

# 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 October 26, 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 via telephone  
Eckehart Zimmerman, Term Expiration: May 2023  
Vincent Guthrie, Term Expiration: May 2023  
Matt Quinlan, Term Expiration: May 2023

Also, in attendance were:

Joel Meggers; Community Resource Services, LLC (“CRS”)  
Peter Johnson; Vranesh and Raisch, LLP  
Gwen Dall; JDS Hydro Consultants, Inc. (“JDS”)  
Gabby Begeman: ORC Water Professionals (“ORC”) via telephone  
Matt Quinlan; Resident  
Jason Alwine, Matrix Design Group  
Elizabeth Lonnquist; Resident  
Erin Ganaway, Matrix Design Group

### 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 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 by adding a discussion regarding ladder design options for the vault.

**Minutes** - The Board reviewed the Minutes of the September 28, 2022, Regular Board meeting. Motion duly made by Director Pheteplace, second by Director Guthrie and, upon vote, unanimously carried, the minutes were approved as presented.

**Conduct Public Hearing of Certify Delinquent Accounts** –The Board reviewed the delinquent list. Following discussion, upon motion duly made by Director Zimmermann, seconded by Director Pheteplace and,

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upon vote, unanimously carried, to certify the delinquent account as presented.

### PUBLIC COMMENT

None.

### PRESENTATION OF RED ROCK ACRES CONCEPTUAL PLANS

Jason Alwine presented and distributed the RRA conceptual plans. The Board reviewed and discussed the proposed plans with Mr. Alwine. Elizabeth Lonquist expressed concerns of existing lots subdividing into additional lots. Director Wilkins presented her spreadsheet regarding the potential of existing lots subdivided into additional smaller lots and the demand of more water to serve those new lots. The Board reviewed and discussed this concern. Mr. Alwine was given a printed copy of FVAWD Rules and Regulations.

### CONDUCT INTERVIEW & CONSIDER APPOINTMENT OF NEW BOARD POSITION

Matt Quinlan presented his skills and experience and why he was interested in joining the Board. The Board reviewed and discussed the Board member position with him. Director Zimmermann moved to appoint Matt Quinlan to the Board of Directors, seconded by Director Pheteplice and, upon vote, unanimously carried.

### OPERATIONS REPORT & MAINTENANCE ITEMS

ORC Water Professional's Monthly Operations Report – Ms. Begeman presented and reviewed her report with the Board via telephone.

### CAPITAL/ ENGINEERING ITEMS

JDS-Hydro Consultants, Inc. ("JDS") Monthly Report – Ms. Dall presented and reviewed her report with the Board. She explained that the vault project design would include a 12x22 underground concrete box with underground controls. Director Wilkins reviewed and discussed the design of the stairs with everyone.

Topographic – Director Wilkins recommended working with Topographic as the surveyors for the vault. Ms. Dall reported that most of the surveying had already been completed for the project.

### FINANCIAL ITEMS

Treasurers Report / Bank Balances / Transactions – Director Pheteplice 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.

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**Claims** – The Board reviewed the claims totaling \$25,112.62 represented by check numbers 5296 -5310, plus auto payments totaling \$4,315.00 for a grand total of \$29,427.62.

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

### **CONDUCT PUBLIC HEARING FOR 2023 BUDGET**

**2023 Budget Hearing:** Mr. Meggers opened the public hearing to consider the proposed 2023 Budget.

It was noted that publication of Notice stating that the Board would consider adoption of the 2023 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the district. No written objections were received prior to this public hearing.

Mr. Meggers reviewed with the Board the estimated 2022 expenditures and the proposed 2023 expenditures and adjustments were noted. After the budget discussion ended the public hearing for the 2023 draft budget was closed. Mr. Meggers reported that a final draft of the 2023 budget would be presented at the next meeting for review and final adoption by the Board.

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

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

### **LEGAL ITEMS**

**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 8:10 pm. 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 8:35 p.m.

After the Executive Session, the Board directed the Board members meeting with Kathi van der Gugten to present her with the newly revised draft contract regarding easements only. Following review, upon motion duly made by Director Wilkens, seconded by Director McKean, upon vote, unanimously carried, the direction by the Board was approved.

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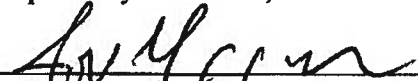
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**AJOURNMENT**

Mr. Meggers announced that the November and December regular meetings would be cancelled and that a Special Meeting would be held on December 7, 2022 at 6pm. Upon motion duly made by Director Pheteplace, upon vote, unanimously carried, the Board approved a Special Meeting be held on December 7, 2022 at 6pm.


There being no further business to come before the Board, upon motion duly made by Director Pheteplace, seconded by Director Quinlan, upon vote, unanimously carried, the Board adjourned the meeting at 8:40 p.m.

Respectfully submitted,

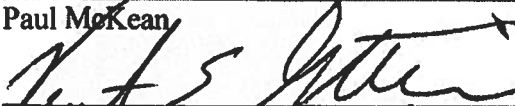
  
Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL OCTOBER 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

Paul McKean  
  
Vincent Guthrie

  
Matt Quinlan