

RECORD OF PROCEEDINGS

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
JUNE 26, 2019

ATTENDANCE

In attendance were Directors:

Brad Hogan

Hans Zimmermann

Eckehart Zimmermann

Nancy Wilkins

Also in attendance were:

Lisa Jacoby; Community Resource Services, LLC ("CRS")

Clyde Penn; ORC Water Professionals (for a portion of the meeting)

John McGinn; JDS-Hydro Consultants, Inc. ("JDS") (for a portion of the meeting)

John Howe; Our Community News (for a portion of the meeting)

Vincent Guthrie; Resident/Board Candidate (for a portion of the meeting)

Victor McBride; Resident/Board Candidate (for a portion of the meeting)

Beth Lonquist; Resident (for a portion of the meeting)

ADMINISTRATIVE
ITEMS

The meeting was called to order at 6:00 p.m.

Agenda – Ms. Jacoby distributed for the Board’s approval the proposed Agenda. Following discussion, upon motion duly made by Director Eckehart Zimmermann, seconded by Director Hans Zimmermann and, upon vote, unanimously carried, the Agenda was approved, as amended.

Minutes - The Board reviewed the Minutes of the May 22, 2019 Regular board meeting. Following discussion, upon motion duly made by Director Eckehart Zimmermann, seconded by Director Hans Zimmermann and, upon vote, unanimously carried, the Minutes of the May 22, 2019 Board Meeting were approved, as presented.

Appointment of Board Candidate to Fill Vacancy – Mr. Vincent Guthrie and Mr. Victor McBride addressed the Board individually regarding their background and qualifications to serve on the Board. It was noted that only one vacant position currently exists on the Board.

Following presentation, the Board determined to discuss further in Executive Session to make a final determination of appointment

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RECORD OF PROCEEDINGS

(following executive session), with notification to the Candidates via email following the meeting.

PUBLIC COMMENT

Red Rock Ranch Acres – Ms. Jacoby reported that Mr. Jim Stiltner had intended on presenting to the Board information regarding the development of Red Rock Ranch Acres (aka Ryan Nevin’s property) to begin discussions related to the feasibility of including the referenced property within the District. However, prior to the meeting, Mr. Stiltner determined that he would rather make presentation at the July 24, 2019 Board Meeting. Mr. Stiltner was not in attendance.

OTHER BUSINESS

Designation of Meeting Time and Place (aka Posting Requirements)

- Director Wilkins provided an update regarding recent legislation pertaining to posting of Notices. It was noted that posting requirements were now lessened. Per the new legislation, on or after August 2, 2019, a District may post Notice with specific agenda information no less than 24-hours prior to holding the meeting, on a public website of the District. A District that provides Notice on a website may at their discretion also post a Notice by any other means but is not required to do so.

Following discussion, the Board determined to post on the District’s existing website the Agenda/Notice as soon as practicable following finalization and distribution of the “Agenda Packet” to the Board, but no less than 24-hours prior to holding the meeting.

OPERATIONS AND MAINTENANCE ITEMS

ORC Water Professional’s May/June 2019 Operations Report – Mr. Penn presented his report to the Board. A copy of the report is attached hereto and incorporated herein.

Mountain View Electric Association – Mr. Penn discussed the work being performed by Mountain View Electric Association related to installation of new conduit and the mishap related to the alleged hitting of a water main. It was noted that although locating of lines had been performed by ORC to the best of their ability with the District’s limited historical information available, the contractor for Mountain View Electric Association allegedly hit a District water line on Oxbridge Road, on June 5, 2019.

Ms. Jacoby reported that Mr. Terrill Jensen of Mountain View Electric Association had been in contact with her following the incident and had indicated that repairs were undertaken and paid for by Mountain View Electric Association; however, Mr. Jensen discussed with Ms. Jacoby the intent to send a letter and to attend the Board meeting to address the need for potholing going forward to avoid hitting water lines, with such expense to be borne by the District. Ms. Jacoby noted that she had not

RECORD OF PROCEEDINGS

received the anticipated letter nor any further contact from Mr. Jensen regarding this matter. Mr. Jensen was not in attendance.

