

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 28, 2010**

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, October 28, 2010, 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 were Directors:

Eugene Ashe
Anne Bevis
Steven Keefer
Karla Allen

Absent was Eckehart Zimmermann whose absence was excused.

Also in attendance were:

Joel Meggers; Community Resource Services ("CRS")
Shilo Williams and Gabrielle Begeman; Southwest Water
Company
Rick Goncalves and Gary Welp; RG and Associates, LLC
Gary Nevins; Resident

ADMINISTRATIVE
MATTERS

Director Bevis called the meeting to order at 6:05p.m. Mr. Meggers distributed for the Board's approval the proposed agenda. Following discussion, upon motion duly made by Director Keefer and seconded by Director Ashe, vote was taken and the agenda was amended. The following items were added to the agenda: SCADA, SWTP Electrical Panel and Snow and Ice Operations Contract.

RECORD OF PROCEEDINGS

MINUTES -The Board reviewed the minutes of the September 30, 2010 special board meeting. Director Allen moved the minutes be approved as presented. Upon a second by Director Ashe, vote was taken and motion carried unanimously.

Public Hearing on Certification of Delinquencies to the County for Collection – The Board opened the public hearing. The Board noted that no one from the public was in attendance. Mr. Meggers stated that the District had only one delinquent account and that it had been paid in full. The District did not have to certify any accounts with the county for collection. The Board closed the public hearing.

CAPITAL ITEMS

Update on Design and Implementation of Infrastructure Repairs/Upgrades -

Storage Tank Improvement Project– Mr. Welp stated that the temporary tanks are on site and the controls are being installed. Mr. Welp presented the contract with Norvell Construction; for approval and signature. Mr. Welp informed the Board that the contractor would also paint the outside of the tank. Director Allen moved that the Board approve. Upon second by Director Ashe, vote was taken and motion carried unanimously.

Transmission Line Installation – Mr. Welp provided a construction update. He reported that Kempton has completed over 60% of the project.

- Mr. Welp presented the following change orders to the Kempton Contract: change order “C” to replace the distribution line at the booster pump station and Change order “D” for the realignment across the Nevins Parcel and the associated extra fitting, pipe and vegetation removal and restoration, and Change order “E” involving repairs to the damaged water lines that were unable to be located or the placement relative to the pipeline determined. These additional change orders increased the total contract amount to \$370,129.50. Director Allen moved that the change orders be ratified. Upon second by Director Ashe, vote was taken with Director Keefer abstained.
- Arapahoe Well Access/Survey – Director Bevis reported that she is currently working with the County on this project.
- Easements across Nevins Property – Gary Nevins presented drafts of the following documents to the Board.
 - Easement for Lot 4 Cloven hoof (flag lot on Vista View)

RECORD OF PROCEEDINGS

- Easement for Nevins Meadow (the portion owned by Gary and Penny Nevins)
- Easement for Nevins Meadow (the portion owned by Red Rocks Ranch / Mary Nevins)

Mr. Nevins informed the Board that the draft agreements would have additional revisions from his attorney. The Board informed Mr. Nevins that they would review the drafts and discuss them with Director Zimmermann when he returns from being out of the country. The Board would then contact Mr. Nevins to coordinate the negotiation and approval process.

RG and Associates LLC presented their proposal to coordinate the revisions to the Nevins Easement with a not to exceed of \$7,500. Director Ashe moved that the Board approve. Upon second by Director Allen, vote was taken and motion carried unanimously.

Booster Pump Station Modification – Mr. Welp reported that this project has been completed and final request for payment is being processed.

SWTP Improvements – Mr. Welp reported that the District is still waiting on plan approval from Colorado Public Health and Environment.

ATP Well Rehabilitation – this item has been deferred until 2011.

Limbaugh Canyon Easements – this item has been deferred until 2011.

SCADA – Mr. Goncalves presented estimated costs of a SCADA plan. The Board directed RG & Associates that no further work is needed to be performed by them on this project.

OPERATIONS

Change in Operations Staff – Ms. Williams of Southwest Water Company introduced Gabrielle Begeman (Gabby) the new operations person for the District.

Proposal from RG & Associates to videotape operations of District facilities – Director Ashe moved that the proposal be ratified with a not to exceed amount of \$2,160. Upon second by Director Allen, vote was taken and motion carried unanimously.

Monthly Operations Report – Ms. Williams and Ms. Begeman

RECORD OF PROCEEDINGS

presented the report. Director Keefer requested that Southwest Water Company develop an action plan of improvements that the Board could review and discuss at a future board meeting.

Monthly Production Report and ATP Well Depth – Mr. Meggers presented the report.

Potential Unauthorized Taps – Mr. Meggers reported that capital projects have taken priority over this item. Southwest Water Company will once again pursue properties on the list when the current capital projects are completed.

