, shall be certified by the Secretary of the District to all appropriate agencies and is made a part of the public records of the District.

3. That the sums set forth as the total expenditures of each fund in the budget attached hereto as **EXHIBIT A** and incorporated herein by reference are hereby appropriated from the revenues of each fund, within each fund, for the purposes stated.

ADOPTED this 7th day of November, 2023.

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Secretary

EXHIBIT A  
(Budget)

I, David Solin, hereby certify that I am the duly appointed Secretary of the Fairways Metropolitan District, and that the foregoing is a true and correct copy of the budget for the budget year 2024, duly adopted at a meeting of the Board of Directors of the Fairways Metropolitan District held on November 7, 2023.

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

**RESOLUTION NO. 2023-11-03**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF THE FAIRWAYS METROPOLITAN DISTRICT**  
**TO SET MILL LEVIES**

WHEREAS, the Board of Directors of the Fairways Metropolitan District (“District”) has adopted the 2024 annual budget in accordance with the Local Government Budget Law on November 7, 2023; and

WHEREAS, the adopted budget is attached to the Resolution of the Board of Directors to Adopt the 2024 Budget and Appropriate Sums of Money, and such budget is incorporated herein by this reference; and

WHEREAS, the amount of money necessary to balance the budget for general fund expenses from property tax revenue is identified in the budget; and

WHEREAS, the amount of money necessary to balance the budget for debt service fund expenses from property tax revenue is identified in the budget; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Fairways Metropolitan District:

1. That for the purposes of meeting all general fund expenses of the District during the 2024 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

2. That for the purposes of meeting all debt service fund expenses of the District during the 2024 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

3. That the District Accountant of the District is hereby authorized and directed to immediately certify to the County Commissioners of Boulder County, Colorado, the mill levies for the District as set forth in the District’s Certification of Tax Levies (attached hereto as **EXHIBIT A** and incorporated herein by reference), recalculated as needed upon receipt of the final certification of valuation from the County Assessor in order to comply with any applicable revenue and other budgetary limits.

ADOPTED this 7th day of November, 2023.

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Secretary



**EXHIBIT A**  
(Certification of Tax Levies)

I, David Solin, hereby certify that I am the duly appointed Secretary of the Fairways Metropolitan District, and that the foregoing is a true and correct copy of the Certification of Mill Levies for the budget year 2024, duly adopted at a meeting of the Board of Directors of the Fairways Metropolitan District held on November 7, 2023.

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Secretary

**This Memorandum of Understanding (the “MOU” or “Memorandum”), is entered into on \_\_\_\_\_ (the “Effective Date”), by and between Fairways Metropolitan District (the “District”) and Lake Valley Golf Club (the “LVGC”) First Party and Second Party may be referred to individually as the “Party”, or collectively the “Parties).**

**1. MISSION**

The mission of the parties is to collaborate in the service to reuse the Lake Valley Community wastewater for golf course and non-residential landscape irrigation.

**2. PURPOSE AND SCOPE**

The Parties intend for this memorandum to provide an understanding of the primary ownership and responsibility of the parties as it relates to this essential community service.

**3. OBJECTIVES**

The Parties shall endeavor to work together to maintain and improve the practices, documentation and communication required to deliver this community service.

**4. RESPONSIBILITIES AND OBLIGATIONS OF THE PARTIES**

**Fairways Metropolitan District shall render and provide all services in accordance with Colorado Reclaimed Water Control Regulation 84 Notice of Authorization Number COE009000 (NOA COE009000), including, but not limited to:**

- Treatment of domestic sewage to Category 1 reclaimed water standards for Total Suspended Solids and Ecoli,
- Monitor the reclaimed water at the facility effluent and pond 8 point of compliance, COE009000,
- Monitor the Chlorine and Nitrogen levels in pond 8 at least monthly from April 1 to October 31.
- Generate a report at least quarterly summarizing treatment operation, including equipment status, process flow and quality for the facility,
- Monitor the storage volume of reclaimed water in Pond 13 ensuring 3’ of freeboard is maintained at all times as well as seasonally appropriate storage volumes.
- Monitor algae and other water conditions in Pond 13 and treat any conditions that are causing the water to be unsafe for application on the turf.
- Monitor delivery of daily treated effluent and stored treated effluent water to Pond 8 for LVGC’s use, ensuring a minimum transfer capacity of 135 GPM is maintained.
- Oversee the use of reclaimed water by users to ensure, to the maximum extent practicable, attainment and maintenance of compliance with Regulation 84,
- Perform inspections of a representative number and type of user sites annually to determine compliance,
- Submit an annual report to Colorado’s Water Quality Control Division for the previous year by March 31,
- Maintain the cellular service for the Pond 8 flow meter and allow access to the golf club,
- Maintain Mission Communication System for facility flow and pump status and allow access to the golf club,
- Communicate in writing electronically any issues with the above clearly and concisely with the golf club and the management company,

