

## RECORD OF PROCEEDING

---

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

#### DEER CREEK WATER DISTRICT

HELD THURSDAY, APRIL 30, 2026, AT 6:00 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 both virtually, via Zoom, and in person. The following Directors were present and acting:

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

Others identified in attendance:

Marcos Pacheco, Community Resource Services of Colorado  
Michael Schenfeld, Community Resource Services of Colorado  
Sharon and Dave Nelson  
Lyn and Brant Danielson  
Ron and Katie Roti  
George and Pat McCullen  
Mark Guzinski  
Michael Zimkowski  
Dan and Rhonda Hufford  
Kyla Fitzgerald  
Tedd Keller  
Deanna Bossio  
Earnest Hinkley

#### CALL TO ORDER

A quorum of the Board was present, and the meeting was called to order at 6:07 p.m.

#### CONFLICTS OF INTEREST

There were none.

#### AMENDMENT OF THE AGENDA

Director Hundley moved to approve the agenda as presented. Upon second by Director Marker, a vote was taken, and the motion carried unanimously.

#### PUBLIC COMMENT

- a. **Tedd Keller:** Mr. Keller addressed the Board and expressed his praise and appreciation for the work they have done.

- b. **Deana Bossio:** Ms. Bossio addressed concerns she had with recent social media posts and thanked the Board for their hard work.

#### **DIRECTORS' ITEMS**

Director Kirkwood read his letter into the record (attached hereto).

Director Hundley then moved to allow David Lunka to address the community. With no second, the motion did not advance.

Director Marker then read a statement into the record (attached hereto). She concluded by nominating Deana Bossio to fill the current vacancy on the Board.

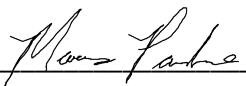
Director Marker then moved to appoint Deana Bossio to fill the current vacancy on the Board. Upon second by Director Hampton, a vote was taken. The motion carried by a majority vote. Director Hundley voted no.

The Board then briefly discussed the water meter replacement project and determined that final decisions will be made at the next Board meeting when more information is available and can be acted upon comfortably.

#### **ADJOURNMENT**

With no further business to come before the Board, Director Kirkwood moved to adjourn the meeting at 6:50 p.m. Upon a second by Director Marker, a vote was taken, and the motion carried unanimously.

Respectfully submitted,



---

Secretary for the Meeting

# To the Residents of Deer Creek Water District:

#1 It has come to my attention that a number of text messages have been circulating in the Deer Creek Estates area containing inaccurate and misleading statements about the DCWD Board and its actions. These messages originate from a small group of individuals seeking to fundamentally change how the District operates—changes that would increase operational risk and do not reflect what the Board believes is in the best interest of our community.

## Why the District Has Faced Increased Costs

The original intent of DCWD was to provide water at the lowest possible cost with minimal operational risk. While this approach worked in the early years, it did not include contingency funding for emergencies, system failures, or long-term maintenance. As a result, the District entered later years without the financial reserves necessary to address aging infrastructure.

## A Brief History of the Infrastructure Challenges

#2 The District's original water system was not designed to support 283 homes. It relied on a temporary solution: welded grain elevators used as a primary storage tank, lined with material expected to last approximately 10 years.

#3 After roughly 15 years, the lining began to fail. Repairs required significant investment and a loan, which was funded through a new fee added to each member's bill.

#4 During those repairs, it became evident that the tank structure itself was deteriorating and rusting. The lining failed again—not due to workmanship, but because the tank's structural integrity had been compromised.

#5 Additionally, the District's pumps, tank, and front-end systems were all reaching the end of their useful lives and required full replacement. Without these upgrades, the community faced the risk of losing water service entirely.

#6 Funding was ultimately secured; however, additional fees were necessary to support these essential improvements.

## Additional System Issues

#7 **Copper levels:** Homes were constructed with copper piping, which contributed to elevated copper levels in water testing. The District implemented treatment solutions at no additional cost to residents and absorbed the expense.

