

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR
MEETING OF THE BOARD OF DIRECTORS OF
THE FOREST VIEW ACRES WATER DISTRICT
AND THE BOARD OF DIRECTORS OF THE
WATER ACTIVITY ENTERPRISE
HELD
SEPTEMBER 25, 2019

ATTENDANCE

In attendance were Directors:

Brad Hogan
Hans Zimmermann
Eckehart Zimmermann
Nancy Wilkins
Victor McBride

Also in attendance were:

Lisa Jacoby; Community Resource Services, LLC (“CRS”)
Clyde Penn; ORC Water Professionals (for a portion of the meeting)
John McGinn; JDS-Hydro Consultants, Inc. (“JDS”)
Pete Johnson, Esq. Vranesh and Raisch, LLP
Barry King, Property Owner (for a portion of the meeting)
Skip Chang, Property Owner (for a portion of the meeting)

ADMINISTRATIVE
ITEMS

The meeting was called to order at 6:00 p.m. at the Monument Sanitation District offices; 130 2nd Street, Monument, CO 80132.

Agenda – Ms. Jacoby distributed for the Board’s approval the proposed Agenda. Following discussion, upon motion duly made by Director Eckehart Zimmermann, seconded by Director Hans Zimmermann and, upon vote, unanimously carried, the Agenda was approved, as presented.

Minutes - The Board reviewed the Minutes of the August 28, 2019 Regular Board meeting. Following discussion, upon motion duly made by Director Eckehart Zimmermann, seconded by Director Hans Zimmermann and, upon vote, unanimously carried, the Minutes of the August 28, 2019 Board Meeting were approved, as presented.

Resolution Adopting the Protections for Consumer Data Privacy Policy – The Board reviewed the Resolution. Following discussion, upon motion duly made by Director Eckehart Zimmermann, seconded by Director Victor McBride, upon vote, unanimously carried, the Resolution Adopting the Protections for Consumer Data Privacy Policy was approved, as presented.

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PUBLIC COMMENT

Manual Meter Reading - Mr. Barry King presented and recited a letter to the Board requesting the Board consider accepting his offer to call-in or send a time-stamped picture of meter readings every month, for billing purposes, and as well, requesting the Board consider a lesser Manual Meter Reading Fee. The Board thanked Mr. King and informed him that they would take his request under consideration later in the meeting. Mr. King left the meeting at 6:10 p.m.

Locating of Water Main in Forest View Road – Mr. Skip Chang addressed the Board regarding water availability for his yet to be constructed home at 18439 Forest View Road (inclusive of the combined lots 18477 Forest View Road; 18460 Stone View Road and one more unassigned address). Mr. Chang noted that home construction could be negatively impacted within as much as 2-months should water not become available.

Discussion ensued regarding the Districts' potholing activities which yielded inconclusive results with determining the location of the water main in relation to Mr. Chang's lots.

The Board thanked Mr. Chang and informed him that they would consider a solution later in executive session and respond regarding the outcome following the meeting. Mr. Chang left the meeting at 6:19 p.m.

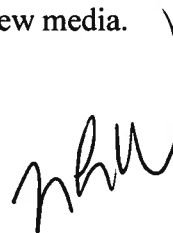
OPERATIONS AND MAINTENANCE ITEMS

ORC Water Professional's August/September 2019 Operations Report – Mr. Penn presented his report to the Board.

Status of Installation of Remaining Beacon Meters – Mr. Penn noted that only two electronic meters remain to be installed (inclusive of Mr. King's meter).

Mr. Penn noted that he required meter parts for an approximate cost of \$1,000. Following discussion, upon motion duly made by Director Wilkins, seconded by Director Eckehart Zimmermann and, upon vote, unanimously carried, the Board approved Mr. Penn's purchase of meter parts for approximately \$1,000.

Surface Water Treatment Plant ("SWTP") Performance – Mr. Penn reported on the status of and the performance of the Surface Water Treatment Plant noting that as proposed, the repairs had been performed by Colorado Springs Pool & Spa for the removal of media from the filters; replacement of laterals and for new media.



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Discussion ensued regarding proper operation for the Arapahoe Water Treatment Plant Meter. Mr. McGinn recommended testing of the meter annually and suggested other entities that could provide assistance.

Options for Underground Facility/Utility Locating Services – Ms. Jacoby noted that although she had made contact several times, a proposal from Alpine Locates had yet to be received. The Board determined to consider further at the October 23, 2019 Board meeting in hopes of receiving the Alpine Locate proposal for consideration along with the two other proposals in their possession.

CAPITAL/ ENGINEERING ITEMS

JSD-Hydro Consultants, Inc. (“JDS”) Monthly Report - Mr. McGinn presented his report.

