

RECORD OF PROCEEDINGS

**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
MARCH 24, 2021**

ATTENDANCE

In attendance were Directors:

Brad Hogan; President
Hans Zimmermann (via speakerphone)
Nancy Wilkins (via speakerphone)
Victor McBride; Treasurer
Eckehart Zimmermann

Also, in attendance were:

Bob Blodgett; Community Resource Services, LLC (“CRS”)
Joel Meggers; Community Resource Services, LLC (“CRS”)
Gabby Begeman; ORC Water Professionals (“ORC”)
John McGinn; JDS Hydro Consultants, Inc.
Paul Zilis; Vranesh and Raisch, LLP
Kathy Van der Gugen; Resident
Lucas Tobler, Paul Zilis, Paul Robinson, Carol Fessler, Denise Geller,
Marty Brodzik, Allison Robinstein, Dave Phetaplace, Janet Giese, John
Gittens, Jose Whan

**ADMINISTRATIVE
ITEMS**

The meeting was called to order at 6:04 p.m. at the Monument Sanitation District offices; 130 2nd Street, Monument, CO 80132.

Agenda – Mr. Blodgett reported the Badger Meter presentation will be postponed to the April meeting. Item 3B can be removed from the agenda. Motion duly made by Director McBride, seconded by Director E. Zimmermann and, upon vote, unanimously carried, the Agenda was approved, as amended.

Minutes - The Board reviewed the Minutes of the February 24, 2021 Regular Board meeting. Mr. Blodgett stated that a few typographical errors were corrected in the original for signature tonight. Motion duly made by Director Eck Zimmermann, second by Director Hans Zimmermann, the Board approved the minutes as amended.

**PUBLIC
COMMENT:
ON NON-AGENDA
ITEMS**

Director Hans Zimmermann noted Ms. McKean’s email letter regarding the proposed Red Rock Acres inclusion and her request for this information to be included in the public comment section since she could not attend the Board meeting. The Board decided to attach her letter to the March 24th meeting minutes.

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Ms. Geller asked if the Board has already decided to include Red Rock Acres into the District. Director Hans Zimmermann responded the project has not yet been included into the District. The Board does not make land use decisions and has no say in the rezoning decision by El Paso County. They reported the Red Rock Acres developer is having a virtual public meeting to explain their project on March 30 at 5:30PM. The District will post the developer's email on its website.

OPERATIONS AND MAINTENANCE ITEPMS

ORC Water Professional's Monthly Operations Report – Ms. Begeman reviewed her report with the Board. ORC will proceed to abandon old lines that may potentially be leaking. She will perform this work within her budget or notify CRS and the Board if that becomes an issue. ORC will coordinate with JDS Hydro to put these leaking lines on the GIS system.

Presentation Regarding New Developments with the BEACON AMA Cellular System – Deferred to April board meeting.

Discuss and Consider Approval of Contract with ORC 2021 – 24 – Mr. Blodgett and Ms. Begeman reviewed the proposed contract with the Board. ORC reported they have worked for the District in excess of 10 years and are seeking stability for their company over the next four years with the District. Their monthly rate in 2020 will not change through 2024. After discussion, the Board tabled action on the new contract to the April board meeting.

CAPITAL/ ENGINEERING ITEMS

JSD-Hydro Consultants, Inc. ("JDS") Monthly Report (enclosure) – Mr. McGinn reviewed his report with the Board.

Consider Repair of Arapahoe Well Casing and Cleaning (Applied Ingenuity proposal dated November 19, 2020) - \$40,741 – Upon motion duly made by Director McBride, seconded by Director Eck Zimmermann, the Board approved the repair agreement with Applied Ingenuity for a not to exceed \$43,000.

Phase II Dawson Well Improvements – This item will be addressed under Director's Items Capital Improvement project priorities and funding by Director Eck Zimmerman.

FINANCIAL ITEMS

Treasurers Report / Bank Balances / Transactions - Director McBride reported that the Financial Statement cash balances and transactions reconciled with the bank statements. The Board accepted these reports. **February 28, 2021 Cash Position (adjusted as of March 17, 2021) and Unaudited Financial Statements for the period ending February 28, 2021**

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Upon motion duly made by Director McBride, seconded by Director Eck Zimmermann, upon vote, unanimously carried, the Board accepted the February 28, 2021 Cash Position adjusted as of March 17, 2021 and unaudited Financial Statements for the period ending February 28, 2021.

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

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

Claims – The Board reviewed the claims totaling \$22,857.50 represented by check numbers 5027 - 5039, plus auto payments totaling \$3,843.34 for a grand total of \$26,700.84.

Director McBride asked about the developer reimbursement for the inclusion expenses. Mr. Meggers reported these are due by Friday. He will send copies of the invoices to Director McBride.

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

OTHER BUSINESS/ DIRECTORS ITEMS

Look Ahead Schedule – Director Eck Zimmermann reported he had no changes. The Capital Projects will be discussed with his CIP spreadsheet.

Status of Posting the Long-Term Capital Improvement Plan on the forestviewacreswd.colorado.gov Website under the Documents/Management, Planning and Technical Reports Menu –

Director Eck Zimmermann reviewed the revised Capital Improvement Project priority and funding spreadsheet with the Board. He reported the major change is that the Dawson Well is now the top priority instead of Surface Treatment Plant water line and plant projects. This is due to the fact there has been little or no water in the creek over the past few years for the District to utilize in the Surface Treatment Plant.

After discussion, the Board authorized these reports to be placed on the District's website in the documents section, Capital Improvements Project priorities.

Director Wilkins stated the bod@fvawd.com email address for the Board members is again not working. Mr. Meggers and Mr. Blodgett will review.

LEGAL

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 McBride, seconded by Director Eck

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Zimmermann, upon vote, unanimously carried, the Board entered into Executive Session at 7:01 pm to discuss matters related to the potential Van Der Gugten property inclusion. Upon motion duly made by Director McBride, seconded by Director Eck Zimmermann, upon vote, unanimously carried, the Board entered into regular session at 7:44pm.

Discuss Matters Related to Proposed Subdivision by Kathryn Van Der Gugten of her 20-acre lot at 18590 Cloven Hoof Rd to create 3 total lots – No action was taken by the Board.

Discuss District By Laws – Director Hogan – Director Eck Zimmermann and Mr. Zilis reported the District’s present by-laws date to 1994 with an update in 2003 based on statutory changes. The Board noted an update is long overdue. Upon motion duly made by Director Eck Zimmermann, seconded by Director McBride, upon vote, unanimously carried, the Board authorized a not to exceed \$5,000 for Vranesh and Raisch to review the existing by-laws and circulate samples of by-laws from other districts to the Board for discussion at the April board meeting.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Director McBride, seconded by Director Eck Zimmermann, upon vote, unanimously carried, the Board adjourned the meeting at 7:45 p.m.

Respectfully submitted,



Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL MARCH 24, 2021 MINUTES OF THE FOREST VIEW ACRES WATER DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:



Brad Hogan



Eckehart Zimmermann

Hans Zimmermann

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Nancy Wilkins



Victor McBride