

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE FOREST VIEW ACRES WATER DISTRICT AND THE BOARD OF DIRECTORS OF THE WATER ACTIVITY ENTERPRISE HELD JANUARY 26, 2022

#### ATTENDANCE

In attendance were Directors:

Brad Hogan; President  
Nancy Wilkins  
Eckehart Zimmerman  
David Pheteplace

Also, in attendance were:

Joel Meggers; Community Resource Services, LLC (“CRS”)  
Gabby Begeman; ORC Water Professionals (“ORC”) (via speakerphone)  
Gwen Dall; JDS Hydro Consultants, Inc. (“JDS”)  
Peter Johnson; Vranesh and Raisch, LLP  
Paul McKean; Resident

#### ADMINISTRATIVE ITEMS

The meeting was called to order at 6:01 p.m. at the Monument Sanitation District offices; 130 2<sup>nd</sup> Street, Monument, CO 80132.

**Agenda** – Mr. Meggers distributed for the Board’s approval the proposed Agenda. Following discussion, upon motion duly made by Director Pheteplace, seconded by Director Zimmermann and, upon vote, unanimously carried, the agenda was approved as amended, deleting items under #V., 4 & 5.

**Minutes** - The Board reviewed the Minutes of the December 15, 2021, Special Board meeting. Motion duly made by Director Zimmermann, second by Director Pheteplace and, upon vote, unanimously carried, the minutes were approved as presented.

**Consider Acceptance of Resignation of Victor McBride** – The Board reviewed the resignation letter from Victor McBride. Motion duly made by Director Zimmermann, second by Director Pheteplace to accept his resignation.

**Interview Candidates for Appointment to Board of Directors** – Paul McKean presented his skills, experience, and interest in serving on the Board. The Board thanked him for his interest and announced they would be considering appointing a new Board member at the next board meeting.

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**Review and Discuss May 2022 Election Items and Deadlines** – Mr. Meggers informed the Board that Self Nomination forms are due by February 25, 2022, and the due date to cancel the election is March 1, 2022 if there are not more candidates than open seats on the board.

### **PUBLIC COMMENT**

None

### **OPERATIONS AND MAINTENANCE ITEMS**

**ORC Water Professional’s Monthly Operations Report** – Ms. Begeman presented and reviewed her report with the Board via phone. Director Zimmermann asked why the Surface Water Plant has been consistently producing more water. Ms. Begeman reported that good stream flows were a contributing factor along with improved remote operations of the Surface Water Plant.

**Update on Curb-stop and Water Meter for Past Due Customer Account** – Ms. Begeman reported that the curb-stop has been located and the water has been shut off.

### **CAPITAL/ ENGINEERING ITEMS**

**JDS-Hydro Consultants, Inc. (“JDS”) Monthly Report** – Ms. Dall presented and reviewed her report with the Board. Director Zimmermann moved to have ORC pursue the Tenorm testing along with JDS. Upon motion duly made by Director Wilkins, upon vote, unanimously carried, the Board approved.

**Consider Approval on an Interconnect IGA with the Town of Monument** – Ms. Dall and Mr. Johnson presented the draft IGA, and they would circulate the document for final comments. They also informed the board that the final draft would soon be on the agenda of the Town of Monument for approval.

### **FINANCIAL ITEMS**

**Treasurers Report / Bank Balances / Transactions** - Mr. Meggers presented the December 31, 2021, Cash Position (adjusted as of January 21, 2022) and Unaudited Financial Statements for the period ending December 31, 2021, upon motion duly made by Director Pheteplice, seconded by Director Zimmermann, upon vote, unanimously carried, the Board accepted the December 31, 2021, Cash Position adjusted as of January 21, 2022, and unaudited Financial Statements for the period ending December 31, 2021.

**Billing Register Report (enclosure)** – No action was required.

**Tap Fee Report (enclosure)** – No action was required.

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**Claims** – The Board reviewed the claims totaling \$75,271.30 represented by check numbers 5165 - 5180, plus auto payments totaling \$3,235.07 for a grand total of \$78,506.37.

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

**OTHER BUSINESS/  
DIRECTORS  
ITEMS  
LEGAL**

**Look Ahead Schedule** – Mr. Meggers reviewed and discussed the look ahead with the Board.

**ADJORN INTO EXECUTIVE SESSION IF NECESSARY Pursuant to §24-6-402(4)(e), C.R.S. to receive legal advice, develop negotiating positions, strategy, or instruct negotiators; and pursuant to §24-6-402(4)(b), C.R.S. to consult attorney on specific legal questions** – Upon motion duly made by Director Zimmermann, seconded by Director Pheteplace, upon vote, unanimously carried, the Board entered into Executive Session at 7:20 pm. to discuss matters related to the property owned by Kathryn Van Der Gugten. Also, to review and to consider the proposal from Curtis Rockwood and consider a letter to the current property owner of Red Rock Acres considering property ownership and plat maps distinction. Upon motion duly made by Director Zimmermann, seconded by Director Pheteplace, upon vote, unanimously carried, the Board exited their Executive Session and entered back into their regular session at 8:00 p.m.

**ADJOURNMENT**

There being no further business to come before the Board, upon motion duly made by Director Zimmermann, seconded by Director Pheteplace, upon vote, unanimously carried, the Board adjourned the meeting at 8:01 p.m.


Respectfully submitted,

  
Secretary for the Meeting

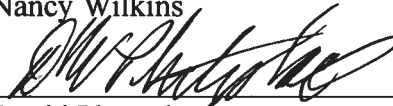
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THESE MINUTES ARE APPROVED AS THE OFFICIAL JANUARY 26, 2022, MINUTES OF THE FOREST VIEW ACRES WATER DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

  
\_\_\_\_\_  
Brad Hogan

\_\_\_\_\_  
Eckehart Zimmermann

Nancy Wilkins  
  
\_\_\_\_\_  
David Pheteplace