Status of Disinfection Outreach Verification Effort (“DOVE”) Project - Mr. McGinn reported on the status of the DOVE project noting that efforts continue to pursue a contractor in lieu of J&K to perform this work.

Dawson Well Rehabilitation - Mr. McGinn distributed a Draft Technical Memorandum and reported on the status of the Dawson Well Rehabilitation project. The Memorandum provided the findings of the pump test and water quality sampling completed as well as recommendation on the treatment required to allow the Dawson Well to serve as a drinking water source for the District. It was noted that the best possible score for Microscopic Particulate Analysis (“MPA”) was achieved, indicating the lowest possible risk for the well water to be under the influence of surface water. Mr. McGinn discussed the next step being preparation and submittal to the State of a Basis of Design Report (“BDR”).

Status of Water Connection for 18439 Forest View Road - It was noted that this subject was discussed with Mr. Skip Chang prior in the meeting.

FINANCIAL ITEMS

Treasurers Report / Bank Balances / Transactions - Director Wilkins reported that the Financial Statement cash balances and transactions reconciled with the bank statements.

August 31, 2019 (adjusted as of September 17, 2019) Cash Position and Unaudited Financial Statements for the period ending July 31, 2019, ACH Report, Tap Report and A/R & Delinquency Report – Following review, upon motion duly made by Director Eckert Zimmermann, seconded by Director Hans Zimmermann and, upon vote, unanimously carried, the above reports were accepted as presented.

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Claims – Ms. Jacoby distributed revised claims totaling \$31,255.40 represented by check numbers 04774 – 04792, plus auto payments totaling \$3,464.86 for a grand total of \$34,720.26

Following review, upon motion duly made by Director Hans Zimmermann, seconded by Director McBride and, upon vote, unanimously carried, the claims were approved, as presented.

Mr. Penn left the meeting at this point.

DIRECTOR'S ITEMS

There was none.

OTHER BUSINESS

Look Ahead Schedule - The Board discussed the Look Ahead Schedule and noted an addition.

LEGAL ITEMS

Development of Red Rock Acres (aka Ryan Nevin's property) – Inclusion Agreement - The subject property is described as 54.56 acres with a planned total of 34 single family lots, consisting of eleven (11) 2.5 acre lots and twenty-three (23) 0.5 acres lots.

EXECUTIVE SESSION – Pursuant to 24-6-402(4)(e) of the Colorado Revised Statutes (“C.R.S.”), upon motion duly made by Director Eckehart Zimmermann, seconded by Director Hans Zimmermann and, upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 7:27 p.m. for the purpose of receiving from the Board's attorney legal advice on specific legal questions as authorized by Section 24-6-402(4)(b), related to the extension of the Forest View Road water line and the Red Rock Acres Inclusion Agreement; the development of negotiating positions, strategy, or to instruct negotiators related to the proposed inclusion of the Red Rock Acres property.

Furthermore, pursuant to Section 24-6-402(2)(d.5) (II)(B), C.R.S., no record will be kept of those portions of the executive session that, in the opinion of the Board's attorney, constitute privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

Upon motion duly made by Director Eckehart Zimmermann, seconded by Director McBride and, upon vote, unanimously carried, the Board adjourned into regular session at 7:45 p.m.

Following discussion, upon motion made by Director Eckehart Zimmermann, seconded by Director Hans Zimmermann, the Board approved release of the draft Inclusion Agreement to the developer of

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Red Rock Acres in revised form as discussed, following additional review and authorization prior to release, by the Board via email.

Following discussion the Board directed Mr McGinn to prepare an engineer's estimate for the water line extension in Forest View Acres Road, for approval via email. Ms. Jacoby was directed to respond to Mr. Chang following the meeting regarding the Board's action.

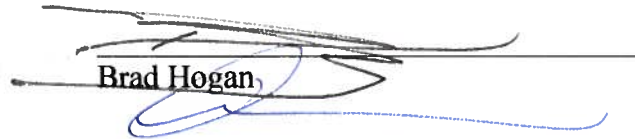
ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at approximately 7:50 p.m.

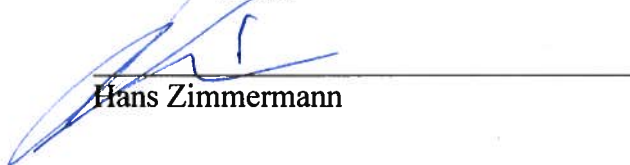
Respectfully submitted,


Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL SEPTEMBER 25, 2019 MINUTES OF THE FOREST VIEW ACRES WATER DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:


Brad Hogan

Eckehart Zimmermann


Hans Zimmermann

Nancy Wilkins


Victor McBride