#8 **Meter infrastructure:** The meter-reading system reached end-of-life, placing billing accuracy at risk. The Board is addressing this by transitioning to cellular meters.

#9 **Meter pits:** Many pits are filled with silt, contain failing meters, or are located inside homes. These conditions can cause leaks, inaccurate readings, and revenue loss.

#10 **Fire hydrants:** Several areas—particularly Deer Creek Farms—lack sufficient hydrants to meet current code requirements. Planning is underway to address these deficiencies.

#11 **Aging distribution piping:** The original agricultural-grade piping is fragile. Recent upgrades have reduced pressure-related line breaks, but long-term replacement will still be necessary.

## Board Operations and Financial Recovery

The DCWD Board is entirely volunteer-based and receives no compensation. The Board oversees finances, operations, and capital projects, while day-to-day operations are handled by contracted professionals.

#12 A former Board member recommended the first contracting company, TDMS, which was subsequently hired. TDMS did not meet performance expectations and was ultimately replaced with CRS. Upon engagement, CRS conducted a

financial review and determined that the District lacked a reasonable financial reserve, identifying this as a significant risk.

#13 CRS also reinstated ORC Engineering, which now manages plant operations and ensures the delivery of clean, cost-effective water.

#14 Today, the Board is confident that our professional partners are capable, reliable, and aligned with the needs of the community.

#### **Transparency and Accountability**

#15 Every decision made by the Board has occurred during open, public meetings. All records are available on the DCWD website. We remain committed to transparency and responsible stewardship of District resources.

#### **Current and Future Improvements**

- **Cellular meters:** These will reduce manual reading costs and prevent billing disruptions caused by failing infrastructure.
- #16 • **Meter pit remediation:** Cleaning and assessments have begun, and replacement planning is ongoing.
- **System upgrades:** The new tank and distribution system improvements have already reduced line breaks and improved reliability.
- **Hydrants:** The District will work with local fire departments to develop appropriate plans to meet fire code requirements.

#### **Financial Realities**

#17 The founding members of the District had admirable intentions: low water costs and minimal fees. However, the absence of connection fees and long-term reserve planning left the District financially vulnerable. When CRS began its engagement, approximately \$40,000 remained in the operating budget.

Through careful financial management, the District has stabilized its position and is building a sustainable foundation for the future.

#### **A Commitment to the Community**

#18 Every decision made by this Board has been guided by what is best for the District and our neighbors—financially, operationally, and with a long-term perspective. While we may no longer offer the lowest water rates, we also do not believe DCWD is among the highest-cost districts. Our priority remains ensuring safe, reliable, high-quality water at the lowest sustainable cost.

I encourage all residents to stay engaged, attend meetings, and share their insights. As I have stated previously, we will not make decisions that lack planning, transparency, or a clear financial path forward.

**Regards,**

Kevin Kirkwood  
President  
Deer Creek Water District

Please remember this country was built on the basis to be able to strongly debate and if we disagree we need to walk away at the end of the session and “agree to disagree” peacefully.

I want to comment on my observations about how this community has conducted themselves over the past few weeks, and to say I am disappointed is too kind for the behavior I have witnessed and heard.

It is obviously there is too much dissention, with people not respecting each other for this group be productive. Change may be the only answer.

Kyla’s YouTube information group seems to only add to the chaos that has existed, with falsehoods and accusations that need to be cleared up. Facts needed to be brought to the surface, not just words and generalities – but real facts. I believe Kevin just addressed some of this.

Kevin’s commitment to Dave, after their meeting, was that he would discuss with Tony and I the possibility of adding Dave to the Board, as it was already known Jeff supported him. The intent was to help heal the community and then he called Dave to confirm we decided to proceed and nominate Dave as he firmly requested.

Kevin could not arrange for the meeting the week Kyla claims it was to be made as he was out of town on business, therefore, the meeting would have to be the following week, which today, it is. Kevin made it very clear that he would be out of town all last week to Dave. The request went in as planned, and the meeting was scheduled. In return, and I personally heard Dave threatened to “wipe him out, and ruin his reputation” if he was not put on the board. This is not the character or moral code I would expect from someone representing this community. The “stuff” would be stopped if Dave was to be voted onto the board as Treasurer. These threats are not the way to conduct business.

