

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 27, 2015

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 (referred to hereafter as "Board") was held on Thursday, August 27, 2015, at 6:00 p.m., at the Monument Sanitation District, 130 2nd Street, Monument, Colorado. This meeting was open to the public.

ATTENDANCE

In attendance was Directors:

Tim Sobik
Anne Bevis
Hans Zimmermann
Eugene Ashe
Eckhart Zimmermann

Also in attendance were:

Jim McGrady; Community Resource Services ("CRS")
Mike Kielma; ORC, LLC Water Company
John McGinn; JDS Hydro Consultants, Inc.

ADMINISTRATIVE MATTERS

Director Ashe called the meeting to order at around 6:00 p.m., Mr. McGrady distributed for the Board's approval the proposed agenda. Following discussion, upon motion duly made by Director Eck Zimmermann and seconded by Director Hans Zimmermann, vote was taken and the agenda was approved as presented.

Minutes - The Board reviewed the minutes of the July 23, 2015 Regular Board meeting. Director Bevis moved the minutes be approved as presented. Upon a second by Director Sobik, vote was taken and motion carried unanimously.

Approval Process and Impacts of Preliminary Plat for a Major Subdivision by Pioneer Preserve LLC – Mr. McGrady presented what was being proposed to the county. He was directed by the board to review the referral notice and file comments as needed regarding the developments water rights and system.

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Public Comments – None

OPERATIONS & MAINTENANCE

Operations Report – Mr. Kielma presented the July/August Operations report to the Board. Unaccounted water numbers were down 15% - 20%. Mr. Kielma asked the Board if he could purchase some needed tools under ORC's spending limit of \$500.00 per month. Mr. Kielma stated the cost of the tools he needs was \$330.00. The Board approved the expenditure. The Board then discussed the ORC invoice from July. Anne mentioned there were a number of additional expense items that were shown on the invoice, of particular concern was the number of extra hours worked. The board directed Mr. McGrady to pursue the board's concerns with ORC regarding the additional cost items and report back to the board with his findings.

Update on SWTP Backwash Pond Site Improvements -Mr. McGinn reported that he will continue to monitor and evaluate the pond especially in light of possible erosion on the rather steep slope on the east side of the pond.

Coordination of Tour of District Facilities – The Board would prefer to have all of the improvements completed prior to the tour being conducted.

CAPITAL ITEMS Ratify Approval of Contract with JDS to provide Design and Construction Management Services for the Booster Station Project- The Board discussed this item and ratified their decision to hire JDS Hydro as the General Contractor and Engineer on the proposed Booster Pump Station with a total not to exceed of \$66,725 for the entire project. Director Bevis moved that the change in contract with JDS for the booster station should be approved as presented with a not to exceed amount of \$66,725. Upon a second by Director Sobik, vote was taken and motion carried unanimously.

Review Bids and Consider Award of Contract(s) for New Booster Station – Mr. McGinn reported that the project was formally bid and that James J. O'Donnell was the only bidder. Mr. McGinn recommended approving the bid by James J. O'Donnell in the amount of \$150,000. Mr. McGinn stated that all of the improvements are listed in the bid package. Anything under the building is in this package, penetrations, existing power line relocation, superstructure, roof walls, ceiling, interior lighting, and interior heating ventilation. Anything attached to the building is part of this bid and landscaping will be postponed until April. Director Eck Zimmermann moved that the Board approve the not

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to exceed amount of \$150,000. Upon second by Director Bevis, vote was taken and motion carried unanimously.

Update on Improvement Schedules A, B & C – Mr. McGinn presented the report dated August 20th. He reported that area A has been completed and that all of the mains are done in area B but services need to be tied across. Area C construction will begin in next month.

Update on Change Order #5 with Global – Mr. McGinn has been contacting CDPHE on a regular basis to try and get Change Order 5 approved. There have been a few comments that JDS has responded to immediately. Mr. McGinn reminded the Board that Change Order 5 is just revising the time period not the scope. No progress has been made during the month by CDPHE. The Board discussed the lack of response from the CDPHE and agreed that Mr. Ashe should call the CDPHE and ask them to expedite their review. Mr. McGinn will send information to Director Ashe and Director Ashe will in turn contact the CDPHE.

Director Bevis requested a mapping update when schedule A, B and C are complete. Mapping for the Villas is done and producible and JDS will work with ORC to proof the mapping.

FINANCIAL MATTERS

Payment of Claims

Mr. McGrady requested that the Board approve payment of claims represented by check numbers 03849 – 03871 totaling \$78,233.97. Director Sobik moved that the Board pay all claims and withhold \$5,000 from ORC. Upon second by Director Bevis, vote was taken and motion carried unanimously. After the vote the Board discussed the ORC invoice in greater detail. It was noted that none of ORC previous invoices have additional labor. The Board would like an explanation of all items such as capping the line on Pixy Park. Director Bevis would like to know what they are doing with their allotted 33 hours per week under this contract. Mr. McGrady was directed by the board to research the board's concerns with ORC and report back.

Monthly Cash Position and Unaudited Financial Statements - Mr. McGrady presented the monthly cash position and unaudited financial statements for review by the Board which were accepted by the Board.

OTHER BUSINESS Update on Source Water Protection Plan/Grant – The board discussed installation of the signs and that ORC needed to pursue quotes for performing the work. The Board requested a specific quote outlining the costs of the signs plus the labor cost to install

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the signs. Ms. Begeman obtained a quote from J&K for intake. Mr. McGrady presented additional possible source water protection projects. The Board was supportive of the projects but anticipated that the total costs would exceed the grant of \$5,000 and were ok with if all the projects exceeded \$5,000 making up the difference with revenue from the Capital Fund.

Review and Discuss Look Ahead Report – Mr. McGrady and Mr. Meggers will set a meeting with the Treasurer to coordinate the drafting of the 2016 budget and annual review of the District's Fee Resolution.

LEGAL

Director Sobik moved that the Board enter into Executive Session pursuant to Section 24-6-402(4) (b), C.R.S. Upon second by Director Bevis, vote was taken and motion carried unanimously.

The following items were discussed:

- Review and discuss 1985 Agreement Negotiations
- Review and Discuss Higgins Inclusions Agreement.

The session was entered into at approximately 7:26 pm. and exited at approximately 7:54 p.m.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Director Hans Zimmermann, seconded by Director Bevis, the meeting was adjourned at approximately 7:55 pm.

Respectfully submitted,


Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL
AUGUST 27, 2015 MINUTES OF THE FOREST VIEW ACRES
WATER DISTRICT BY THE BOARD OF DIRECTORS
SIGNING BELOW:


Anne Bevis

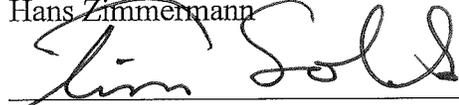

Eugene Ashe

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Ekehart Zimmermann

Hans Zimmermann



Tim Sobik