

RECORD OF PROCEEDING

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF:

DEER CREEK WATER DISTRICT

HELD FRIDAY, APRIL 16, 2026, AT 6:30 PM

ADMINISTRATIVE ITEMS

The special meeting of the Board of Directors of the Deer Creek Water District, Elbert County, Colorado was called to order on the day shown above by Director Kirkwood in accordance with the laws of the State of Colorado. This meeting was held virtually via Zoom. The following Directors were present and acting:

Kevin Kirkwood, President
Jeff Hundley, Secretary
Anthony Hampton, Director
Renee Marker, Director

Also present was:

Marcos Pacheco, Community Resource Services of Colorado
Nick Linch
Bruce McQuaid
Roy D
Sam Quraini
Sheryl FitzHerald
Keith Burke
Jennifer Haller
Anne Pitts
Debbie Kirk
Susan Cormier
Sheila Grosdidier
Ken FitzGerald
Bob Spencer
Deana Bossio
Kent Coburn
Lyle Penner
Tara Moore
Kyla Tyler
J Kirkwood
Mike Akin
David Lunka

CALL TO ORDER

A quorum of the Board was present, and the meeting was called to order at 6:31 p.m.

CONFLICTS OF INTEREST

There were none.

APPROVE AGENDA

A CRS statement was added to the Agenda. Director Kirkwood has moved to approve the agenda as amended. Upon a second by Director Marker, a vote was taken, and the motion carried unanimously.

CRS Statement

Mr. Pacheco read the statement added to the Agenda. Director Kirkwood moved to add the statement to the District website. Upon second by Director Marker, a vote was taken, and the motion carried unanimously.

PUBLIC COMMENT

- a. **Nick Linch:** Mr. Linch appeared at the meeting in support of Dave Lunka as a member to fill the current vacancy. Mr. Linch spoke highly of Dave Lunka and his ability. Mr. Linch made an additional comment that the agenda is incorrect due to the expiring positions listed.
- b. **Bruce McQuaid:** Mr. McQuaid, founder and former Director of the District, stated that there needs to be a change in President of the Board. The founding members of the District set it up after taking over from a commercial establishment to lower rates. Mr. McQuaid believes the Board is drifting away from those principles that were first set. He believes there is an opportunity to fill the vacancy to help the Board point in the right direction. Mr. McQuaid was in support of Dave Lunka as a member to fill the current vacancy. He spoke about Dave Lunka's ability and background.
- c. **Bob Spencer:** Mr. Spencer noted a concern about why there is a contractor running the board meetings. Mr. Spencer was there in support of Dave Lunka as a member to fill the current vacancy.
- d. **Deana Bossio:** Ms. Bossio made a statement that she moved into her home in March of 2022 and loves the community. However, Ms. Bossio made a comment that she did not appreciate that social media was being used to attack people. Ms. Bossio wants everybody to act as neighbors and be able to talk to each other rather than using social media to attack their neighbors. Ms. Bossio also mentioned that she did not appreciate Nick Linch's post earlier that day and noted how it shows immaturity and inappropriateness. Ms. Bossio mentioned that they are all in this together and asked to be engaged, honest, and stray away from the gossip. She wants to move forward with integrity.
- e. **Keith Burke:** Mr. Burke was also in attendance at the meeting to support Dave Lunka to fill the current vacancy. He stated that no one understands the system better regarding trees, weeds, and water stuff. He also noted that no one in the room understands it better other than Dave, Bruce and Lyle.
- f. **Kent Coburn:** Mr. Coburn attended the meeting in support of Dave Lunka as well. Mr. Coburn mentioned any time he had questions, Dave Lunka always made time to help even though he is not obligated to. Mr. Coburn also mentioned that Jeff and Dave are selfless in their service and do not use "I" a lot.
- g. **Lyle Penner:** Mr. Penner made a statement that he has been on the board and served as the President for one year. Mr. Penner also mentioned that he served on the Board for a total of ten years. His term was from 2013-2023 which included the construction of the water building. Mr. Penner also highly recommends Dave Lunka to the Board because of his history and high ethics. Mr. Penner also believes that the Board has drifted since he left.
- h. **Dave Lunka:** Mr. Lunka mentioned that there was a CORA request where he had received over 2,000 pages. He also noted that there are several over-expenditures such as major over-runs by CRS. Mr. Lunka mentioned he

went through over expense every year by CRS. He mentioned that he does not blame CRS, he blames the Board for the over-expenditure.

- i. **Tara Moore:** Ms. Moore states that she is there in full support of Dave Lunka. She noted that Dave Lunka has been a wealth of knowledge. Ms. Moore thanked the Board for their service and mentioned that she will be more involved moving forward.
- j. **Kyla Tyler:** Ms. Tyler has spent several hours researching claims made throughout the District. Ms. Tyler is not stating there is fraud occurring, but Dave needs to be on the Board to figure it out. Dave already knows about the research and can step in. Ms. Tyler asked for the resignation of Director Kirkwood as President due to several alleged breaches of fiduciary duty. Ms. Tyler provided the reasons behind the request for Director Kirkwood's resignation.
- k. **Mike Akin:** Mr. Akin mentioned that he has had several issues with the water pit and with the fire that occurred across the street from his home. Mr. Akin stated that they shouldn't need engineers to tell us what they need to do, the management firm should be able to tell them what to do. Mr. Akin is also in support of Dave Lunka for the vacancy.
- l. **J Kirkwood:** Ms. Kirkwood stated that she appreciates everyone's comments although she is in opposition of Dave Lunka. Ms. Kirkwood then questioned Kyla Tyler's post about fees and asked where the information came from. Ms. Kirkwood asked Kyla if placing mistruths out there was correct just because she has a platform to post it on. Ms. Kirkwood then noted that the information circulated by Kyla is misleading and false. She finished by thanking Ms. Bossio for her comments.

Director Kirkwood addressed resident concerns and questions. Director Kirkwood noted that CRS and ORC are being utilized to manage several aspects and maintain compliance within the District, at the Board's direction.

DIRECTOR ITEMS

- a. **Consider Acceptance of Resignation by Director King:** Director Kirkwood read Director King's resignation. Director Marker moved to accept Director King's resignation. Upon a second by Director Hampton, a vote was taken, and the motion carried unanimously.
- b. **Consider Appointment to Fill Current Vacancy and Consider Election for Treasurer:** Director Hundley moved to appoint Dave Lunka to fill the current vacancy. With no second, the motion did not move advance. Director Kirkwood provided comments as to his reasoning why Dave Lunka was not appointed at this meeting.

ADJOURNMENT

With no further business to come before the Board, Director Marker moved to adjourn the meeting at 7:54 p.m. Upon second by Director Hampton, a vote was taken, and the motion carried unanimously.

Respectfully submitted,



Secretary for the Meeting