

# RECORD OF PROCEEDINGS

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**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  
August 24, 2022**

**ATTENDANCE**

In attendance were Directors:

Brad Hogan: President, Term Expiration: May 2023  
Nancy Wilkins, Term Expiration: May 2025  
David Pheteplace, Term Expiration: May 2025  
Paul McKean, Term Expiration: May 2025  
Eckehart Zimmerman, Term Expiration: May 2023  
Vincent Guthrie, Term Expiration: May 2023

Also, in attendance were:

Joel Meggers; Community Resource Services, LLC (“CRS”)  
Peter Johnson; Vranesh and Raisch, LLP  
John McGinn; JDS Hydro Consultants, Inc. (“JDS”)  
Gwen Dall; JDS Hydro Consultants, Inc. (“JDS”)  
Gabby Begeman; ORC Water Professionals (“ORC”) via phone  
Dave Stone; Browns Hill Engineering  
Elizabeth Lonnquist; Resident

**ADMINISTRATIVE  
ITEMS**

The meeting was called to order at 6:02 p.m. at the Monument Sanitation District offices; 130 2<sup>nd</sup> Street, Monument, CO 80132.

**Agenda** – Mr. Meggers presented for the Board’s approval the proposed Agenda. Following discussion, upon motion duly made by Director Zimmermann, seconded by Director Pheteplace and, upon vote, unanimously carried, the agenda was amended to include the Taylor Easement.

**Minutes** - The Board reviewed the Minutes of the July 27, 2022, Regular Board meeting. Motion duly made by Director Pheteplace, second by Director Zimmermann and, upon vote, unanimously carried, the minutes were approved as amended.

**Discuss Increasing the Number of Board Members from 5 to 7** The Board approved increasing the number of Board members from 5 to 7. Motion duly made by Director Pheteplace, second by Director Zimmermann and, upon vote, unanimously carried.

## RECORD OF PROCEEDINGS

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Director Pheteplace moved to appoint Vincent Guthrie to the Board of Directors, seconded by Director Zimmermann and, upon vote, unanimously carried. The Board then discussed appointing the 7<sup>th</sup> member.

### **PROPOSALS FOR PUSH NOTIFICATIONS**

Director Pheteplace moved to approve the contract with AlertMedia, seconded by Director Zimmermann and, upon vote, unanimously carried.

### **PUBLIC COMMENT**

Dave Stone with Browns Hill Engineering presented the benefits and features of taking SCADA to the Cloud (vSaaS).

### **OPERATIONS AND MAINTENANCE ITEMS**

**ORC Water Professional's Monthly Operations Report** – Ms. Begeman presented and reviewed her report with the Board via telephone. Director Zimmermann asked about exceeding the copper limit. Ms. Begeman replied that she would follow up on the copper limit question at the next meeting.

### **CAPITAL/ ENGINEERING ITEMS**

**JDS-Hydro Consultants, Inc. ("JDS") Monthly Report** – Ms. Dall presented and reviewed her report with the Board. She reminded the Board of the virtual meeting on the interconnect vault scheduled for September. Ms. Dall presented the system map improvements and suggested that \$17,500 be included in the draft 2023 budget.

**Easement with HOA Regarding Interconnect Vault** – Director Hogan moved to approve the easement with Forest View Estates, seconded by Director Wilkins and, upon vote, unanimously carried.

### **FINANCIAL ITEMS**

**Treasurers Report / Bank Balances / Transactions** – Director Pheteplace 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.

**Claims** – The Board reviewed the claims totaling \$33,699.07 represented by check numbers 5265 -5277, plus auto payments totaling \$3,980.01 for a grand total of \$37,679.08.

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

## RECORD OF PROCEEDINGS

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### **OTHER BUSINESS/ DIRECTORS ITEMS**

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

### **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 Zimmermann, seconded by Director Pheteplace, upon vote, unanimously carried, the Board entered into Executive Session at 7:40 pm. Upon motion duly made by Director Pheteplace, seconded by Director Zimmermann, upon vote, unanimously carried, the Board exited their Executive Session and entered back into their regular session at 8:00 p.m.

**Potential Grant / Sell of Easements on Tract A, B & C and Draft Inclusion Agreement for Kathi Van Der Gugten Property** – The Board agreed Dave Pheteplace and Eck Zimmermann should together be communicating directly be email or phone with Kathy Van Der Gugten. The Board agreed to continue working with Kathy Van Der Gugten to try to obtain easements and voted on only one emailed statement from both Dave Pheteplace and Eck Zimmermann. No other communication was authorized by the Board. The Board agreed on an emailed statement language to follow the Rules and Regulations of the District as the Inclusion Agreement is still in draft mode, and that further emails from Kathy should always include Dave and Eck.

**Taylor Easement** - Mr. Johnson presented the draft easement to the Board. Upon motion duly made by Director McKean, seconded by Director Wilkins, upon vote, unanimously carried, the Board approved the draft easement. The Board directed Ms. Dall to present the easement to the Taylors.

**RECORD OF PROCEEDINGS**

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**ADJOURNMENT**

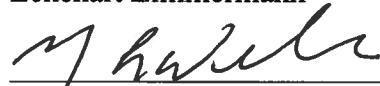
There being no further business to come before the Board, upon motion duly made by Director Pheteplace, seconded by Director McKean, upon vote, unanimously carried, the Board adjourned the meeting at 8:05 p.m.

Respectfully submitted,

  
Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL AUGUST 24, 2022, MINUTES OF THE FOREST VIEW ACRES WATER DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

  
Brad Hogan

Eckehart Zimmermann  
  
Nancy Wilkins

David Pheteplace

  
Paul McKean

  
Vincent Guthrie