

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
AUGUST 28, 2019

ATTENDANCE

In attendance were Directors:

Brad Hogan
Hans Zimmermann
Nancy Wilkins
Victor McBride

Also in attendance were:

Lisa Jacoby; Community Resource Services, LLC (“CRS”)
Joel Meggers; Community Resource Services, LLC (“CRS”) (via
speakerphone for a portion of the meeting)
Clyde Penn; ORC Water Professionals (for a portion of the meeting)
John McGinn; JDS-Hydro Consultants, Inc. (“JDS”) (for a portion of
the meeting)
Jim Stiltner and Adam DeVoe; representatives of Red Rock Acres (for
a portion of the meeting)
Paul Zilas, Esq. (via speakerphone for a portion of the meeting)

ADMINISTRATIVE
ITEMS

The meeting was called to order at 6:00 p.m. at the Monument Sanitation
District offices; 130 2nd Street, Monument, CO 80132.

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

Following discussion, upon motion duly made by Director McBride,
seconded by Director Hans Zimmermann and, upon vote, unanimously
carried, the absence of Director Eckert Zimmermann was excused.

Minutes - The Board reviewed the Minutes of the July 24, 2019 Regular
Board meeting. Following discussion, upon motion duly made by
Director Hans Zimmermann, seconded by Director McBride and, upon
vote, unanimously carried, the Minutes of the July 24, 2019 Board
Meeting were approved, as presented.

Special District Association (“SDA”) Annual Conference – Ms.
Jacoby provided a brief overview of the SDA Conference and noted that
scholarships subsidizing the expense of the Conference had been

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obtained for both Director Wilkins and McBride, but unfortunately, Director McBride was now unable to attend.

Following discussion, upon motion duly made by Director Hogan, seconded by Director McBride and, upon vote, unanimously carried, all those Board Members interested in attending were approved to attend the SDA Conference being held September 18, 19 and 20, 2019, in Keystone, CO.

Resolution Adopting the Protections for Consumer Data Privacy Policy - The Board reviewed the Resolution and discussion ensued. Following discussion, the Board directed Ms. Jacoby to transmit the Resolution to Attorney Zilas for review and recommendation.

District Welcome Packet – The Board reviewed the Welcome Packet and provided revisions.

**PUBLIC
COMMENT/
LEGAL ITEMS**

Presentation Regarding Proposed Development of Red Rock Acres (aka Ryan Nevin's property) – Ms. Jacoby introduced Mr. Jim Stiltner and Mr. Adam DeVoe, representatives of the Red Rock Acres development. Attorney Zilas and Mr. Meggers joined the meeting via speakerphone.

Mr. Stiltner noted that he was owner of Master Built Homes and proceeded to make presentation regarding the Red Rock Acres proposed development with the goal of beginning discussions to determine the feasibility of including the referenced property within the District for the purpose of receiving water service.

Mr. Stiltner described the proposed property as 54.56 acres with a planned total of 34 single family lots, consisting of eleven (11) 2.5 acre lots and twenty-three (23) 0.5 acres lots.

Following presentation, the Board thanked Mr. Stiltner and Mr. DeVoe for their presentation and they left the meeting

EXECUTIVE SESSION – Pursuant to 24-6-402(4)(a) & (e) of the Colorado Revised Statutes (“C.R.S.”), upon motion duly made by Director McBride, seconded by Director Wilkins and, upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 6:59 p.m. for the purpose of receiving from the Board's attorney legal advice on specific legal questions as authorized by Section 24-6-402(4)(b), related to discussion regarding amending of the Arapahoe Water Treatment Plant Permit and to develop negotiating positions, strategy, or instruct negotiators related to the proposed inclusion of the Red Rock Acres property.

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Furthermore, pursuant to Section 24-6-402(2)(d.5) (II)(B), C.R.S., no record will be kept of those portions of the executive session that, in the opinion of the Board's attorney, constitute privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

Upon motion duly made by Director McBride, seconded by Director Wilkins and, upon vote, unanimously carried, the Board adjourned into regular session at 7:45 p.m.

No action was taken at this time related to amending the Arapahoe Water Treatment Plant Permit.

Following discussion, the Board authorized Attorney Zilas to incorporate additional provisions into the proposed draft Inclusion Agreement related to the Red Rock Acres development.

Attorney Zilas and Mr. Meggers left the meeting at this point.

OPERATIONS AND MAINTENANCE ITEMS

ORC Water Professional's June/July 2019 Operations Report – Mr. Penn presented his report to the Board.

Status of Installation of Remaining Beacon Meters – Mr. Penn noted that only two electronic meters remain to be installed.

Surface Water Treatment Plant (“SWTP”) Performance – Mr. Penn discussed the performance of the Surface Water Treatment Plant noting that various issues with the filters were being exhibited. Mr. Penn presented a proposal from Colorado Springs Pool & Spa for the removal of media from the filters; replacement of laterals and the replacement of new media, for an amount of \$8,947.00

Following discussion, upon motion duly made by Director Hans Zimmermann, seconded by Director McBride and, upon vote, unanimously carried, the Board approved the Colorado Springs Pool & Spa proposal for an amount of \$8,947.00.

Options for Underground Facility/Utility Locating Services – Ms. Jacoby presented two proposals for underground utility locating services. Mr. Penn suggested another locating company and the Board determined to consider further at the September 25, 2019 Board meeting.

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Locating of Water Main in Forest View Road – Mr. Penn and Mr. McGinn discussed the need to identify the water main in Forest View Road pursuant to development of 18439 (inclusive of the combined lots 18477 Forest View Road; 18460 Stone View Road and one more unassigned address) as well as the development of the unrelated address of 18465 Forest View Road.

Discussion ensued regarding potholing to identify the location of the water main in Forest View Road. Following discussion the Board authorized “Global” to perform the necessary potholing to identify the water main in Forest View Road pursuant to Mr. Penn’s recommendation and subject to further communication with Director Hogan, if necessary.

CAPITAL/ ENGINEERING ITEMS

JSD-Hydro Consultants, Inc. (“JDS”) Monthly Report - Mr. McGinn presented his report.

Status of Disinfection Outreach Verification Effort (“DOVE”) Project - Mr. McGinn reported on the status of the DOVE project noting that efforts continue to pursue J&K to perform this work.

Dawson Well Rehabilitation - Mr. McGinn reported on the status of the Dawson Well Rehabilitation project noting that the tentative schedule is:

August 29th; brushing
August 30; chlorine and installation of the pump
September 3rd; pump testing
September 4th; pump for 10-12 hours for water quality test

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.

July 31, 2019 (adjusted as of August 21, 2019) Cash Position and Unaudited Financial Statements for the period ending July 31, 2019, ACH Report, Tap Report and Delinquency Report – The Board reviewed the above referenced documents.

Director Wilkins requested Ms. Jacoby provide additional information related to the prepaid taps.

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Claims – Ms. Jacoby distributed revised claims totaling \$21,050.10 represented by check numbers 04760 – 04773, plus auto payments totaling \$3,156.16 for a grand total of \$24,206.26.

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

DIRECTORS
ITEMS

There was none.

OTHER BUSINESS

Look Ahead Schedule - The Board discussed the Look Ahead Schedule and noted no revisions at this time.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at approximately 8:30 p.m.


Respectfully submitted,



Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL AUGUST 28, 2019 MINUTES OF THE FOREST VIEW ACRES WATER DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:


Brad Hogan


Eckehart Zimmermann


Hans Zimmermann


Nancy Wilkins


Victor McBride