

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 OCTOBER 27, 2021

ATTENDANCE

In attendance were Directors:

Brad Hogan; President
Nancy Wilkins
Eckehart Zimmerman

Also, in attendance were:

Joel Meggers; Community Resource Services, LLC (“CRS”)
Gabby Begeman; ORC Water Professionals (“ORC”) (via speakerphone)
Gwen Dall; JDS Hydro Consultants, Inc. (“JDS”)
Peter Johnson; Vranesh and Raisch, LLP
Vincent Guthrie; Resident
David Pheteplace; Resident
Curtis Rockwood; Resident

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, and it was noted that Director Victor McBride was absent, and his absence was excused.

Agenda – Mr. Meggers distributed for the Board’s approval the proposed Agenda. Following discussion, upon motion duly made by Director Zimmermann, seconded by Director Wilkins and, upon vote, unanimously carried, the agenda was approved, as presented.

Minutes - The Board reviewed the Minutes of the September 22, 2021, Regular Board meeting. Motion duly made by Director Zimmermann, second by Director Wilkins to approve the minutes as amended.

Candidates for Appointment to Board of Directors – Vincent Guthrie and David Pheteplace presented a summary of their skills and experience. Director Zimmermann moved to appoint David Pheteplace to the Board of Directors, seconded by Director Wilkins and, upon vote, unanimously carried.

Conduct Public Hearing to Certify Delinquent Accounts –The Board reviewed the delinquent list. Following discussion, upon motion duly made by Director Zimmermann, seconded by Director Hogan and, upon vote, unanimously carried, to certify delinquent accounts. The Board

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directed Ms. Begeman to install a new meter pit and curb stop as soon as possible at the address of 17280 Shiloh Pines Drive.

PUBLIC COMMENT: ON NON-AGENDA ITEMS

Curtis Rockwood reported to the Board that the two water tap fees he purchased were for the lot owned by Mr. Tuft and the other water tap was for the lot owned currently by John Cressman that were part of the Higgins Inclusion executed in 2015. He also offered that he would consider contributing \$300,000 to replace the current storage tank and relocate it on his property.

OPERATIONS AND MAINTENANCE ITEMS

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

Review and Discuss Changing the District's Locating Company – Ms. Begeman reported that she would provide a proposal from a new locating company at a future board meeting.

Update on ATP Well Repairs and Maintenance – Ms. Begeman reported that the ATP well repair had to be delayed and she would try to complete the repair again in November.

CAPITAL/ ENGINEERING ITEMS

JDS-Hydro Consultants, Inc. ("JDS") Monthly Report – Ms. Dall presented and reviewed her report with the Board.

Status Update on Town of Monument Interconnect – Ms. Dall presented that an IGA with the Town of Monument would have to be drafted prior to starting work on the construction of the interconnect. Upon motion duly made by Director Zimmermann, seconded by Director Hogan, upon vote, unanimously carried, the Board approved moving forward on drafting an IGA with the Town of Monument for the interconnect.

FINANCIAL ITEMS

Treasurers Report / Bank Balances / Transactions - Director McBride was absent.

Mr. Meggers presented the September 30, 2021, Cash Position (adjusted as of October 22, 2021) and Unaudited Financial Statements for the period ending September 30, 2021, upon motion duly made by Director Hogan, seconded by Director Wilkins, upon vote, unanimously carried, the Board accepted the September 30, 2021, Cash Position adjusted as of October 22, 2021, and unaudited Financial Statements for the period ending September 30, 2021.

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 \$43,692.58 represented by check numbers 5125 - 5138, plus auto payments totaling \$4,774.97 for a grand total of \$48,467.55. Void check #5135 for Victor McBride.

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

2022 Budget Hearing: The President opened the public hearing to consider the proposed 2022 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2022 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.

Following discussion, the Board considered Certifying the Mill Levies for the General Fund at 5.000 mills for a total mill levy of 5.000 mills. Upon motion duly made by Director Wilkins seconded by Director Zimmermann and, upon vote, unanimously carried, the execution of the Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2021. Mr. Meggers was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of El Paso County and the Division of Local Government, not later than December 15, 2021.

OTHER BUSINESS/ DIRECTORS ITEMS

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

Discuss Offering Zoom Meetings – Director Wilkins asked that a message be posted on the website asking to email CRS if anyone was interested in returning to offering a Zoom meeting option.

LEGAL

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 Wilkins, seconded by Director Zimmermann, upon vote, unanimously carried, the Board entered into Executive Session at 7:15 pm. to discuss matters related to drafting a draft inclusion agreement related to the proposed subdivision by Kathryn Van Der Gugten. Upon motion duly made by Director Wilkins, seconded by Director Zimmermann, upon vote, unanimously carried, the Board exited

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their Executive Session and entered back into their regular session at 8:15 p.m.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Director Zimmermann, seconded by Director Hogan, upon vote, unanimously carried, the Board adjourned the meeting at 8:25 p.m.

The November 24, 2021, and December 22, 2021, Regular meetings will be cancelled. A Special meeting will be held on December 15, 2021, at 6:00pm.

Respectfully submitted,



Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL OCTOBER 27, 2021, MINUTES OF THE FOREST VIEW ACRES WATER DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:



Brad Hogan

Eckehart Zimmermann



Nancy Wilkins

Victor McBride
