

## **RECORD OF PROCEEDING**

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

#### **DEER CREEK WATER DISTRICT**

**HELD WEDNESDAY, MARCH 25, 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 virtually, via Zoom. The following Directors were present and acting:

Kevin Kirkwood, President  
Jean King, Vice President  
Anthony Hampton, Treasurer  
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  
Kyla Tyler  
David Lunka  
Laurie Burke  
Nick Linch  
Lyle Penner  
Gregory Pedersen  
Lisa Hundley  
Keith Burke  
Roy Watson  
Jennifer Haller  
Bruce McQuaid

#### **CALL TO ORDER**

A quorum of the Board was present, and the meeting was called to order at 6:03 p.m.

#### **CONFLICTS OF INTEREST**

There were none.

#### **AMENDMENT OF THE AGENDA**

Director Kirkwood requested to add an additional minute to the public comment time to equal a total time limit of 4 minutes and add a statement to the agenda. Director King moved to approve the agenda as amended. Upon a second by Director Marker, a vote was taken, and the motion carried unanimously.

## APPROVAL OF MEETING MINUTES

Mr. Pacheco reviewed the meeting minutes from January 16, 2026. Director Marker moved to approve the minutes as presented. Upon second by Director Kirkwood, a vote was taken, and the motion was carried unanimously.

## PUBLIC COMMENT

- a. **Kyla Tyler:** A resident with 20 years of local real estate experience expressed concerns regarding the long-term financial vulnerability of the Deer Creek Water District (DCWD). While acknowledging that current financials reviewed by attorney Brian Matisse show no immediate risk, the resident highlighted potential future liabilities tied to continuous bond refinancing by specialized firms like Spencer Fane and CRS, citing "The Meadows" as a cautionary example. Additionally, Ms. Tyler noted the district's sensitivity to water quality claims, warning that future infrastructure issues could be used to justify taking on significant new debt.
- b. **Bruce McQuaid:** Mr. McQuaid encouraged the Board to address the meter pit issue, noting that budget funds are currently allocated for interior meters, but cost-effective solutions exist for meter pits. In response to a resident inquiry regarding liability in the event of a meter break, the Mr. McQuaid noted that the responsibility would fall under the homeowner's insurance rather than the District, presenting minimal risk.
- c. **Lyle Penner:** Mr. Penner requested discussion regarding a previous meeting concerning additional fire protection and installing meters in new pits, questioning the underlying rationale. He then highlighted that the associated costs for asphalt repair had been omitted from prior discussions and requested that the District instead utilize the existing engineering assessment.
- d. **Dave Lunka:** Mr. Lunka urged the Board to consult past board members for historical information and requested a vote against hiring a new engineer, stating the necessary data is already available. The speaker emphasized the importance of adhering to governing documents, encouraging unified board collaboration, and questioning the continued use of virtual meetings given the community preference for in-person meetings before sharing concluding opinions on District actions.
- e. **J Kirkwood:** Ms. Kirkwood requested an explanation regarding the ongoing use of virtual meetings and proceeded to read a prepared statement addressing concerns over mob mentality within the District.
- f. **Nick Linch:** Mr. Linch expressed surprise over being involved in recent disputes, clarifying that his only intent was to provide information to the community. He then alleged that two board members have been actively withholding information for the past two years. He then reiterated a past concern that he raised regarding a dog being allowed inside the water building, and noted that the District's insurance costs have become prohibitively expensive. Concluding the statement, Mr. Linch affirmed that he will not be silenced and intends to continue sharing his opinions publicly on NextDoor.

## FINANCIAL MATTERS

- a. **Review, Ratify, and Approve Payment of Claims:** Mr. Pacheco reviewed the Claims Listing. After review, Director Kirkwood moved to approve the claims as presented. Upon a second by Director Marker, a vote was taken, and the motion carried by Majority. Director Hundley voted no.
- b. **Review and Consider Approval of Cash Position and Unaudited Financial Statements:** Mr. Pacheco reviewed the current Cash position. After review, Director King moved to approve the current cash position as presented. Upon a second by Director Marker, a vote was taken, and the motion carried unanimously. Mr. Pacheco then reviewed the Unaudited Financial Statements. After review, Director Marker moved to approve the unaudited Financial Statements as presented. Upon second by Director Hampton, a vote was taken, and the motion carried unanimously.
- c. **Review and Consider Approval of 2025 Audit Exemption:** Mr. Pacheco reviewed the 2025 Audit Exemption Application. After review, Director Kirkwood moved to approve the 2025 Audit Exemption as presented. Upon a second by Director King, a vote was taken, and the motion was carried unanimously.

## **OPERATIONS & MAINTENANCE ITEMS**

- a. **Water Operator's Report:** The Board received a status update from the Water Operator regarding current system operations and routine maintenance activities.
- b. **Engineer Engagement:** Mr. Schenfeld reviewed the Engineer Engagement letter. Director Kirkwood would like to have Lyle Penner join as a consultant. Director Hundley opposed the idea that we need to use the old plan. Review of master plan will be conducted in a Special Meeting.

## **DIRECTOR ITEMS**

Director Kirkwood read his letter into the record (attached hereto). Director Kirkwood also provided information on how residents are qualified to serve on the Board of Directors.

## **MANAGEMENT ITEMS**

There were none.

## **LEGAL ITEMS**

There were none.

## **OTHER BUSINESS**

There were none.

## **ADJOURNMENT**

With no further business to come before the Board, Director King moved to adjourn the meeting at 7:16 p.m. Upon a second by Director Marker, a vote was taken, and the motion carried unanimously.

Respectfully submitted,



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Secretary for the Meeting