**Lake Valley Golf Club shall render and provide the following services in accordance with Certification Number COE009001 (NOA COE009001), including, but not limited to:**

- Manage the transmission of District daily treated and seasonally stored effluent to Pond 8,
- Training LVGC personnel to properly operate valves and pumping systems,
- Manage daily pump run time to optimize transfer and eliminate impact to treatment facility operations,
- Monitor the storage level of reclaimed water in Pond 13 and maintain seasonally appropriate storage volumes. Ensure the Pond 13 level does not exceed the maximum design capacity of 35' or 3' of freeboard.

Seasonal storage operational guidelines

34' maximum operational level is the seasonal goal for April 30

Approximately 9 million gallons

30' minimum operational level is the seasonal goal for December 31

- Deliver reclaimed water from Pond 8 for landscape irrigation of golf course properties and Lake Valley Estates Homeowners Association,
- Implementation of best management practices to ensure direct and windblown spray and other means of human exposure from irrigation systems are confined to the areas designated and approved,
- Employment of best management practices to ensure that application rates shall be controlled to strictly minimize ponding and runoff and to minimize the amount of applied water and associated pollutants that pass through the root zone of the plants to be irrigated,
- Implement appropriate control measures to strictly minimize the occurrence and impact of releases of reclaimed water to waters of the state from irrigation system malfunctions, breaks, runoff, and overspray,
- Follow the notification requirements for irrigation-related releases of reclaimed water,
- Restrict access to landscaped areas where Category 1 reclaimed water is to be applied
- Report the following to the District for the previous year by January 3:
  - Confirmation that reclaimed water was used only during authorized use times.
- Provide noxious weed management on the District's wastewater treatment facility property,
- Provide mowing of the District's wastewater treatment facility property,
- Maintain the access road to the District's wastewater treatment facility property.
- Collaborate with the district on the management of the pond 13 transmission line
- Collaborate with the district in the management of the pond 8 transmission,
- Communicate in writing any issues with the above clearly and concisely with the District and the management company,

**5. TERM OF UNDERSTANDING**

The term of this Memorandum shall be for a period of one year from the Effective Date. It shall be reviewed and improved as needed to meet the mission, purpose, scope and objectives described above.

**7. LEGAL COMPLIANCE**

The Parties acknowledge and understand that they must be able to fulfill their responsibilities under this Memorandum in accordance with the provisions of the law and regulations that govern their activities. Nothing in the Memorandum is intended to negate or otherwise render ineffective any such provisions or operating procedures. The Parties assume full responsibility for their performance under the terms of this Memorandum.

If at any time either Party is unable to perform their duties or responsibilities under this Memorandum consistent with such Party's statutory and regulatory mandates, the affected Party shall immediately provide written notice to the other Party to establish a date for resolution of the matter.

**8. LIMITATION OF LIABILITY**

No rights or limitation of rights shall arise or be assumed between the Parties as a result of the terms of this Memorandum.

**9. NOTICE**

Any notice or communication required or permitted under this Memorandum shall be sufficiently given if electronically delivered, return receipt requested, to the email addresses set forth in the services sections of this document.

**10. GOVERNING LAW**

This Memorandum shall be governed by and construed in accordance with the laws of the State of Colorado.

**11. AUTHORIZATION AND EXECUTION**

The signing of this Memorandum does not constitute a formal undertaking, and as such it simply intends that the signatories shall strive to reach, to the best of their abilities, the goals and objectives stated in this MOU.

This Agreement shall be signed by Fairways Metropolitan District and Lake Valley Golf Club and shall be effective as of the date first written above.

**FAIRWAYS METROPOLITAN DISTRICT**

**LAKE VALLEY GOLF CLUB**

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

**DRAFT MEMORANDUM OF UNDERSTANDING**  
**For the Reuse of Lake Valley Estates Community Wastewater**

**08/29/2023**

Date

Date



141 Union Boulevard, Suite 150  
Lakewood, CO 80228-1898  
303-987-0835 • Fax: 303-987-2032

## MEMORANDUM

TO: Board of Directors

FROM: Christel Gemski  
Executive Vice-President

DATE: October 12, 2023

RE: Notice of 2024 Rate Increase

A rectangular box containing a handwritten signature in blue ink that reads "Christel Gemski".

In accordance with the Management Agreement (“Agreement”) between the District and Special District Management Services, Inc. (“SDMS”), at the time of the annual renewal of the Agreement, the hourly rate described in Article III for management and all services shall increase by (6.0%) per hour.

We hope you will understand that it is necessary to increase our rates due to increasing gas and operating costs along with new laws and rules implemented by our legislature.