

NOTICE OF SPECIAL MEETING

NOTICE IS HEREBY GIVEN that the Board of Directors of the **FLYING HORSE METROPOLITAN DISTRICT NO. 2**, City of Colorado Springs, El Paso County, Colorado, will hold a special meeting at 8:30 a.m. (or as soon thereafter as the Board determines) on Wednesday, February 1, 2023 at 2138 Flying Horse Club Drive, Colorado Springs, CO 80921, for the purpose of addressing those matters in the agenda set out below as the same may be amended at the meeting and conducting such other business as may properly come before the Board.

The meeting is open to the public.

BY ORDER OF THE BOARD OF DIRECTORS: FLYING HORSE METROPOLITAN DISTRICT NO. 2

By: /s/ Russell W. Dykstra
District Counsel

AGENDA SPECIAL MEETING OF THE BOARD OF DIRECTORS FLYING HORSE METROPOLITAN DISTRICT NO. 2 <https://www.flyinghorsemd.com/>

DATE: Wednesday, February 1, 2023
TIME: 8:30 a.m. (or as soon thereafter as the Board determines)
LOCATION: Offices of Classic Homes
2138 Flying Horse Club Drive
Colorado Springs, CO 80921

WEBEX:
<https://spencerfane.webex.com/spencerfane/j.php?MTID=m37d4a782926d69448fac2ed1214326c1>
Meeting Number: 2599 191 3658
Password: p Xg43vWpcA2h

DIAL-IN: 1-650-479-3208, Access Code: 2599 191 3658

BOARD OF DIRECTORS

George Lenz, President, May 2023
Jerald Richardson, Secretary/Treasurer, May 2025
Douglas Stimple, Asst. Secretary, May 2023
Joseph Loidolt, Asst. Secretary, May 2023
Daniel Mulloy, Asst. Secretary, May 2025

Per the provisions of Section 32-1-903, C.R.S., as amended by HB21-1278, the District may hold meetings of the Board at a physical location or by telephonic, electronic, or virtual means, or a combination of the foregoing.

1. Call to Order
2. Disclosure of Potential Conflicts of Interest
3. Approval of Agenda and Meeting Location
4. Public Comment (limited to 3 minutes per person)
5. Consider for Approval the Minutes of the Special Meeting Held November 18, 2022
6. Financial Reports
 - a. Review and Consider Approval of December 31, 2022 Draft Financial Statements - *Enclosure*
 - b. Review Final 2023 Budget Which Includes the Final DLG-70 - *Post Packet Item*
7. Attorney's Items
 - a. Discuss May 2023 Election – *Enclosure*
8. Director Items
 - a. Discuss Definitive Response Regarding the \$400,000 in Commercial Tax Revenue Forecasted in 2023
 - b. Discuss the Projects, Plans, Specifications, Construction Contracts, Status, etc. for the Improvements Included in the \$11MM that MD No. 1 is Seeking Certification
 - c. Discuss a Motion for MD No. 2 to Approve or Disapprove All or Part of the \$11MM in Projects as Valid Qualified Facilities and/or Improvements that Meet the Requirements for Reimbursement as Specified in the Service Plan and According to the IGA
 - d. Discuss Feedback and Resolution Plans Going Forward to Address the Conflict Director Mulloy Addressed at the November 18, 2022 Meeting
 - e. Discuss Setting a Schedule for Board Meetings to be held Every Other Month for 2023
 - f. Discuss the Recent Interquest Court Decision and Impact on District - *Enclosure*
 - g. Discuss the Contractual Agreement Encompassing the Scope, Responsibilities, Statement of Work and Deliverables Covering the \$1,802,830 Claimed for the 5% Management Fee in the RE Tech+ Reports from 2005 to 2015 including Written or Implied Warranties
 - h. Review the Compliance Section, Pages 13 and 14 of the Service Plan - *Enclosure*
 - i. Discuss Annual Reports from 2005 to 2018
 - ii. Is the Reporting Sufficient for the Highlighted Items in the Service Plan
 - i. Discuss Director Mulloy and Douglas Stimple's Email Communication
9. Other Business
10. Adjournment/Continuation

Dated this 27th day of January 2023