

RECORD OF PROCEEDING

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF: FOREST VIEW ACRES WATER DISTRICT AND THE BOARD OF DIRECTORS OF THE WATER ACTIVITY ENTERPRISE HELD THURSDAY OCTOBER 23rd, 2024

ADMINISTRATIVE ITEMS

The regular meeting of the Board of Directors of the Forest View Acres Water District, El Paso County, Colorado was called to order on the day shown above by Director Pheteplace in accordance with the laws of the State of Colorado. The following Directors were acting:

David Pheteplace, President, Term Expiration: May 2025
Nancy Wilkins, Term Expiration: May 2025
Paul McKean, Term Expiration: May 2025
Vincent Guthrie, Term Expiration: May 2027
Matt Quinlan, Term Expiration: May 2027
Gregory Hoffman, Term Expiration: May 2025
P.K. Robinson, Term Expiration: May 2025

Also present were:

Joel Meggers; Community Resource Services, LLC (“CRS”)
Molly Couture; Community Resource Services, LLC (“CRS”)
Andrea Kehrl; Vranesh and Raisch, LLP
Gabby Begeman; ORC Water Professionals
Mike Waresak, Forsgren Associates, Inc.

CALL TO ORDER

A quorum of the Board was present, and the meeting was called to order at 6:01 p.m.

APPROVE AGENDA

Ms. Couture presented for the Board’s approval the proposed Agenda. Upon motion duly made by Director Robinson, seconded by Director Hoffman and, upon vote, unanimously carried, as amended per the request of Director Wilkins to account for a conversation about a November meeting.

MINUTES

The Board reviewed the Minutes of the September 27th, 2024, Regular Board meeting. Motion duly made by Director Guthrie, seconded by Director Hoffman and, upon vote, unanimously carried, the minutes were approved, as amended per the request of Director Wilkins to adjust the language for Executive Session.

PUBLIC COMMENT

There was no public comment.

OPERATIONS REPORT AND MAINTENANCE ITEMS

ORC Water Professional's Monthly Operations Report – She shared updates regarding the Emergency Interconnect, water meter repairs, the Lead Service Line Inventory, Arapahoe Well and Arapahoe Filter Plant, and the Booster Pump Station. She shared issues with the filters, and that one of the filters is offline currently.

Additionally, she reported on valve testing. She named that the Booster Pump is failing, and there is a possibility that there will be a need to hook up to the emergency Interconnect. She requested a backup pump to replace the spare at the Arapahoe. Upon motion duly made by Director Quinlin, seconded by Director Wilkins and, upon vote, unanimously carried, the Board of Directors approved the purchase of the backup pump to be purchased by ORC, in the cost not to exceed \$10,000.

CAPITAL / ENGINEERING ITEMS

Forsgren Engineering Updates – Mr. Waresak reviewed and discussed the monthly report prepared by Forsgren Associates, Inc.

Mr. Waresak addressed the Interconnect Project and shared the status of the interconnect with Monument. He believes the project will be complete in November.

Mr. Waresak shared updated about the Pre-Construction meeting and made recommendations to the Board regarding contract adjustments per the request of the contractors. The Board gave direction to proceed with the current contract, as executed.

There were no updates regarding the Clovenhoof Loop Project.

FINANCIAL ITEMS

Mr. Guthrie presented the monthly cash position and unaudited financial statements that were provided in the board packet.

- Billing Register Report (enclosure) – No action was required.
- Tap Fee Report (enclosure) – No action was required.
- ARPA Expense Form & Summary (enclosure) – The Board discussed the timing of reimbursement requests for ARPA Expense Forms and approved more frequent submissions.

Payment of Claims: Mr. Guthrie presented the current payment of claims in the amount of \$132,312.14. Following review, upon motion duly made by Director Hoffman, seconded by Director Pheteplace, upon vote, unanimously carried, the claims were approved, as presented.

DIRECTORS ITEMS / OTHER BUSINESS

Look Ahead Schedule – Ms. Couture reviewed and discussed the look ahead with the Board.

Director Wilkins addressed the Board to advocate for an additional meeting in November. There was a discussion with the Board regarding the timing of payables, as well as communication regarding legal issues. It was decided that no additional meeting was needed, but that CRS would provide payables for both November and December by email to the Treasurer, Director Guthrie, for approval.

LEGAL MATTERS

ADJOURN INTO EXECUTIVE SESSION IF NECESSARY Pursuant to §24-6-402(4)(e), C.R.S. for determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators., pursuant to §24-6-402(4)(b), C.R.S. to consult attorney on specific legal questions.

Motion duly made by Director Wilkins to move into Executive Session at 7:03 p.m. seconded by Director Hoffman and, upon vote, unanimously carried, the Board moved to Executive Session to review and discuss contract negotiations regarding the Water Court Case of GTG Red Rock LLC as well as the Waterline Break at 4639 Redstone Ridge.

Motion duly made by Director McKean to move out of Executive Session at approximately 7:40 p.m., seconded by Director Guthrie and, upon vote, unanimously carried, the Board moved to return to the regular Agenda. While there was some initial conversation regarding legal direction, without a motion to extend the meeting, no direction was provided.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Director McKean, seconded by Director Quinlan, upon vote, unanimously carried, the Board adjourned the meeting at 7:42 p.m.

Respectfully submitted,

_____/s/_____

Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL OCTOBER 23, 2024 MINUTES OF THE FOREST VIEW ACRES WATER DISTRICT BY THE PRESIDENT OF THE BOARD SIGNING BELOW:

_____/s/_____

David Pheteplace