

FOUR CORNERS COUNTY WATER AND SEWER DISTRICT Minutes for November 1, 2005 Board Meeting

Meeting was held in the main Conference Room at the Zoot Enterprises Building located at Four Corners at 555 Zoot Enterprises Lane. Present at the Board meeting were Board members Chris Nelson and John Hulme. Board member Dennis Simpson participated by conference call as allowed by the District's Bylaws. The three Board members present constituted a quorum. Members of the public were also present along with District counsel and acting Secretary, John C .Brown.

The Meeting was called to order at approximately 6:07 p.m.

Board members John Hulme and Chris Nelson voted to approve the Minutes of the October 15, 2005 Board meeting and the October 25, 2005 Board Meeting. Board member Dennis Simpson abstained because he was not present in person and did not have copies of the Minutes to review.

Regarding old business, the Board agreed to continue the public hearing on the Petition to exclude the Garden Center Subdivision from the District until the next Board meeting given that there were no representatives from the Subdivision present to speak on behalf of the Petition.

Next, the Board acknowledged receipt of the "service and capacity" letter regarding the Tier One properties from Utility Solutions. Thereafter, the Board discussed the proposed Amendment to the Service Agreement between Utility Solutions and the District proposed by Utility Solutions. The Board directed Mr. Brown to inquire as to whether Utility Solutions would agree to indemnify the District for its attorney's fees and other expenses related to the acquisition of water rights as well as whether Utility Solutions would agree that the District would own all water rights acquired by the District pursuant to the Amendment.

Regarding the final order of old business, the Board discussed the replacement of Board members. Chairman Hulme stated that he had received two written inquiries and was expecting to receive additional written inquiries from other potential new Board members. The Board agreed that it would begin replacing Board members at the next Board meeting.

There being no new business, Chairman Hulme asked the public present if they had any comment on non-agenda items. No public comment was received.

After consideration of their calendars, the Board decided that the next meeting would be held on Tuesday, November 15, 2005 in the Zoot Main Conference Room.

The meeting was then adjourned at approximately 6:31 p.m.

DATED November 1, 2005.