

# 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 SEPTEMBER 29, 2011

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, September 29, 2011, at 6:00 p.m., at the Monument Sanitation District, 130 2<sup>nd</sup> Street, Monument, Colorado. This meeting was open to the public.

### ATTENDANCE

In attendance were Directors:

Anne Bevis  
Karla Thompson  
Gene Ashe  
Steven Keefer  
Eckehart Zimmermann

Also in attendance were:

Joel Meggers; Community Resource Services ("CRS")  
Gabrielle Begeman; ORG, LLC Water Company  
Bobbie Mastronardi; Resident  
Hans Zimmermann; 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 Zimmermann and seconded by Director Ashe, vote was taken and the agenda was approved unanimously.

MINUTES - The Board reviewed the minutes of the August 25, 2011 regular board meeting. Director Bevis moved the minutes be approved as amended. Upon a second by Director Zimmermann, vote was taken and motion carried unanimously.

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Public Comments – Bobbie Mastronardi reported that a water break that the District repaired by her home also caused damage to her sewer service line. She had to have it repaired and submitted her paid invoices for the repair to the District requesting that the Board consider reimbursing her. The Board reviewed and discussed the issue with her and District staff. The Board directed staff to pursue a claim with its insurance provider and report back at the next board meeting.

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### CAPITAL ITEMS

Review and Discuss Drinking Water Revolving Fund Program– Mr. Meggers presented the timeline for application and spring 2012 award of the DWRF loan.

Preliminary Engineering Report – The Board ratified a proposal with RG Engineering to draft and submit a PER to CDFHE to meet the requirements of the DWRF loan program of a not to exceed amount of \$8,000. The Board directed staff to schedule and coordinate a conference call with representatives of RG Engineering, Directors Zimmermann and Bevis to review and finalize the draft PER for submittal to CDPHE.

Status Update of Diversion Improvements and Grant - Director Zimmermann recommended that work begin in the spring of 2012 as soon as the weather warms up and the ground dries out. Mr. Meggers reported that he has not heard back from the Rural Water representative regarding the grant.

Document Storage and Requirement for Automation – Director Bevis recommended delaying this project until after completion of the PER and loan process.

### OPERATIONS & MAINTENANCE

Operations Report – Ms. Begeman presented the August/September operations report for the Board's review, a copy of which is attached to these minutes and incorporated herein. The Board authorized a not to exceed amount of \$50,000 for the SWTP PLC and the 3 flow meters. Upon motion duly made by Director Zimmermann and seconded by Director Thompson, vote was taken and the project was approved unanimously.

Monthly Production Report and ATP Well Depth – Ms. Begeman presented for the Board's review.

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### FINANCIAL MATTERS

#### Payment of Claims

Mr. Meggers requested that the Board consider payment of the claims represented by check numbers 002819 – 002836 totaling \$23,546.78. Director Ashe moved that the Board approve the payment of claims as presented. Upon second by Director Keefer, vote was taken and motion carried unanimously.

#### Ratify Monthly Cash Position and Unaudited Financial Statements

The Board reviewed and ratified the monthly cash position and unaudited financial statements.

Review Draft 2012 Budget and Cash Flow Projections - Mr. Meggers presented the draft 2012 budget for the Board's review.

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### OTHER BUSINESS

Public Comments – None

### LEGAL ITEMS

#### Status on Wilde Litigation

Director Keefer moved that the Board enter into Executive Session pursuant to Section 24-6-402(4)(b), C.R.S. Upon second by Director Thompson, vote was taken and motion carried unanimously. The session was entered into at 8:20 pm. and exited the session at 8:30 pm

Director Bevis reported that a settlement offer is being pursued.

1985 Agreement and 2004 Amendment – Director Zimmermann reported that a signed easement for the driveway of the ATP was returned to him by the Nevins.

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### ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Director Thompson, seconded by Director Keefer, the meeting was adjourned at 8:35 p.m.

Respectfully submitted,

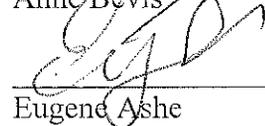
  
Secretary for the Meeting

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THESE MINUTES ARE APPROVED AS THE OFFICIAL  
SEPTEMBER 29, 2011 MINUTES OF THE FOREST VIEW  
ACRES WATER DISTRICT BY THE BOARD OF DIRECTORS  
SIGNING BELOW:

  
\_\_\_\_\_  
Anne Bevis

  
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Eugene Ashe

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Eckehart Zimmermann

  
\_\_\_\_\_  
Steven Keefer

\_\_\_\_\_  
Karla Thompson