

**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  
July 26, 2023**

**ATTENDANCE**

In attendance were Directors:

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

Also, in attendance were:

Joel Meggers; Community Resource Services, LLC (“CRS”)  
Molly Couture; Community Resource Services, LLC (“CRS”)  
Peter Johnson; Vranesh and Raisch, LLP  
Gabby Begeman; ORC Water Professionals  
Mike Warsake, Forsgren Associates, Inc.  
Eckehart Zimmermann , Resident  
Neil Schilling, Schilling & Company, Inc.

**ADMINISTRATIVE  
ITEMS**

The meeting was called to order at 6:13 p.m.

**Agenda** – Mr. Meggers presented for the Board’s approval the proposed Agenda. Following discussion, upon motion duly made by Director McKean, seconded by Director Wilkins and, upon vote, unanimously carried.

**Minutes** - The Board reviewed the Minutes of the June 28, 2023, Regular Board meeting. Motion duly made by Director Wilkins, seconded by Director Guthrie and, upon vote, unanimously carried, the minutes were approved as presented.

**PUBLIC  
COMMENTS**

Mr. Zimmermann asked questions regarding the decision-making process for awarding the engineering contract to Forsgren Engineering, and Mr. Pheteplice and members of the board responded to the questions with the following rationale: similarity of previous and current clients the same size and in the same region, the quoted costs were lower, they were extremely prepared and professional, and had done a thorough tour of the site with the operator.

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### OPERATIONS REPORT & MAINTENANCE ITEMS

**ORC Water Professional's Monthly Operations Report** – Ms. Begeman presented and reviewed her report with the Board. She explained that there are controls issues that are preventing the chemical pumps from functioning properly and they are being checked so that they can be fixed. The tank level was serviced, and changes were made to the wiring to the cabinet, as well as re-aligned antennas to fix reporting issues. Mr. Zimmermann asked about the turbidity, and it was reported that the filters are the issue with the efficiency of the system, not the turbidity.

### CAPITAL/ ENGINEERING ITEMS

**Consider Approval of Forsgren Engineering Contract** – There were a few changes that were discussed to be incorporated into the contract.

Motion duly made by Director McKean, seconded by Director Wilkins and, upon vote, unanimously carried, the contract from Forsgren Engineering for the Master Service Line was approved with the changes incorporated that were discussed regarding termination.

Motion duly made by Director Wilkins, seconded by Director Guthrie and, upon vote, unanimously carried, the contract from Forsgren Engineering for the Water Surface Treatment Plant Contract was approved.

Motion duly made by Director Quinlin, seconded by Director McKean and, upon vote, 5-1 with Director Wilkins voting no, the contract from Forsgren Engineering for the Task Order 2 was approved.

**Review and Discuss Prioritization of Engineering Projects** – The discussion of capital projects and the extension of electrical service by CORE Electric to the new booster station site will be postponed until the new engineering firm, Forsgren Engineering, has had time to review all of the projects.

### FINANCIAL ITEMS

**Review and Consider Acceptance of the 2022 Audit** - Mr. Neil Schilling presented the 2022 Audit. The Board reviewed and discussed it with him.

Motion duly made by Director Quinlin, seconded by Director Wilkins and, upon vote, unanimously carried, to approve the 2022 Audit as presented and authorized execution of the Representations Letter.

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

**Payment of Claims:** Mr. Meggers presented the current payment of claims in the amount of \$77,040.54, with auto payments totaling \$3,700.90, totaling \$80,741.44. Following review, upon motion duly made by Director McKean, seconded by Director Quinlin, upon vote, unanimously carried, the claims were approved, as presented.

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

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

**Cloven Hoof Drive (Morgan subdivision) Commitment Letter** – Mr. Meggers reviewed and discussed the subdivision process of the two cabins and new water service to Lot 1. After discussion, Mr. Meggers was directed by the Board to send the letter.

### **EXECUTIVE SESSION**

**ADJOURN INTO EXECUTIVE SESSION 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 7:23 p.m. seconded by Director Wilkins and, upon vote, unanimously carried, the Board moved to Executive Session to review and discuss contract negotiations with engineering firms.

Motion duly made by Director Wilkins to move out of Executive Session at approximately 7:33 p.m., seconded by Director Quinlin and, upon vote, unanimously carried, the Board moved to return to the regular Agenda.

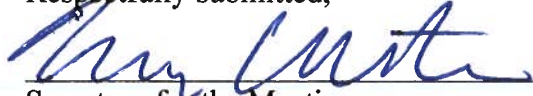
### **AJOURNMENT**

There being no further business to come before the Board, upon motion duly made by Director Quinlin, seconded by Director Guthrie, upon vote, unanimously carried, the Board adjourned the meeting at 7:35 p.m.


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Respectfully submitted,


  
Secretary for the Meeting


THESE MINUTES ARE APPROVED AS THE OFFICIAL JULY 26, 2023, MINUTES OF THE FOREST VIEW ACRES WATER DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:


  
David Pheteplice


  
Vincent Guthrie

  
Nancy Wilkins

  
Gregory Hoffman

  
Paul McKean

  
P.K. Robinson

  
Matt Quinlan