Mr. McGinn noted that recent legislation has imposed additional burdens related to performing locating services and responsibilities on all parties involved. He noted he would forward the information outlining the additional burdens imposed.

Mr. Penn unofficially notified the District of ORC Water Professional's intent to no longer provide locating services due to the liability associated with same and noted that a letter from ORC to that effect, was forthcoming.

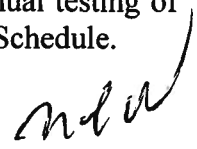
Status of Installation of Remaining Remote Read Beacon Meters -

Mr. Penn reported that currently there are 6 outstanding electronic meters to be installed, with 2 scheduled for installation, 1 to be scheduled for a mutually convenient time and 3 customers having not responded to the request for scheduling an appointment for installation.

Ms. Jacoby noted that Jim and Angela Warner, who attended the last Board Meeting and presented to the Board a letter regarding their concern of potential microwave exposure from the installation of a new remote read Beacon Meter in their home, were provided further technical information and had been put in contact with Mr. Jon Watson of National Meter, to obtain more detailed information as to the functionality of, and the science behind the remote read meters.

Ms. Jacoby noted that pursuant to the further information provided to the Warner's, they have agreed to have a new remote read meter installed; however, on the outside of their home. It was noted that the District would supply the Warner's the new meter; however, installation should be performed by a contractor of their choice and at their expense. It was noted that Mr. Penn had attempted to contact the Warner's on several occasions to provide the new meter, with no success. Ms. Jacoby noted that she would also attempt to contact the Warner's.

Testing of Plant Meters - Discussion ensued regarding annual testing/calibrating of the plant meters. It was determined by the Board that Mr. Penn should perform the necessary testing now with testing to occur annually going forward. It was noted that the annual testing of the meters would be added to the District's Look Ahead Schedule.



Repair of Broken Fire Hydrant - Mr. Penn reported that it was determined that a new hydrant rather than a rebuild was necessary. Mr.

RECORD OF PROCEEDINGS

Penn noted he would pursue engagement of a suitable contractor to perform this work in a timely manner.

Cleaning of Back-Wash Pond at SWT - Mr. Penn reported that the cleaning of the back-wash pond had occurred.

Public Hearing to Consider Imposition of a Fee for Manual Meter Reading and Increase to Hydrant Water Use Fee – Upon motion duly made by Director Eckehart Zimmermann, seconded by Director Hans Zimmermann and, upon vote, unanimously carried, the Public Hearing to consider imposition of a Fee for Manual Meter Reading and increase to Hydrant Water Use Fee, was opened. Discussion ensued and public comment was taken. Following discussion and public comment, upon motion duly made by Director Eckehart Zimmermann, seconded by Director Hans Zimmermann and, upon vote, unanimously carried, the Public Hearing was closed.

Upon motion duly made by Director Eckehart Zimmermann, seconded by Director Hans Zimmermann and, upon vote, unanimously carried, the Amended and Restated Resolution Imposing Fees; a \$50.00 Fee per month for Manual Meter Reading for those customers who elect to continue service with manual meters in lieu of the new remote meters, and an increase to the Hydrant Use Fee from \$8.00 per 1,000 gallons used, to \$20.00 per 1,000 gallons used, was adopted.

CAPITAL/ ENGINEERING ITEMS

JSD-Hydro Consultants, Inc. (“JDS”) Monthly Report - Mr. McGinn presented his report. A copy of the report is attached hereto and incorporated herein.

Status of Disinfection Outreach Verification Effort (“DOVE”) Project - Mr. McGinn reported on the status of the DOVE project noting that it is in process. Mr. McGinn noted that further locating and investigation is required to identify lines, at a cost of \$185.00 per hour.