Kevin tried to do just that, but the recall efforts continued to move forward and postcards were mailed to the community, once again with unfounded proof for their claims. This was not the agreement and therefore, I firmly believe we need to rethink this.

The board should work together for the betterment of the community. If there were discrepancies in the budget and/or billing practices – they should have been brought to the attention of the board to evaluate and resolve, not hidden and used against one individual. This discovery process, used by these individuals or group were distorted, twisted and harmful to our community when presented.

I want to mention a couple of these mis -representations:

- 1) The Board is NOT considering a \$38,000 cost per home for a complete overhaul of the existing infrastructure. It is obvious that this is not something the homeowners

would want or be willing to finance or could even afford. To publish this as an intention in various formats, creating turmoil and confusion was so wrong. I believe repairs/upgrades need to be addressed in segments, determined by their urgency and what our budget can afford while leaving a reserve adequate for emergencies.

- 2) While the cost of the meters apparently includes the meters and installation to the homes this is only part of the expense and solution, residents are concerned about the damage to repair interior finished walls that would be broken through, and the impact this would have on their homeowner's insurance. I have read concerns on Next Door about meters in the homes and some individuals have brought up that point that it might be more cost effective to install the new meters in the pits as needed, with proper insulation and this would be safe and a must lower cost fix. I believe this needs to be looked into more seriously.

It is our goal to help keep expenses down, while also addressing the community concerns. We need to move forward with repairs and meters that need replacements in a timely and financially responsible way.

With all this in mind, and looking to achieve peace and cooperation, it has been brought to my attention, that an individual who is very active in our community, has proven leadership and organizational abilities, has worked to improve and restore the quality of life in our community, has lived in Deer Creek for 4 years, and in Colorado for 10, is fiscally responsible, has worked managing budgets, has contacts with many and is interested in bringing calm and order to our board while getting things done has expressed interest in filling the current open board position.

With that in mind, I believe it is in our best interest that I nominate Deena Bossio to fill the position we have open on the board at this time.

He said all this stuff could be stopped from happening.

The pressure did not go away, it only heated up. The allegations and attacks did not stop in the least.

Well, Kevin tried to do that, but....the recall efforts continued to move forward, and postcards were mailed to the members of the community. This is not what they agreed on.

Therefore, I believe we need to rethink this.

A board should work together for the betterment of the community. If there were discrepancies in the budget and billing practices questioned – they should have been brought to the board to evaluate. Not to be researched, hidden and tried to be used against one individual. There are answers to some, and corrections could be made to others in order to save money.

I want to just mention a few incorrect or incomplete statements and bring them to the attention of those in attendance.

- 1) The board is NOT considering a \$38,000 per resident complete overhaul of the existing infrastructure. It is obvious that this is not something the homeowners would want or be willing to finance or could even afford. To publish this intention in various formats was just wrong. I believe repairs need to be addressed in segments determined by urgency and what our budget can afford while leaving a reserve adequate for emergencies.

2) From what I understand, the meter project cost would cover most of our working capital and does not include installation, piping to the homes, and would leave us with little funds to cover necessary repairs. Residents are concerned about damage to the interior of their homes if this were to happen, for instance who would assume the expense to repair interior finished walls that would have to be broken through? How would this impact homeowner insurance policies. I have seen Next Door comments that there could be new meters installed as needed, in the pits at a much lower cost to residents. I believe this needs to be looked into more seriously.

It is my personal goal to help keep expenses down, while also addressing the community concerns and approving we move forward with repairs and meters that need replacements.

With this all in mind, it has been brought to my attention, that an individual who is very active in our community, has been a leader to organize, improve and restore our quality of life, has lived in Deer Creek for 4 years, Colorado for 10, is fiscally responsible, has contacts with many and is interested in bringing calm and order to our Board to get things done.

With that in mind, I believe it is in our best interest to nominate Deana Bossio to fill the empty Board position.