

## RECORD OF PROCEEDINGS

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MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
FOREST VIEW ACRES WATER DISTRICT  
AND THE BOARD OF DIRECTORS OF THE  
WATER ACTIVITY ENTERPRISE  
HELD  
MAY 24, 2007

A special 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, the 24th day of May, 2007, at 6:00 P.M. at the Administrative Building, Learning Center, Lewis-Palmer School District #38, 36A Jefferson Street, Monument, Colorado. The meeting was open to the public.

### ATTENDANCE

Directors In Attendance Were:  
Barbara Reed-Polatty, Chairman  
Eckehart "Eck" Zimmermann  
Anne Bevis  
Chris Monsen

Upon motion duly made by Director Bevis, seconded by Director Zimmermann and, upon vote, unanimously carried, the absence of Richard Theodore Crocker was excused.

Also In Attendance Were:  
Lisa Johnson; Special District Management Services, Inc.

Paul C. Rufien, Esq.; Paul C. Rufien, P.C.

Josh Hockom; Community Solutions, Inc.

Members of the public

### ADMINISTRATIVE MATTERS

Agenda: Ms. Johnson distributed for the Board's review and approval a proposed Agenda for the District's regular meeting. Following discussion, upon motion duly made by Director Bevis, seconded by Director Zimmermann and, upon vote, unanimously carried, the Agenda was approved.

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Minutes: The Board reviewed the minutes of the April 26, 2007 regular meeting. Following discussion, upon motion duly made by Director Bevis, seconded by Director Zimmermann and, upon vote, unanimously carried, the Board approved the minutes of the April 26, 2007 regular meeting.

Workers' Compensation insurance: The Board considered a proposal from the Special District Association for coverage.

Following discussion, upon motion duly made by Director Bevis, seconded by Director Zimmermann and, upon vote, unanimously carried, the Board approved the proposal for workers' compensation insurance coverage.

Public comments on agenda items: No comments were made.

### FINANCIAL MATTERS

Claims: The Board considered approval of the payment of claims for the period ending May 24, 2007, totaling \$61,387.19.

Following discussion, upon motion duly made by Director Zimmermann, seconded by Director Bevis and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending May 24, 2007, totaling \$61,387.19.

Financial Statements: The Board deferred review of the financial statements.

### LEGAL MATTERS

Discussion of all legal matters was deferred.

### OPERATIONS REPORT

Discussion of all operations matters was deferred.

### OTHER BUSINESS

Public comments: Members of the public were in attendance to discuss the recent loss of water and the Tier 1 - Drinking Water Warning. Attorney Rufien outlined the procedures to be followed for the public comment section of the meeting.

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The following are notes taken by the Secretary regarding the statements made by the public.

**SPEAKER-Ben Lee, SUBJECT-Public participation**-Source water assessment and protection; teamwork is the key; upset with the introduction made by Attorney Rufien; wants more community involvement and better communication; reporting to the people that you serve; no boil order, explained boil order; wants more teamwork.

**SUBJECT-Recap**-Asked residents to meet without the Board.

**SPEAKER-Jeff Dull, SUBJECT-Funding of the infrastructure**-People are interested in fixing the problem, just didn't want to do it via the election question.

**SUBJECT-Director Reed-Polatty/Water District**-Director Reed-Polatty's recollections of Saturday are poor and detached from the situation; Chris Monsen and Anne Bevis-wanted to thank them personally; want Director Reed-Polatty to resign.

**SPEAKER-Gil Moore, SUBJECT-Water Emergency**-Why is Mr. Bacon not here?; HOA meetings run differently than this meeting; Didn't like the lawyer running the meeting.

**SUBJECT-The Water Emergency**-Police presence-who requested it?; Who does Paul work for?; Why did Attorney Rufien advise Lisa not to attend the press conference?; Press conference was designed to provide factual information; Why did Attorney Rufien say that the Board need not listen to the comments of the public?; Meeting with Town of Monument asking if they would take over the O&M and Management of the District. Town Manager willing to talk to the Board.

**SPEAKER-Todd Tillinghort, SUBJECT-Water issues**-Lives at the top of the ranch and feels that whenever there is not water it constitutes an emergency; Has CSI & SDMS

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fulfilled their contracts? and if not can the District terminate contracts?; Operators not competent and contacts not available to fix problems; Report water outages; Should never have let the tank run dry to disallow the Surface Treatment Plant to run; Better communication.

**SPEAKER-Myles Parker, SUBJECT-Elimination of Community Solutions Inc., dissolving the District and being acquired by the Town of Monument-Inadequately** staffed and geographically located to manage and operate and maintain the District; Explore more local management and operations.

**SPEAKER-M.E. "Pete" Pettigrew, SUBJECT-Past of Red Rocks Ranch Water District-Allowed** people from Denver to manage, operate and bill for the district; Operator had no idea of the area; Local people who know where the pipes are and where they are located; When water is lost at the top of the Ranch it should be an emergency; Wants to have SDMS & CSI terminated.

**SPEAKER-Doreen McLaughlin, SUBJECT-Election Results-**Concerns about election results; Voted on the election and didn't know what the outcome was; Wants better communication on election results.

**SPEAKER-Dave Naumann, SUBJECT-Water emergency, seeking change-**Wants change in the District; Feels that Director Reed-Polatty was condescending and that SDMS is paid too much and the residents are not getting what they are paying for.