Dawson Well Rehabilitation - Mr. McGinn reported on the status of the Dawson Well Rehabilitation project, noting that access from Vista View Drive has been accomplished. Mr. McGinn discussed the schedule of events and costs, noting that the first step was to move forward with videoing, inclusive of pumping and testing. Once the video survey is complete, JDS will review the results and advise the Board if any additional work beyond pumping and water quality testing will be required. Depending on the results, additional work such as chlorination and acid chemistry rehabilitation (quoted as \$8,290 and \$30,000 +/-, respectively) may be recommended.

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RECORD OF PROCEEDINGS

Director Wilkin's expressed her concern regarding the costs associated with the DOVE project and the Dawson Well Rehabilitation project noting that due to projected costs, she would be more comfortable with holding off on the Dawson Well Rehabilitation project until the DOVE project was complete. It was noted that due to the timing of the project, the District had not budgeted for the expenditure, although the District has the funds available, and there would be a cost benefit to moving forward with the Dawson Well Rehabilitation project at this time, avoiding remobilization costs and the possible need to perform again videoing, pumping and testing.

Authorize President or Alternative Board Member to Approve Project Contracts/Expenditures in Lieu of a Special Meeting -

Discussion ensued regarding the possible need for timely approval (in between meetings) of additional work/expenditures for the Dawson Well Rehabilitation project, dependent upon the results of the video investigation. It was noted that the options contemplated were for chlorination rehabilitation proposed at an amount of \$8,290, and for acid chemistry wash for a proposed amount of \$30,000 +/-.

Following discussion, upon motion duly made by Director Hans Zimmermann, seconded by Director Eckehart Zimmermann and, upon vote, carried with Directors Hans Zimmermann, Eckehart Zimmermann and Hogan voting "Yes" and Director Wilkins voting "No", the Board authorized a Board Member be designated to approve additional work/expenditures as warranted by the video evaluation results for the Dawson Well Rehabilitation project.

Then, upon motion duly made by Director Eckehart Zimmermann, seconded by Director Hogan, upon vote, carried with Directors Hans Zimmermann, Eckehart Zimmermann and Hogan voting "Yes", and Director Wilkins voting "No", the Board approved proceeding with both the DOVE project and evaluation of the Dawson Well Rehabilitation project.

Then, upon motion duly made by Director Hans Zimmermann, seconded by Director Hogan, upon vote, carried with Directors Hans Zimmermann, Eckehart Zimmermann and Hogan voting "Yes" and Director Wilkins voting "No", the Board appointed Director Eckehart Zimmermann the authorized Board Member to approve additional work/expenditures as warranted by the video results, for the Dawson Well Rehabilitation project, subject to Board comment via email.

Mr. McGinn reported and Ms. Jacoby verified that the Consumer Confidence Report had been submitted as prescribed.



RECORD OF PROCEEDINGS

Mr. McGinn reported and Ms. Jacoby verified that the SRF annual eligibility survey had been submitted.

Solar Power Opportunities - The Board determined to table this matter and to move it to pending items on the Look Ahead Schedule.

Mr. Penn and Mr. McGinn left the meeting at this point.

FINANCIAL ITEMS

Treasurers Report / Bank Balances / Transactions - Director Wilkins reported that the Financial Statement cash balances and transactions reconciled with the bank statements.

Wells Fargo Account – Director Wilkins requested and the Board determined that the Wells Fargo Account may remain open another 30-days.

May 31, 2019 Adjusted as of June 19, 2019 Cash Position and Unaudited Financial Statements for the period ending 31, 2019 –

Following review, Director Wilkins requested that the grantor's name be spelled out rather than abbreviated on the Debt Schedule title block on the Cash Position; an accounts receivable report, and an explanation regarding uncollected Water Tap Administrative and Observation & Inspection Fees totaling \$1,000 for each identified address, as indicated on the Water Tap Report. Further, Director Wilkin's requested that all Water Tap Permit Applications be submitted to the Board upon their occurrence. Discussion ensued regarding what the Late Fees and Penalties line item consisted of in the Operations Fund.

Claims – The Board reviewed the claims totaling \$19,290.52 represented by check numbers 04732 – 04745, plus auto payments totaling \$4,216.50 for a grand total of \$23,507.02.

