

## RECORD OF PROCEEDINGS

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**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  
MARCH 27, 2008**

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, March 27, 2008, at 6:00 p.m., at the Tri-Lakes Fire Station No. 1, 18650 Highway 105, Monument, Colorado. This meeting was open to the public.

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ATTENDANCE

In attendance were Directors:

Barbara Reed-Polatty  
Eckehart Zimmermann  
Anne Bevis

Absent:

Absent were Directors Monsen and Crocker, whose absences were excused.

Also in attendance were:

Joel Meggers and Sue Blair; Community Resource Services ("CRS")  
Paul Ruffin, Esq.  
Erik Etamaler; Southwest Water Company  
Gene Ashe, Resident  
Laura Kelecy, Resident  
Steve Fiala, Resident  
Ben Lee, Resident  
Tom Thieme, Resident  
M. E. Pettigrew  
Hans Zimmermann

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ADMINISTRATIVE Acting Vice-President Reed-Polatty called the meeting to order at 6:00 p.m. Ms. Blair distributed for the Board's approval a proposed agenda.

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Following discussion, upon motion duly made by Director Zimmermann and seconded by Director Bevis, vote was taken and the agenda was approved unanimously as amended.

### Minutes

The Board reviewed the minutes of the February 28, 2008 Board meeting. Director Zimmermann moved the minutes be approved as amended. Upon second by Director Bevis, vote was taken and motion carried unanimously.

### Board Packets

The Board requested that Board packets be emailed only the Friday prior to the Board meeting. Agenda packets will no longer be delivered to the Board.

## FINANCIAL MATTERS

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### Review and Approve Payment of Claims

Ms. Blair requested that the Board consider payment of the claims represented by check numbers 2075-2089, totaling \$37,247.07. Director Zimmermann moved that the Board approve the payment of claims as presented. Upon second by Director Bevis, vote was taken and motion carried unanimously. Director Zimmermann stated that the Board needs to establish a budget for extra or special services performed by the District's consultants. CRS billed the District approximately \$4,000 for meetings/work performed on the TMF Evaluation. Director Zimmermann asked if the Board had requested the CRS/SDMS comparison sheet, and he stated that it is not necessary.

### Review February 29, 2008 Financial Statements

The Board reviewed the financial statements for the period ending February 29, 2008. The Board accepted the financial statements as presented.

### Review 2/29/08 Cash Position

Director Zimmerman discussed with the management team that he did not like the new cash position statement prepared by CRS. Mr. Meggers will revamp the cash position to tie to fund balances. Encumbered cash will be identified. The Board requested that CRS deposit all District revenues into the checking account - not ColoTrust.

Utility Billing - The Board reviewed the delinquent account report. The Board directed that availability of service customers be billed on a quarterly basis, and that statements with zero balances not be mailed. In addition, the \$5.00 penalty will be waived on accounts that are typically paid in advance.

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Loans and Grants - The Board requested that CRS research grants and loans from various entities, and start the application processes.

Transfer of Debt Service to Capital Fund – Acting Vice-President Reed-Polatty asked Mr. Meggers if it was necessary to transfer the ending Debt Service Fund balance to the Capital Projects Fund. Mr. Meggers responded that the funds could be transferred as needed.

### OPERATIONS REPORT

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Erik Etamaler reviewed the March operations report with the Board, a copy of which is attached to these minutes and incorporated herein.

Contracts with Subcontractors - The Board asked Mr. Etamaler if he was familiar with any contractors in the area that the District could use in addition to AAA Ditching. Erik responded that he does not know any contractors, and that he will ask Brenda if she knows of any since she resides in the area. Mr. Rufien suggested that all subcontractors be hired through Southwest, so that the District Board or other consultants did not need to get involved in hiring subcontractors. The Board requested that the issue of subcontractors be put on the April agenda for further discussion.

Raised Street Valves- Erik reported that two street valves were raised on Shiloh Pines, and that the County is requesting that the cold patches be removed and the valves be repaired with hot patch. Erik stated that this was an unreasonable request. Mr. Meggers was requested to contact the County regarding this issue.

Polanco Property- The property was inspected on February 20th. The unmetered service to the barn was previously excavated and is currently exposed. The service to the entire property should be metered just inside the property line. Once the service line or lines within the property are located, meter pit installation can be planned.

