

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
January 25, 2023**

ATTENDANCE

In attendance were Directors:

Brad Hogan; President, Term Expiration: May 2023
Nancy Wilkins, Term Expiration: May 2025 (absence was excused)
David Pheteplace, Term Expiration: May 2025
Paul McKean, Term Expiration: May 2025
Eckehart Zimmerman, Term Expiration: May 2023
Vincent Guthrie, Term Expiration: May 2023
Matt Quinlan, Term Expiration: May 2023 (absence was excused)

Also, in attendance were:

Joel Meggers; Community Resource Services, LLC (“CRS”)
Peter Johnson; Vranesh and Raisch, LLP
Gwen Dall; JDS Hydro Consultants, Inc. (“JDS”) via phone
Gabby Begeman; ORC Water Professionals via phone

**ADMINISTRATIVE
ITEMS**

The meeting was called to order at 6:02 p.m. at the Monument Sanitation District offices; 130 2nd 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 McKean and, upon vote, unanimously carried, the agenda as presented.

Minutes - The Board reviewed the Minutes of the December 7, 2022, Special Board meeting. Motion duly made by Director Pheteplace, seconded by Director Zimmermann and, upon vote, unanimously carried, the minutes were approved as presented.

Update on Election – Mr. Meggers presented an update to the Board and the potential that the election could be canceled in March based on the number of interested candidates.

Revise and Update the Emergency Response Plan (ERP) – The Board reviewed and discussed the process of updating the ERP. The Board decided to circulate the ERP first with staff and then bring the updated version back for the Board to conduct a final review.

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PUBLIC COMMENT

None

OPERATIONS REPORT & MAINTENANCE ITEMS

ORC Water Professional's Monthly Operations Report – Ms. Begeman presented and reviewed her report with the Board via telephone. Director Zimmerman reviewed and discussed addressing the seasonal issue of the inlet pipeline freezing. The Board agreed the issue should be research and potential solutions should be reviewed at a future Board meeting.

REIMBURSEMENT REQUESTS

The Board approved replacing a chlorine sensor. Motion duly made by Director Pheteplace, seconded by Director Guthrie and, upon vote, approved to replace the chlorine sensor for \$7,800.

CAPITAL/ ENGINEERING ITEMS

Discuss Reimbursement for Line Break Repairs – Mr. Meggers reviewed and discussed the line breaks and repairs that occurred in November. After discussion, the Board determined that the lines were not properly located by Diversified Underground and directed staff to pursue reimbursement from Diversified Underground for damages.

JDS-Hydro Consultants, Inc. ("JDS") Monthly Report – Ms. Dall presented and reviewed her report with the Board via phone. The Board directed Mr. Johnson to review the proposed contract from Respec to provide engineering services, after the Board reviews and approves an Engagement Letter with his law firm of Vranesh and Raisch LLP.

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 \$66,875.36 represented by check numbers 5332 - 5350, plus auto payments totaling \$132.59 for a grand total of \$67,007.95.

Following review, upon motion duly made by Director Pheteplace, seconded by Director Zimmermann, upon vote, unanimously carried, the claims were approved, as presented. Checks #5349 and #5341 were voided as these 2 board members were not in attendance.

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Review and Consider Approval of Audit Engagement Letter for Fiscal Year 2022 – The Board reviewed and discussed the Audit Engagement Letter. Following review, upon motion duly made by Director McKean, seconded by Director Zimmermann, upon vote, unanimously carried, the audit was approved for \$6,700.

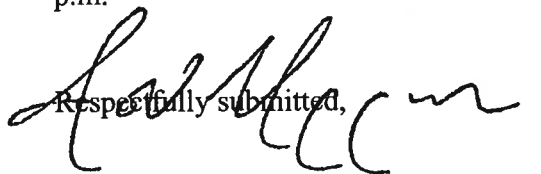
AJOURNMENT

Look Ahead Schedule – Mr. Meggers reviewed and discussed the look ahead with the Board. Director Zimmermann asked that researching solutions to the inlet pipeline freezing be added.

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 Pheteplace, seconded by Director McKean, upon vote, unanimously carried, the Board entered into Executive Session at 6:55 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 7:16 p.m.

There being no further business to come before the Board, upon motion duly made by Director McKean, seconded by Director Zimmermann, upon vote, unanimously carried, the Board adjourned the meeting at 7:20 p.m.


Respectfully submitted,

Secretary for the Meeting

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THESE MINUTES ARE APPROVED AS THE OFFICIAL JANUARY 25, 2023, MINUTES OF THE FOREST VIEW ACRES WATER DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

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Brad Hogan
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Brad Hogan

DocuSigned by:
Eckehart Zimmermann
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Eckehart Zimmermann

Nancy Wilkins

DocuSigned by:
David Pheteplace
658FAD7E3F334FD
David Pheteplace

DocuSigned by:
Paul McKean
5800DBC3F8834E6
Paul McKean

DocuSigned by:
Vincent Guthrie
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Vincent Guthrie

DocuSigned by:
Matt Quinlan
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Matt Quinlan