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

USDA/AWWA Workshop – Director Wilkins reported that the median house-hold income in the District, pursuant to the U.S. census, was in excess of the threshold to qualify for a Grant; however, the District could qualify for a Loan.

DIRECTORS ITEMS

Higgins Inclusions (all 3 lots) - There was no update.

OTHER BUSINESS

Look Ahead Schedule - The Board discussed the Look Ahead Schedule and as noted earlier in the meeting, revisions to same.

RECORD OF PROCEEDINGS

John Howe, Vincent Guthrie, Victor McBride and Beth Lonquist left the meeting at this point.

LEGAL ITEMS

Executive Session: Upon motion duly made by Director Eckehart Zimmermann, seconded by Director Hans Zimmermann and, upon vote, unanimously carried, the Board entered into Executive Session at 8:00 p.m. to discuss personnel matters, pursuant to §24-6-402(4), C.R.S.


Upon motion duly made by Director Hans Zimmermann, seconded by Director Wilkins and, upon vote, unanimously carried, the Board adjourned Executive Session and entered into regular session at 8:07 p.m.

Upon motion duly made by Director Eckehart Zimmermann, seconded by Director Wilkins and, upon vote, unanimously carried, the Board appointed Mr. Victor McBride to the Board, subject to execution of an Oath of Office and filing within statute requirements.

ADJOURNMENT

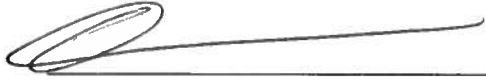
There being no further business to come before the Board, the meeting was adjourned at approximately 8:15 p.m.

Respectfully submitted,


Secretary for the Meeting

RECORD OF PROCEEDINGS

THESE MINUTES ARE APPROVED AS THE OFFICIAL JUNE 26, 2019 MINUTES OF THE FOREST VIEW ACRES WATER DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:



Ekehart Zimmermann



Brad Hogan



Hans Zimmermann



Nancy Wilkins

FVAWD Water Taps

	Ck #	Date	Property Address	Location # in billing
2007	12,500.00	9/30/2007		
2008	12,500.00	10/8/2008	2450 Lake Meadow Dr.	13320
	12,500.00	10/12	18015 Stone View Rd.	13330
		7/9/2008	4571 Red Rock Ranch Dr	Lot 13 Pre-paid Tap
2009		5/30/2009	4590 Red Rock Ranch Dr	Lot 4 Pre-paid Tap
		7/16/2009	4551 Red Rock Ranch Dr	Lot 14 Pre-paid Tap
2010	16,000.00	7/31/2010	4620 Limestone Rd.	13370
2011	16,000.00	5/13/2011	18425 Stone View Rd.	13000
		5/30/2009	4540 Redstone Ridge Rd	Lot 16 Pre-paid Tap
	16,000.00	8/5/2011	4445 Sandstone Dr.	13050
	16,000.00	1006	4560 Redstone Ridge Rd.	Lot 17 Pre-paid Tap
		2/5/2011	4630 Red Rock Ranch Dr	Lot 6 Pre-paid Tap
		9/19/2011	4651 Red Rock Ranch Dr	Lot 10 Pre-paid Tap
2012	16,000.00	10834	4640 Limestone Rd.	13240
2013	16,000.00	6007	18625 Mesa Verde Rd (3750 El Rancho Way)	13040
	1,000.00	70368	4580 Redstone Ridge Rd.	Lot 18 Pre-paid Tap
	1,000.00	1024	4591 Red Rock Ranch Dr.	Lot 12 Pre-paid Tap
2014	1,000.00	1029	4670 Red Rock Ranch	Lot 7 Pre-paid Tap
		4/1/2014	4620 Redstone Ridge Rd	Lot 19 Pre-paid Tap
	1,000.00	7478	4570 Red Rock Ranch Dr.	Lot 3 Pre-paid Tap
	16,000.00	13849	3520 Mesa Verde Rd	13650
	1,000.00	2161	4510 Red Rock Ranch Rd	Lot 1 Pre-paid Tap
2015	16,000.00	1450	18240 StoneView Rd.	12980
		4/8/2015	4619 Redstone Ridge Rd	Lot 23 Pre-paid Tap
	16,000.00	5858	18805 Cloven Hoof Dr.	13649
	16,000.00	14916	2840 Lake Meadow Dr.	13280
2016	1,000.00	3028	4631 Red Rock Ranch Dr.	Lot 11 Pre-paid Tap
	1,000.00	3244	4531 Red Rock Ranch Dr.	Lot 15 Pre-paid Tap
	1,000.00	1095	4550 Red Rock Ranch Dr.	Lot 2 Pre-paid Tap
	16,000.00	7428	3550 Mesa Verde Rd.	13653
	16,000.00	11289	3580 Mesa Verde Rd.	13651
2017	1,000.00	2844547	4660 Redstone Ridge	13580
			4659 Redstone Ridge	Lot 22 Pre-paid Tap
	16,000.00	7615	18515 Vista View Drive	13655
	16,000.00	15997	18815 Rockbrook Rd	13270
2018	1,000.00	2589	4671 Red Rock Ranch Dr.	Lot 9 Pre-paid Tap
	16,000.00	1003	18445 Pixie Park Road	13160
	16,000.00	2645	4909 Redstone Ridge	13656
	16,000.00	2645	4910 Redstone Ridge	13657
	16,000.00	202	3885 Sierra Vista Rd	13290
	1,500.00	66451503	3885 Sierra Vista Rd	13290