By-Pass Line - Erik reported that he has asked Amwest to look into installation of a by-pass line at the plant.

Cross-Connection - RG is getting information to coordinate with the State for approval to remove the cross-connection. Currently it is disabled. The District authorized a maximum of \$3,000 to be spent on this project.

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District Maps - Mr. Meggers distributed copies of District maps that had been compiled by RG Consulting Engineers from all the various maps collected by them from various parties involved in the District. RG is requesting Board input. The Board discussed scheduling a work session to review the maps.

Fiala Saddle Tap Issue - Erik reported that AAA Ditching had told him that they did not break the tap at the Fiala residence. Mr. Fiala stated that was a lie. The Board requested that Ms. Blair prepare and send a letter to Mr. Fiala and AAA Ditching asking them to attend the April meeting to address this issue.

Addendum to the Rules and Regulations - The Board stated that there was an addendum to the rules and regulations approved in May or June of 2007 regarding meter specs. Vice President Reed-Polatty will forward a copy of the addendum to CRS and RG Consulting. The Board would like RG Consulting to make a recommendation on meter specs (including the vault).

### MANAGER'S ITEMS

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Look-Ahead Schedule- Mr. Meggers distributed an update to the look-ahead schedule for Board review and input.

Cancellation of Election - Ms. Blair reported that Gene Ashe and Steve Keefer will be joining the Board in May, along with Eck Zimmermann and Anne Bevis. Chris Monsen withdrew his self-nomination and acceptance form. The Board requested that the newly elected Board members receive all emails and correspondence relating to the District.

Spending Limitations and Funding Sources - Director Bevis requested that the matter of spending limitations and funding sources be placed on the April meeting agenda for discussion. Director Bevis will take the first step to draft a policy guideline, as well as a moderately precise list of circumstances that need to be addressed. Southwest currently has a \$600 spending authorization, and CRS has a \$5,000 emergency spending authorization.

Saddle Repairs - Ms. Blair reported that the District has received the Alexander's reimbursement check regarding the repair of their saddle tap.

Update on TMF Evaluation - The District has not received any further communication from Stanec or CDPHE regarding the TMF evaluation.

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SDA Insurance Pool Policy - Mr. Meggers explained that the Pool now has coverage for water and sewer backups. The Board requested that a summary of the coverage be placed on the District's website to inform the public.

Proposed 2008 Engineering Work - Mr. Meggers distributed a copy of a letter from RG Consulting Engineers regarding proposed 2008 engineering work. The Board requested that it be placed on the April Board meeting agenda for discussion.

### Regional Workshops for Board Members

The Board requested that Ms. Blair find out when and where the Special District Association sponsored regional workshops will be held this spring.

### PUBLIC COMMENT

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Gene Ashe read his personal statement regarding the natural gas exploration that is contemplated south of Red Rock Ranch. He requested that the Board take a position on this issue. Vice President Polatty stated that some of the Board members would be attending a meeting on April 1st. A work session will need to be scheduled so that the Board can discuss the issues and take a position. It could be that the Board will not take the lead but will align itself with the citizen's action group as there is power in numbers. Discussion ensued regarding the necessity for the environmental assessment include the Board comments. As soon as the EA is published, the Board will schedule a work session.

### LEGAL ITEMS

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Director Zimmerman moved that the Board enter into Executive Session to discuss contract negotiations. Upon second by Director Bevis, vote was taken and motion carried unanimously.

The Board reconvened into General Session at 9:03 p.m.

### ADJOURNMENT

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There being no further business to come before the Board, upon motion duly made by Director Bevis, seconded by Director Zimmermann, the meeting was adjourned at 9:15 p.m.

Respectfully submitted,



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Secretary for the Meeting

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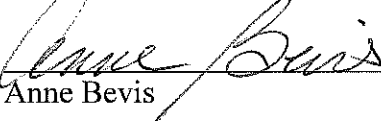
THESE MINUTES APPROVED AS THE OFFICIAL MARCH 27, 2008 MINUTES OF THE FOREST VIEW ACRES WATER DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

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Richard T. Crocker

  
Barbara Reed-Polatty

  
Eckehart Zimmermann

  
Anne Bevis

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Chris Monsen