

RECORD OF PROCEEDING

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF: FOREST VIEW ACRES WATER DISTRICT AND THE BOARD OF DIRECTORS OF THE WATER ACTIVITY ENTERPRISE HELD THURSDAY AUGUST 28TH, 2024

ADMINISTRATIVE ITEMS

The regular meeting of the Board of Directors of the Forest View Acres Water District, El Paso County, Colorado was called to order on the day shown above by Director Pheteplice in accordance with the laws of the State of Colorado. The following Directors were acting:

David Pheteplice, President, Term Expiration: May 2025
Nancy Wilkins, Term Expiration: May 2025
Paul McKean, Term Expiration: May 2025
Vincent Guthrie, Term Expiration: May 2027
Matt Quinlan, Term Expiration: May 2027
Gregory Hoffman, Term Expiration: May 2025
P.K. Robinson, Term Expiration: May 2025

Also present were:

Marty Taylor, Resident
Joel Meggers; Community Resource Services, LLC (“CRS”)
Molly Couture; Community Resource Services, LLC (“CRS”)
Peter Johnson; Vranesh and Raisch, LLP
Andrea Kehrl; Vranesh and Raisch, LLP
Gabby Begeman; ORC Water Professionals
Mike Waresak, Forsgren Associates, Inc.

CALL TO ORDER

A quorum of the Board was present, and the meeting was called to order at 6:17 p.m.

APPROVE AGENDA

Ms. Couture presented for the Board’s approval the proposed Agenda. Upon motion duly made by Director Guthrie, seconded by Director Hoffman and, upon vote, unanimously carried, as presented.

MINUTES

The Board reviewed the Minutes of the July 24th, 2024, Regular Board meeting. Motion duly made by Director McKean, seconded by Director Wilkins and, upon vote, unanimously carried, the minutes were approved, as presented.

PUBLIC COMMENT

Mr. Taylor addressed the Board with a request for the District to fund the replacement of his pressure release valve that totaled a cost of \$1215.00. He cited the replacement of a line from Native Suns to fix a leak, which led to the

need for the PRV. The Board had a conversation about responsibility for PRVs. Ms. Begeman shared the context about Mr. Taylor's property and the conditions of the repairs. Due to the unique nature of the system on his property, there was an effort to avoid any future leaks in the repairs. Therefore, the Board supported the need for the PRV replacement. Motion duly made by Director McKean, seconded by Director Quinlin and, upon vote, unanimously carried, to reimburse Marty Taylor his total cost of approximately \$1215.00.

OPERATIONS REPORT AND MAINTENANCE ITEMS

ORC Water Professional's Monthly Operations Report – Ms. Begeman operations report was shared with the Board of Directors. She updated the Board on the status of the cellular devices for the PRV pits. Director Guthrie asked a follow up question regarding historical data regarding the new pump.

CAPITAL / ENGINEERING ITEMS

Forsgren Engineering Updates – Mr. Waresak reviewed and discussed the monthly report prepared by Forsgren Associates, Inc.

Mr. Waresak addressed the Emergency Interconnect Project and shared the status of the interconnect with Monument. The vault was delivered on August 7th. Valves should be delivered in September, causing a slight delay. Director Pheteplice asked a question regarding a reimbursement from CORE electric.

The Surface Water Treatment Plant project bids are due on Friday September 6th. He will bring bids to the September meeting.

Mr. Waresak also shared updates regarding the Clovenhoof Loop Project.

Mr. Meggers presented the Cash Flow Analysis. The Board of Directors discussed the impact of the Cash Flow, and Mr. Meggers will bring more data including 2026 numbers to the next meeting. They discussed rate increases and supporting justifications. Motion duly made by Director McKean, seconded by Director Hoffman and, upon vote, unanimously carried, the Directors agreed to take under consideration a rate increase with supporting justification at the September 2024 meeting and will notify customers accordingly.

FINANCIAL ITEMS

Mr. Guthrie presented the monthly cash position and unaudited financial statements that were provided in the board packet.

- Billing Register Report (enclosure) – No action was required.
- Tap Fee Report (enclosure) – No action was required.
- ARPA Expense Form & Summary (enclosure) – No action was required.

Payment of Claims: Mr. Guthrie presented the current payment of claims in the amount of \$68,831.86. Following review, upon motion duly made by Director Hoffman, seconded by Director Pheteplice, upon vote, unanimously carried, the claims were approved, as presented.

The Board

DIRECTORS ITEMS / OTHER BUSINESS

Look Ahead Schedule – Ms. Couture reviewed and discussed the look ahead with the Board.

Cellular Coverage – Director McKean updated the Board regarding cellular coverage.

LEGAL MATTERS

ADJOURN 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, pursuant to §24-6-402(4)(b), C.R.S. to consult attorney on specific legal questions.

Motion duly made by Director McKean to move into Executive Session at 6:34 p.m. seconded by Director Hoffman and, upon vote, unanimously carried, the Board moved to Executive Session to review and discuss contract negotiations regarding the Water Court Case of GTG Red Rock LLC as well as the Waterline Break at 4639 Redstone Ridge.

Motion duly made by Director Quinlin to move out of Executive Session at approximately 7:05 p.m., seconded by Director Wilkins and, upon vote, unanimously carried, the Board moved to return to the regular Agenda.

Motion duly made by Director Wilkins, seconded by Director Hoffman, and upon vote, unanimously carried, to file a Statement of Opposition to the application of the GTG Red Rock LLC in water court case number 24W3020 in Water Division 2.

Motion duly made by Director Quinlin, seconded by Director Wilkins, and upon vote, unanimously carried, the Board approved an ALTA Survey for the location impacting 4639 Redstone Ridge of an amount not to exceed \$8000.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Director Hoffman, seconded by Director Quinlan, upon vote, unanimously carried, the Board adjourned the meeting at 8:13 p.m.

Respectfully submitted,

_____/s/_____

Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL AUGUST 28, 2024 MINUTES OF THE FOREST VIEW ACRES WATER DISTRICT BY THE BOARD SIGNING BELOW:

_____/s/_____

David Pheteplace