no street number on Assessor's website or in billing system - owner McGinnis
 4909 & 4910 paid with same check
 4909 & 4910 paid with same check
 Balance owed \$15,000 (\$500 per month for 30 months)
 Balance remaining \$13,500

	1,000.00	995055	11/16/2018	4610 Red Rock Ranch Dr.	Lot 5	13440	Pre-paid Tap
2019	500.00	75712026	1/31/2019	3885 Sierra Vista Rd		13290	Balance remaining \$13,000
	500.00	81906723	2/21/2019	3885 Sierra Vista Rd		13290	Balance remaining \$12,500
	500.00	91145877	3/28/2019	3885 Sierra Vista Rd		13290	Balance remaining \$12,000
	1,000.00	717	5/1/2019	4640 Redstone Ridge	Lot 20	13570	Pre-paid Tap
	500.00	98576002	4/25/2019	3885 Sierra Vista Rd		13290	Balance remaining \$11,500
	500.00	7472910	5/28/2019	3885 Sierra Vista Rd		13290	Balance remaining \$11,000
				Future Projected Taps			
				4735 Red Rock Ranch Rd		13010	
				4820 Limestone Rd		13020	
				4840 Limestone Rd		13030	
				Stone View Rd (lot 6 Blk 5)		13070	
				18477 Forest View Rd		13080	
				18460 Stone View Rd		13090	
				2695 Lake Meadow Dr		13100	
				Shiloh Pines Dr (Lot 43 Blk2 Shiloh Pines Sub)		13130	
				3715 El Rancho Way		13140	
				18335 Pixie Park Rd		13150	
				18495 Pixie Park Rd		13170	
				3515 Range View Rd		13180	
				3560 Range View Rd		13190	
				3630 Range View Rd		13200	
				TRACT IN S2SE4 SEC 9-11-67 AS FOLS, BEG AT SW		13300	Location 09-11-67 on Assessor's website
				3890 Range View Rd		13310	
				18035 Forest View Rd		13340	
				4691 Red Rock Ranch Dr	Lot 8	13640	Pre-paid Tap
				4660 Redstone Ridge Rd	Lot 21	13580	Pre-paid Tap
				18439 Forest View Rd		13661	
				18401 Forest View Rd		13662	
				Stone View Rd (lot 4 Blk 5)		13663	
				18325 Forest View Rd		13664	
				18365 Forest View Rd		13665	
				18320 Stone View Rd		13666	
				18545 Vista View Dr		13667	
				18565 Vista View Dr		13668	
				18595 Vista View Dr		13669	Owned by Nevins (no AOS fees charge due to agreement)