**SPEAKER-Susan Gates, SUBJECT-Recent water outage and Board responsibilities-**Board to deliver safe water to the residents; Should have an Emergency Response Plan in place; Should have a notification system and implemented in a timely manner; Disappointed in Director Reed-Polatty's reaction and wants to ask for her recall.

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**SPEAKER-Ted Hatz**, Never received notice of water issue; Vote not to upgrade the system; Spending big money for nothing; Wants resignation from some Board members.

**SPEAKER-Danny Rose**, *SUBJECT-Pressure loss-immediate EMERGENCY*-Upper Ranch - lives there; Oldest lines and creating vacuum; Every six months or so they are losing water; Service fees tripled and no new service.

**SPEAKER-Dale J. Ekberg**, *SUBJECT-Water issues*-Upset that no technical questions can be asked; What efforts are being taken to map and inventory the existing lines?; When will the water be safe to drink?

**SPEAKER-Stuart Currier & Rikki Currier**, *SUBJECT-Condition of the system in the Cloven Hoof area*-Sink hole in Cloven Hoof; Ron tested for chlorine in his water and no chlorine existed; Never released the lien on his house after the bill was paid; Thinks Director Reed-Polatty needs to resign.

**SPEAKER-Kevin Guy**, *SUBJECT-Water issues*-Thank all the residents for coming; Insulted by the introduction; Looks around and sees great neighbors and everyone from Denver is paid; Local people to manage the District; Concerned citizens in the audience.

**SPEAKER-Jeanette Clark**, *SUBJECT-Communication, no loan to get around the mill levy vote*-Work on communication in the District; Recommend setting up a website with info; Ask people to send in contact info; Ask for volunteers to distribute info; If the District had supplied drinking water to residents in this situation, it would have been a better situation; Rumors about the District that Director Reed-Polatty is asking for an \$8 million loan.

**SPEAKER-Nancy Slade**, *SUBJECT-Water Emergency*-New resident; No request for contact info or phone tree; No resources provided upon transfer of property; Incompetence in the District; No response from Ms.

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Johnson and she left a lengthy message regarding the situation.

**SPEAKER-Michele Asher & Tom Thieme, SUBJECT-In the name of @ 120 people who have signed a petition-Concerned** about the issues; Information petition to ask for the recall of Director Reed-Polatty and listed the reasons why; Wants to transition the operations, maintenance and management to a local company; Wants someone who can understand the needs of the water district; Asked for Director Reed-Polatty's resignation.

**SPEAKER-David Thompson, What actions are being taken by the Board to prevent future water problems?; Best tasting water in the state; What steps is the Board taking to ensure that this doesn't happen again?**

**SPEAKER-Sheila Payton, SUBJECT-Notification, procedures, new construction-Concerned** about one sided meeting; Values of home at risk; Concerned about system pressure; Educated people in the neighborhood; Why won't Director Reed-Polatty resign?; Feels she should resign; Randy Gillette ran from this District for a reason. Coming back as a friend; Does State statute require a water board?; Round table with neighbors sharing knowledge and information; Residents at the top of the ranch were out of water for several days; Work as a team.

**SPEAKER-Lisa Green, SUBJECT-Timeliness and contact ways-Resident for 7 1/2 years; Attorney is arrogant and condescending; Did not receive conservation flyer; No notification; Better way of communication - all notified.**

**SPEAKER-Charlie Pike, SUBJECT-Water loss-Board member before; Problems identified today were problems back then; Cash problems & infrastructure problems; Fought the inclusion of developable property years ago and shut down tap permits; People that want to blame someone; People trying to serve their neighbors in the**

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best way; Feels badly for the people who were without water; People should offer suggestions not just point fingers

**SPEAKER-Marsha Miller, SUBJECT-Impending sale**-Concerned about water issues because she is scheduled to sell her home on 5/31/07; Will the water be safe?; Will it be clean again?

**SPEAKER-Hans Zimmermann, SUBJECT-About how we pretend to care!**-The residents are the problem; Not enough care and concern about the issues; Where were all the people in the past.

**SPEAKER-Brett Hull, SUBJECT-Legal, wells**-Wells limited on production; Timeframe to notify residents of drop in pressure; Received notification (Boil Order) on Tuesday; Teamwork to troubleshoot the system; Frustration in emails because of lack of trust of people in the community; Tap the line in the middle and pressure test; Disappointed in the notification.

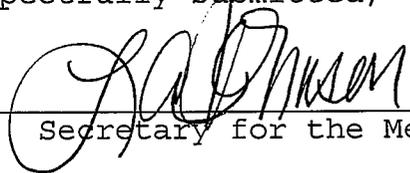
After all of the public comments were made, each Board member was given the opportunity to address the public.

### ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made, seconded and, upon vote, unanimously carried the meeting was continued to June 8, 2007 at 9:30 a.m., contingent upon availability of the Monument Library meeting room.

Respectfully submitted,

By

  
Secretary for the Meeting

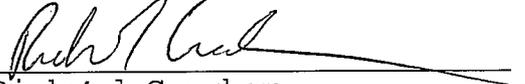
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THESE MINUTES APPROVED AS THE OFFICIAL MAY 24, 2007  
MINUTES OF THE FOREST VIEW ACRES WATER DISTRICT BY THE  
BOARD OF DIRECTORS SIGNING BELOW:

  
Barbara Reed-Polatty

  
Eckehart Zimmermann

  
Richard Crocker

  
Anne Bevis

  
Chris Monsen