SWTP Electrical Panel – Southwest reported that the SWTP needs a new electrical panel. The Board directed Southwest to pursue the installation of a new panel. Southwest estimated that it would cost less than \$900.

Snow & Ice Operations Contract – Mr. Meggers presented the contract with Sharpest Cut Landscaping, Inc. for snow plowing services for the 2010 – 2011 snow and ice season.

\$150.00 per plow 2-10" dry snow

\$225.00 over 10" dry or under 10" wet

\$300.00 over 10" wet

Director Keefer moved that the Board approve. Upon second by Director Ashe, vote was taken and motion carried unanimously.

FINANCIAL MATTERS

Payment of Claims

Mr. Meggers requested that the Board consider payment of the claims represented by check numbers 2581 - 2604, totaling \$214,491.85. Director Ashe moved that the Board approve the payment of claims as presented. Upon second by Director Allen, vote was taken and motion carried unanimously.

Cash Position Statement and Unaudited Financial Statements

The Board reviewed the monthly cash position and unaudited financial statements for the period ending September 30, 2010. The Board accepted them as presented.

Capital Project Summary – Mr. Meggers presented the project summary to the Board.

Draft 2011 Budget – Mr. Meggers presented the draft 2011 budget.

RECORD OF PROCEEDINGS

OTHER
BUSINESS

Structure of Next Meeting – Mr. Meggers and the Board recommended the following items for the next Board meeting: adopting the 2011 budget, and reviewing capital projects and easements.

LEGAL ITEMS

1985 Agreement and 2004 Amendment – This item was deferred.

Update on Wilde Litigation - Director Bevis provided the update. She reported that the opening brief was filed on November 1st by Mr. Rufien the District’s attorney. She then informed the Board that Mr. Wilde’s Attorney would file a brief around December 1st and the District’s answer/reply would be due around mid-December. She added that their final brief would be due at the end of December. Director Bevis reported that Mr. Rufien commented that he would not be surprised if they ask for extensions for their deadlines, which they could be granted because of the holidays.

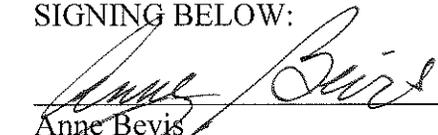
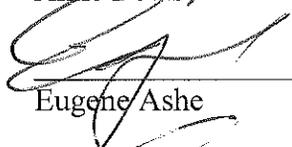
ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Director Keefer, seconded by Director Ashe, the meeting was adjourned at 9:35 p.m.

Respectfully submitted,

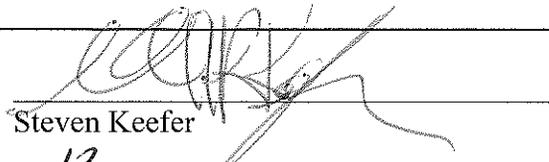

Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL
OCTOBER 28, 2010 MINUTES OF THE FOREST VIEW
ACRES WATER DISTRICT BY THE BOARD OF DIRECTORS
SIGNING BELOW:


Anne Bevis

Eugene Ashe

Eckehart Zimmermann

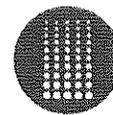
RECORD OF PROCEEDINGS



Steven Keefer



Karla Allen



Forest View Acres Water District

Operations Report – October, 2010

Prepared by Brenda Smith, SouthWest Water Company.

Sampling:

- The required sample was collected for the Routine Coliform.
 - The required Lead and Copper samples were collected.
- Received results received are within normal range and are on site inside the yellow folder in the Arapahoe treatment plant.

Treatment Plants:

Arapahoe Water Plant:

- Has been operating normally.
- Well level readings are getting better/ higher during operation.

Transmission Line/Booster Station:

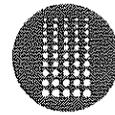
- Normal Operation, a new T was installed to feed temporary tanks, temporary tanks are being installed. The road to the tank has been cleared.
- Construction of the new line has been started and is up to Red Rock Ranch Drive and Stone View Road, the distribution line has been hit 6 times since the project started due to it's real unknown location.
- The Booster Station's modification has been completed, it just needs to be fine tuned and a small part on a Cla-Valve repaired.

Surface Water Plant:

- The plant is being run at a reduced flow of 30-40gpm and is running above any expectations even thou the creek is very low.
- A lens on one of the secondary filters was replaced and the filter was raked.
- The air compressor was repaired with a new switch.
- The Inlet was cleaned.

Distribution system:

- The small leak near the south end of Granite Circle was repaired.
- The line leak connected to the Fire Hydrant at Sierra Vista and Pike View Way was repaired.



Miscellaneous:

- Address 18450 Pixie Park Road was inspected for water usage before meter, none was found.
- 3 meters in the District quit working, one of the three has been changed out one is being scheduled and the third will be pink tag posted again.
- The bears are swimming in the back wash pond
- RG has been on site and has been so helpful.

Thank you,

Brenda Smith
SouthWest Water Company